



**CITY OF STARKVILLE COVERSHEET
RECOMMENDATION FOR BOARD ACTION**

**AGENDA ITEM: MINUTES
AGENDA DATE: 9-5-2017
PAGE: 1 of 70**

SUBJECT: Request approval of the minutes of the August 1, 2017 meeting of the Mayor and Board of Aldermen of the City of Starkville, MS.

AMOUNT & SOURCE OF FUNDING: N/A

FISCAL NOTE: N/A

AUTHORIZATION HISTORY: N/A

**REQUESTING
DEPARTMENT:** City Clerk's Office

**DIRECTOR'S
AUTHORIZATION:** Lesa Hardin

FOR MORE INFORMATION CONTACT: Lesa Hardin, City Clerk / CFO

SUGGESTED MOTION: Approval of the minutes of the August 1, 2017 meeting of the Mayor and Board of Aldermen of the City of Starkville, MS.

**MINUTES OF THE REGULAR MEETING
OF THE MAYOR AND BOARD OF ALDERMEN
The City of Starkville, Mississippi
August 1, 2017**

Be it remembered that the Mayor and Board of Alderman met in a Regular Meeting on August 1, 2017 at 5:30 p.m. in the Courtroom of City Hall, located at 110 West Main Street, Starkville, MS. Present were Mayor Lynn Spruill, Aldermen Ben Carver, Sandra Sistrunk, David Little, Jason Walker, Patrick Miller, Roy A.' Perkins, and Henry Vaughn, Sr. Attending the Board were City Clerk Lesa Hardin and City Attorney Chris Latimer.

Mayor Lynn Spruill opened the meeting with the Pledge of Allegiance followed by a moment of silence.

Mayor Lynn Spruill asked for any revisions to the Official Agenda.

REQUESTED REVISIONS TO THE OFFICIAL AGENDA:

Mayor Spruill requested a Resolution recognizing Representative Tyrone Ellis be added to the Consent Agenda:

1. A MOTION TO APPROVE THE CONSENT AGENDA.

Alderman Little offered a motion, duly seconded by Alderman Miller, to approve the August 1, 2017 Consent Agenda. The Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Patrick Miller	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion carried.

2. A MOTION TO APPROVE THE AGENDA WITH CONSENT ITEMS.

Alderman Little offered a motion, duly seconded by Alderman Miller, to approve the August 1, 2017 Agenda. The Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Patrick Miller	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion carried.

**OFFICIAL AGENDA OF
THE MAYOR AND BOARD OF ALDERMEN
OF THE
CITY OF STARKVILLE, MISSISSIPPI**

REGULAR MEETING OF TUESDAY, AUGUST 1, 2017
5:30 P.M., COURT ROOM, CITY HALL
110 WEST MAIN STREET

I. CALL THE MEETING TO ORDER

II. PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE

III. APPROVAL OF THE OFFICIAL AGENDA

A. CONSENT AGENDA AS HIGHLIGHTED IN YELLOW

IV. APPROVAL OF THE BOARD OF ALDERMEN MINUTES

CONSIDERATION OF THE MINUTES OF THE JUNE 20, 2017 MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MS.

V. ANNOUNCEMENTS AND COMMENTS

A. MAYOR'S COMMENTS:

B. BOARD OF ALDERMEN COMMENTS:

VI. CITIZEN COMMENTS

VII. PUBLIC APPEARANCES

VIII. PUBLIC HEARING

A. PUBLIC HEARING OF VA 17-14: A REQUEST BY FRANK JONES CONSTRUCTION FOR VARIANCE RELIEF FROM FRONT AND SIDE SETBACK REQUIREMENTS FOR THE FINAL PHASE OF COUNTRY CLUB ESTATES IN A R-4 ZONE WITH THE PROPERTY #106-14-013.00

IX. MAYOR'S BUSINESS

A. DISCUSSION AND CONSIDERATION OF VA 17-14 A REQUEST BY FRANK JONES CONSTRUCTION FOR VARIANCE RELIEF FROM FRONT AND SIDE SETBACK REQUIREMENTS FOR THE FINAL PHASE OF COUNTRY CLUB ESTATES IN A R-4 ZONE WITH THE PROPERTY #106-14-013.00.

B. CONSIDERATION OF INVOICE NO.'S 1878 AND 1887 FROM PEPPER SURVEYING AND MAPPING, LLC FOR PAYMENT UNDER MISS. CODE SECTION 25-1-47.

C. CONSIDERATION OF APPROVING IN-KIND SERVICES DURING THE RALLY HELD IN STURGIS MS BETWEEN AUGUST 17 THROUGH AUGUST 20, 2017.

- D. CONSIDERATION AND REVIEW OF ITEM NO. 10 OF THE MINUTES FROM MAY 3, 2016 OF THE STARKVILLE BOARD OF ALDERMEN TO CONSIDER A CLARIFICATION, NUNC PRO TUNC, TO ACCURATELY REFLECT THE WILL AND INTENT OF THE BOARD.
- E. A RESOLUTION RECOGNIZING AND COMMENDING THE HONORABLE REPRESENTATIVE TYRONE ELLIS FOR HIS SERVICE TO THE CITIZENS OF THE CITY OF STARKVILLE, MISSISSIPPI

X. BOARD BUSINESS

- A. DISCUSSION AND CONSIDERATION OF AUTHORIZATION THAT THE CITY OF STARKVILLE CONCUR WITH PREVIOUS BOARD'S COMMITMENT OF MATCHING FUNDS OTHER THAN CDBG FUNDS TO A PROJECT UNDER THE MISSISSIPPI COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.
- B. CONSIDERATION OF CITY OF STARKVILLE CONTRACT FOR LEGAL SERVICES WITH CHRIS LATIMER OF MITCHELL, MCNUTT & SAMS, PA FOR TERM OF AUGUST 1, 2017 THROUGH JUNE 30, 2021
- C. CONSIDERATION OF AMENDED TIMELINE FOR THE SUBMISSION OF ITEMS FOR THE BOARD AGENDA.

XI. DEPARTMENT BUSINESS

A. AIRPORT

- 1. REQUEST APPROVAL OF AIRPORT DIRECTOR RODNEY LINCOLN TO TRAVEL TO THE JACKSON AIRPORT IN JACKSON, MS TO ATTEND A MISSISSIPPI AIRPORT ASSOCIATION BOARD OF DIRECTORS MEETING ON AUGUST 15, 2017.

B. COMMUNITY DEVELOPMENT DEPARTMENT

1. CODE ENFORCEMENT

THERE ARE NO ITEMS FOR THIS AGENDA

2. PLANNING

- a. DISCUSSION AND CONSIDERATION OF A REQUEST FOR IN-KIND SERVICES BY THE RELAY FOR LIFE OF OKTIBBEHA COUNTY TO PLACE A BANNER OVER MAIN STREET AUGUST 6-11, 2017.
- b. DISCUSSION AND CONSIDERATION OF APPOINTMENT OF RYAN ASHFORD TO THE VACANT POSITION ON THE HISTORIC PRESERVATION COMMISSION FOR A TERM OF THREE YEARS TO END AUGUST 1, 2020.

C. COURTS

THERE ARE NO ITEMS FOR THIS AGENDA

D. ENGINEERING

- 1. CONSIDERATION OF ACCEPTING THE QUOTE FROM TERRY STIDHAM CONSTRUCTION IN THE AMOUNT OF \$3,100.00 TO COMPLETE THE GREEN STREET DRAINAGE PROJECT- PHASE 1 WITH FUNDS COMING FROM WARD 5 DISCRETIONARY FUNDS.

2. CONSIDERATION OF ACCEPTING THE QUOTE FROM TERRY STIDHAM CONSTRUCTION IN THE AMOUNT OF \$4,900.00 TO INCREASE THE CAPACITY OF EXISTING INLETS ON JACKSON ST. WITH FUNDS COMING FROM WARD 5 DISCRETIONARY FUNDS.

E. FINANCE AND ADMINISTRATION

1. REQUEST APPROVAL OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS INCLUDING STARKVILLE UTILITIES DEPARTMENT AS OF JULY 26, 2017 FOR FISCAL YEAR ENDING 9/30/17, ACKNOWLEDGING THAT THE CITY CLERK HAS ATTESTED AND CERTIFIED ON THE COVER OF THE CLAIMS DOCKET THAT ALL CLAIMS ON THE DOCKET ARE TRUE, ACCURATE, LAWFUL AND PROPER TO THE BEST OF HER KNOWLEDGE, FOR PAYMENT PURSUANT TO HER DUTIES UNDER MISS. CODE SECTIONS 21-39-5, 21-39-7, 21-39-17 AND 21-15-21.
2. CONSIDERATION OF A LEASE AGREEMENT PROPOSAL WITH BANCORP SOUTH EQUIPMENT FINANCE CORPORATION IN THE AMOUNT OF \$ 29,327.00 OVER FIVE YEARS AT 2.52% INTEREST FOR THE LEASE PURCHASE OF A FORD F-150 TO BE USED BY SFD FIRE MARSHALLS AND TO BE PAID FROM STATE REBATE FUNDS.

F. FIRE DEPARTMENT

THERE ARE NO ITEMS FOR THIS AGENDA

G. INFORMATION TECHNOLOGY

THERE ARE NO ITEMS FOR THIS AGENDA

H. PARKS

1. CONSIDERATION OF THE APPROVAL FOR TRENT HELMS, GERRY LOGAN, WILLIAM POCHOP, AND LISA COX TO ATTEND THE MS PARK AND RECREATION CONVENTION OCTOBER 16-18, 2017 IN TUPELO, MS WITH ADVANCE TRAVEL NOT TO EXCEED \$1760.00 FOR CONFERENCE WITH ADDITIONAL CONSIDERATION FOR WILLIAM POCHOP TO BE ALLOWED ONE HOTEL ROOM ON WEDNESDAY NIGHT WITH ADVANCE TRAVEL NOT TO EXCEED \$1760.00 FOR CONFERENCE.
2. CONSIDERATION OF THE APPROVAL OF GERRY LOGAN TO ATTEND THE NATIONAL PARK AND RECREATION CONVENTION SEPTEMBER 26-28, 2017 IN NEW ORLEANS, LA WITH ADVANCE TRAVEL NOT TO EXCEED \$1854.28.
3. CONSIDERATION OF THE APPROVAL TO REMOVE 1986 GMC DUMP TRUCK SIERRA 3500 FROM CITY INVENTORY WITH VIN # BC26299 AND TO SELL TO THE HIGHEST BIDDER.
4. CONSIDERATION OF THE APPROVAL TO REMOVE 1975 FORD 3600 TRACTOR FROM CITY INVENTORY WITH SERIAL NUMBER B70516 AND SELL TO THE HIGHEST BIDDER.

5. CONSIDERATION OF THE APPROVAL TO REMOVE 1987 GMC CUSTOM DELUXE TRUCK VIN # 1GCDR14Z3HF371450 TO SELL TO THE HIGHEST BIDDER.
6. CONSIDERATION OF THE APPROVAL TO REMOVE SAND PROSGOLF CARTS/XMARK MOWERS/TRAC VAC/ FROM CITY INVENTORY AND TO SELL TO THE HIGHEST BIDDER FOR PARTS.

I. PERSONNEL

1. CONSIDERATION OF THE APPROVAL TO HIRE STEPHEN COLEMAN AND KENDRICK BISHOP AS MAINTENANCE WORKERS FOR THE SANITATION & THE ENVIRONMENTAL SERVICES DEPARTMENT.
2. CONSIDERATION OF ADOPTING THE JOB DESCRIPTION FOR A PROCESSING CLERK, AND AUTHORIZATION TO ADVERTISE TO FILL THE POSITION OF A PROCESSING CLERK IN THE COMMUNITY DEVELOPMENT DEPARTMENT.
3. CONSIDERATION TO ADVERTISE FOR A WAREHOUSE MANAGER IN THE STARKVILLE UTILITIES-WATER/SEWER DEPARTMENT, AND ALLOW CASEY JOHNSON TO WORK PART TIME AS A WATER OPERATOR, AS NEEDED.

J. POLICE DEPARTMENT

1. CONSIDERATION OF THE APPROVAL TO ENTER INTO A GRANT AGREEMENT M5X-2018-MD-23-11 WITH THE MS OFFICE OF HIGHWAY SAFETY WHICH PROVIDES FOR TWO (2) ADDITIONAL FULL TIME DUI ENFORCEMENT OFFICERS AS WELL AS OVERTIME ENFORCEMENT IN THE AREAS OF ALCOHOL AND DRUGGED DRIVING ARRESTS.
2. CONSIDERATION OF THE APPROVAL TO ENTER INTO THE GRANT AGREEMENT PT-2018-PT-23-11 WITH THE MS OFFICE OF HIGHWAY SAFETY WHICH PROVIDES FOR OVERTIME ENFORCEMENT IN THE AREAS OF TRAFFIC LAW ENFORCEMENT.

K. SANITATION DEPARTMENT

THERE ARE NO ITEMS FOR THIS AGENDA

L. UTILITIES DEPARTMENT

1. REQUEST AUTHORIZATION TO ADVERTISE FOR BIDS FOR CONSTRUCTION AND INSTALLATION OF SANITARY SEWER PUMP STATION MODIFICATIONS.
2. REQUEST AUTHORIZATION TO PROCEED WITH INSTALLATION OF APPROXIMATELY 5,000 FEET OF IDENTIFIED SEWER LINE AND TAPS AS PART OF THE SEWER REHABILITATION PROGRAM PER COMMITMENT TO THE EPA AGENCY WITH AN EXPECTED TOTAL COST OF \$299,841 UTILIZING APPROVED SOURCE OF SUPPLY MATERIALS AND LABOR.
3. REQUEST AUTHORIZATION FOR STARKVILLE UTILITIES TO ADVERTISE FOR SOURCE OF SUPPLY BIDS FOR WATER DIVISION MATERIAL FOR THE PERIOD JULY 1, 2017 THROUGH DECEMBER 31, 2017.

XII. CLOSED DETERMINATION SESSION

XIII. OPEN SESSION

XIV. EXECUTIVE SESSION

XV. OPEN SESSION

XVI. RECESS UNTIL AUGUST 15, 2017 @ 5:30 IN THE COURT ROOM AT 110 WEST MAIN STREET.

The City of Starkville is accessible to persons with disabilities. Please call the ADA Coordinator, Joyner Williams, at (662) 323-2525, ext. 3121 at least forty-eight (48) hours in advance for any services requested.

Consent items 3 – 30:

3. CONSIDERATION OF THE MINUTES OF THE JUNE 20, 2017 MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MS.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the August 1, 2017 Official Agenda, and to accept items for consent, whereby the “approval of the minutes of the June 20, 2017 meeting of the Mayor and Board of Aldermen of the City of Starkville, MS” is enumerated, this consent item is thereby approved.

4. CONSIDERATION OF INVOICE NO.’S 1878 AND 1887 FROM PEPPER SURVEYING AND MAPPING, LLC FOR PAYMENT UNDER MISS. CODE SECTION 25-1-47.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the August 1, 2017 Official Agenda, and to accept items for consent, whereby the “approval of the payment of Invoice No.’s 1878 (\$645) and 1887 (\$995) from Pepper Surveying and Mapping, LLC for payment under Miss. Code Section 25-1-47” is enumerated, this consent item is thereby approved.

5. CONSIDERATION OF APPROVING IN-KIND SERVICES DURING THE RALLY HELD IN STURGIS MS BETWEEN AUGUST 17 THROUGH AUGUST 20, 2017.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the August 1, 2017 Official Agenda, and to accept items for consent, whereby the “approval of in-kind services in the amount of \$1,570 for Sanitation and Environmental Services to provide sanitation services during The Rally held in Sturgis MS between August 17 through August 20, 2017 and in-kind services from the Starkville Police Department for holding traffic in intersections through the city limits and in-kind services from the Utilities Department for hanging the Banner across Main Street” is enumerated, this consent item is thereby approved.

6. CONSIDERATION AND REVIEW OF ITEM NO. 10 OF THE MINUTES FROM MAY 3, 2016 OF THE STARKVILLE BOARD OF ALDERMEN TO CONSIDER A CLARIFICATION, NUNC PRO TUNC, TO ACCURATELY REFLECT THE WILL AND INTENT OF THE BOARD.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the August 1, 2017 Official Agenda, and to accept items for consent, whereby the “approval of clarifying Item No. 10 of the Minutes from May 3, 2016 of the Starkville Board of Aldermen, nunc pro tunc, to specify the Board’s intent that "the street level floor of any buildings that face University Drive shall have at a minimum 1/3 non-residential uses along its frontage" is enumerated, this consent item is thereby approved.

7. CONSIDERATION OF A RESOLUTION RECOGNIZING AND COMMENDING THE HONORABLE REPRESENTATIVE TYRONE ELLIS FOR HIS SERVICE TO THE CITIZENS OF THE CITY OF STARKVILLE, MISSISSIPPI.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the August 1, 2017 Official Agenda, and to accept items for consent, whereby the "Resolution recognizing and commending the Honorable Representative Tyrone Ellis for his service to the citizens of the City of Starkville, Mississippi" is enumerated, this consent item is thereby approved.

**A RESOLUTION RECOGNIZING AND COMMENDING THE HONORABLE
REPRESENTATIVE TYRONE ELLIS FOR HIS SERVICE TO THE CITIZENS OF THE CITY OF
STARKVILLE, MISSISSIPPI**

Whereas, longtime Mississippi State Representative. Tyrone Ellis announced Friday, June 30, 2017 that he is retiring after 38 years in the Legislature; and,

Whereas, Representative Tyrone Ellis was born July 31, 1946 in Starkville, Mississippi, and is married to the former Arella Rena. They have two children Stephen Tyroin and Stephanie Renee and currently serves as pastor of Running Water Baptist Church in Noxubee county; and,

Whereas, in 1979, Representative Ellis was one of the first African-Americans elected to the Mississippi Legislature after the reconstruction era. He was first elected to the 122-member House in November 1979 and took office in January 1980; and,

Whereas, Representative Tyrone Ellis is the first member to serve as Majority Leader of the House of Representatives and he led the House Democrats with distinction starting in 2008. He is one of the longest serving African-Americans in the Mississippi legislature; and

Whereas, Representative Ellis was elected to represent Clay, Lowndes, and Oktibbeha counties in District 38. During his years of service to that body he has worked diligently to honor the best interests of his district and to improve the quality of life for all Mississippians; and

Whereas, throughout his decorated tenure as a member of the House, Representative Ellis served as the Majority Leader of the House, the first to hold that position when created in 2008. He served as Chairman of the Public Utilities Committee as well as serving as a member of the Corrections, Judiciary B, Ways and Means, Elections and Accountability, Efficiency and Transparency committees; and

Whereas, Representative Tyrone Ellis is rightfully honored on this day for his service to the City of Starkville and Oktibbeha County and Mississippi State University for his many accomplishments as a member of the Mississippi House of Representatives. His tireless work on behalf of his constituents and all the citizens of this great state is justly acknowledged, and for his 38 years of service as a legislator, for the countless hours he has spent working on behalf of his district, and for his many achievements he is hereby commended and granted best wishes as he begins a new chapter of his life.

NOW, THEREFORE, BE IT RESOLVED, THAT THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE hereby express their gratitude to Representative Ellis for his service to District 38 for his sound leadership and valued contributions to the City of Starkville; and

BE IT FURTHER RESOLVED, that the Mayor and Board of Aldermen of the City of Starkville wish Representative Ellis continued success in all his endeavors and express our hope for his continued health, happiness and prosperity; and

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Representative Tyrone Ellis as a token of our enduring respect.

8. CONSIDERATION OF AUTHORIZATION THAT THE CITY OF STARKVILLE CONCUR WITH PREVIOUS BOARD'S COMMITMENT OF MATCHING FUNDS OTHER THAN CDBG FUNDS TO A PROJECT UNDER THE MISSISSIPPI COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the August 1, 2017 Official Agenda, and to accept items for consent, whereby the "authorization that the City of

Starkville concur with previous Board's April 18, 2017 commitment of matching funds other than CDBG funds to a project under the Mississippi Community Development Block Grant (CDBG) program" is enumerated, this consent item is thereby approved.

**A RESOLUTION
AUTHORIZING THE CITY OF STARKVILLE
TO COMMIT FUNDS OTHER THAN CDBG FUNDS
TO A PROJECT UNDER THE
MISSISSIPPI COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
PROGRAM**

WHEREAS, the State of Mississippi has funds available under the Mississippi Community Development Block Grant (CDBG) Program for cities, towns and counties to address public facilities and economic development needs; and

WHEREAS, citizens of the City of Starkville have specific community development needs and problems which can be corrected or alleviated by using grant funds under the Mississippi Community Development Block Grant Program; and

WHEREAS, the City of Starkville Mayor and Board of Aldermen intend to leverage CDBG Public Facilities funds with other funds in order to provide maximum use of program funds;

NOW, THEREFORE, BE IT RESOLVED, that City of Starkville does hereby concur with the previous board's commitment of matching funds for the project equal to the amount of the awarded grant not to exceed \$600,000 to be derived from a Mississippi Capital Improvements Revolving Loan Fund Program (CAP Loan) to leverage said CDBG funds for the proposed public facilities sewer improvements project to alleviate a threat to health and meet the threshold requirements of the CDBG program.

9. CONSIDERATION OF CITY OF STARKVILLE CONTRACT FOR LEGAL SERVICES WITH CHRIS LATIMER OF MITCHELL, MCNUTT & SAMS, PA FOR TERM OF AUGUST 1, 2017 THROUGH JUNE 30, 2021.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the August 1, 2017 Official Agenda, and to accept items for consent, whereby the "approval of the City Of Starkville contract for legal services with Chris Latimer of Mitchell, McNutt & Sams, PA for term of August 1, 2017 through June 30, 2021" is enumerated, this consent item is thereby approved.

10. CONSIDERATION OF AMENDED TIMELINE FOR THE SUBMISSION OF ITEMS FOR THE BOARD AGENDA.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the August 1, 2017 Official Agenda. and to accept items for consent, whereby the "approval that any and all items for agenda submission be provided electronically and in hard copy form to the appropriate city staff no later than 5:00 p.m. on the Tuesday preceding the meeting at which they are to be considered; and that the Mayor and Board submit items by noon on the preceding Thursday" is enumerated, this consent item is thereby approved.

11. CONSIDERATION OF APPROVAL OF AIRPORT DIRECTOR RODNEY LINCOLN TO TRAVEL TO THE JACKSON AIRPORT IN JACKSON, MS TO ATTEND A MISSISSIPPI AIRPORT ASSOCIATION BOARD OF DIRECTORS MEETING ON AUGUST 15, 2017.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the August 1, 2017 Official Agenda. and to accept items for consent, whereby the "approval for Airport Director Rodney

Lincoln to travel to the Jackson Airport in Jackson, MS to attend a Mississippi Airport Association Board of Directors Meeting on August 15, 2017” is enumerated, this consent item is thereby approved.

12. CONSIDERATION OF A REQUEST FOR IN-KIND SERVICES BY THE RELAY FOR LIFE OF OKTIBBEHA COUNTY TO PLACE A BANNER OVER MAIN STREET AUGUST 6-11, 2017.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the August 1, 2017 Official Agenda, and to accept items for consent, whereby the “approval of in-kind services for the placement of a banner over Main Street for Relay for Life of Oktibbeha County” is enumerated, this consent item is thereby approved.

13. CONSIDERATION OF APPOINTMENT OF RYAN ASHFORD TO THE VACANT POSITION ON THE HISTORIC PRESERVATION COMMISSION FOR A TERM OF THREE YEARS TO END AUGUST 1, 2020.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the August 1, 2017 Official Agenda, and to accept items for consent, whereby the “re-appointment of Ryan Ashford to the vacant position on the Historic Preservation Commission for a term of three years with the term to begin August 1, 2017 and end August 1, 2020 upon board approval” is enumerated, this consent item is thereby approved.

14. CONSIDERATION OF ACCEPTING THE QUOTE FROM TERRY STIDHAM CONSTRUCTION IN THE AMOUNT OF \$3,100.00 TO COMPLETE THE GREEN STREET DRAINAGE PROJECT- PHASE 1 WITH FUNDS COMING FROM WARD 5 DISCRETIONARY FUNDS.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the August 1, 2017 Official Agenda, and to accept items for consent, whereby the “approval to accept the quote from Terry Stidham Construction in the amount of \$3,100.00 to complete the Green Street Drainage Project- Phase 1 with funds coming from Ward 5 discretionary funds” is enumerated, this consent item is thereby approved.

15. CONSIDERATION OF ACCEPTING THE QUOTE FROM TERRY STIDHAM CONSTRUCTION IN THE AMOUNT OF \$4,900.00 TO INCREASE THE CAPACITY OF EXISTING INLETS ON JACKSON ST. WITH FUNDS COMING FROM WARD 5 DISCRETIONARY FUNDS.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the August 1, 2017 Official Agenda, and to accept items for consent, whereby the “approval to accept the quote from Terry Stidham Construction in the amount of \$4,900.00 to increase the capacity of existing inlets with funds coming from Ward 5 discretionary funds” is enumerated, this consent item is thereby approved.

16. CONSIDERATION OF THE CITY OF STARKVILLE CLAIMS DOCKET FOR ALL DEPARTMENTS INCLUDING STARKVILLE UTILITIES DEPARTMENT AS OF JULY 26, 2017 FOR FISCAL YEAR ENDING 9/30/17.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the August 1, 2017 Official Agenda, and to accept items for consent, whereby the “approval of the City of Starkville Claims Docket for all departments as of July 26 2017 for fiscal year ending 9/30/17. acknowledging that the City Clerk has attested and certified on the record, to be placed in the Minutes of this meeting, that all claims on the docket are true, accurate, lawful, and proper for payment pursuant to her duties under Miss. Code Sections 21-39-5, 21-39-7, 21-39-9, 21-39-17 and 21-15-21 to the best of her knowledge” is enumerated, this consent item is thereby approved.

General Fund	001	\$ 144,498.06
Restricted Police Fund	002	3,793.37

Airport Fund	015	7,507.90
Sanitation	022	15,748.83
Landfill	023	8,890.42
Computer Assessments	107	500.00
Police Dept Renovations	135	497,288.31
Park and Recreation	375	11,235.36
Trust & Agency	610	19,328.37
Economic Dev, Tourism & Conv	630	79,822.61
Sub Total Before Utilities		\$ 788,613.23
Utilities Dept.	SED	243,532.49
Total Claims	Total	\$ 1,032,145.72

17. CONSIDERATION OF A LEASE PROPOSAL WITH BANCORP SOUTH EQUIPMENT FINANCE CORPORATION IN THE AMOUNT OF \$ 29,327.00 OVER FIVE YEARS AT 2.52% INTEREST FOR THE LEASE PURCHASE OF A FORD F-150 TO BE USED BY SFD FIRE MARSHALLS AND TO BE PAID FROM STATE REBATE FUNDS.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the August 1, 2017 Official Agenda, and to accept items for consent, whereby the "Approval of a lease with Bancorp South Equipment Finance Corporation in the amount of \$29,327.00 over five years at 2.52% interest for the lease purchase of a Ford F-150 to be used by SFD Fire Marshalls and to be paid from State Rebate Funds" is enumerated, this consent item is thereby approved.

Two quotes received: Bancorp South – 2.52% and Trustmark – 2.91%

18. CONSIDERATION OF THE APPROVAL FOR TRENT HELMS, GERRY LOGAN, WILLIAM POCHOP, AND LISA COX TO ATTEND THE MS PARK AND RECREATION CONVENTION OCTOBER 16-18, 2017 IN TUPELO, MS WITH ADVANCE TRAVEL NOT TO EXCEED \$1760.00 FOR CONFERENCE WITH ADDITIONAL CONSIDERATION FOR WILLIAM POCHOP TO BE ALLOWED ONE HOTEL ROOM ON WEDNESDAY NIGHT WITH ADVANCE TRAVEL NOT TO EXCEED \$1760.00 FOR CONFERENCE.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the August 1, 2017 Official Agenda, and to accept items for consent, whereby the "approval for Trent Helms, Gerry Logan, William Pochop, and Lisa Cox to attend the Mississippi Park and Recreation Convention October 16-18 in Tupelo, MS with the additional consideration for William Pochop to be allowed one hotel room on Wednesday night with advance travel not to exceed \$1760.00 for conference" is enumerated, this consent item is thereby approved.

19. CONSIDERATION OF THE APPROVAL OF GERRY LOGAN TO ATTEND THE NATIONAL PARK AND RECREATION CONVENTION SEPTEMBER 26-28, 2017 IN NEW ORLEANS, LA WITH ADVANCE TRAVEL NOT TO EXCEED \$1854.28.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the August 1, 2017 Official Agenda, and to accept items for consent, whereby the "approval of Gerry Logan to attend the National Park and Recreation Convention September 26-28 in New Orleans, LA with advance travel not to exceed \$1854.28" is enumerated, this consent item is thereby approved.

20. CONSIDERATION OF THE APPROVAL TO REMOVE 1986 GMC DUMP TRUCK SIERRA 3500 FROM CITY INVENTORY WITH VIN # BC26299 AND TO SELL TO THE HIGHEST BIDDER.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the August 1, 2017 Official Agenda, and to accept items for consent, whereby the “authorization to remove 1986 GMC Dump Truck Sierra 3500 from city inventory with VIN # BC26299 and to sell to the highest bidder” is enumerated, this consent item is thereby approved.

21. CONSIDERATION OF THE APPROVAL TO REMOVE 1975 FORD 3600 TRACTOR FROM CITY INVENTORY WITH SERIAL NUMBER B70516 AND SELL TO THE HIGHEST BIDDER.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the August 1, 2017 Official Agenda, and to accept items for consent, whereby the “authorization to remove 1975 Ford 3600 tractor from city inventory with Serial Number B70516 and sell to the highest bidder” is enumerated, this consent item is thereby approved.

22. CONSIDERATION OF THE APPROVAL TO REMOVE 1987 GMC CUSTOM DELUXE TRUCK VIN # 1GCDR14Z3HF371450 TO SELL TO THE HIGHEST BIDDER.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the August 1, 2017 Official Agenda, and to accept items for consent, whereby the “authorization to remove 1987 GMC Custom Deluxe VIN # 1GCDR14Z3HF371450 to sell to the highest bidder” is enumerated, this consent item is thereby approved.

23. CONSIDERATION OF THE APPROVAL TO REMOVE SAND PROSGOLF CARTS/XMARK MOWERS/TRAC VAC/ FROM CITY INVENTORY AND TO SELL TO THE HIGHEST BIDDER FOR PARTS.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the August 1, 2017 Official Agenda, and to accept items for consent, whereby the “authorization of the removal of Sand Pro 2020/Golf Carts/Xmark mowers/Trac Vac/ from city inventory and to sell to the highest bidder for parts” is enumerated, this consent item is thereby approved.

24. CONSIDERATION OF THE APPROVAL TO HIRE STEPHEN COLEMAN AND KENDRICK BISHOP AS MAINTENANCE WORKERS FOR THE SANITATION & THE ENVIRONMENTAL SERVICES DEPARTMENT.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the August 1, 2017 Official Agenda, and to accept items for consent, whereby the “approval to hire Stephen Coleman and Kendrick Bishop as Maintenance Workers for the Sanitation & the Environmental Services Department” is enumerated, this consent item is thereby approved.

25. CONSIDERATION TO ADVERTISE FOR A WAREHOUSE MANAGER IN THE STARKVILLE UTILITIES-WATER/SEWER DEPARTMENT, AND ALLOW CASEY JOHNSON TO WORK PART TIME AS A WATER OPERATOR, AS NEEDED.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the August 1, 2017 Official Agenda, and to accept items for consent, whereby the “authorization to advertise for a Warehouse Manager in the Starkville Utilities-Water/Sewer Department, and allow Casey Johnson to work part time as a Water Operator, as needed” is enumerated, this consent item is thereby approved.

26. CONSIDERATION OF THE APPROVAL TO ENTER INTO A GRANT AGREEMENT M5X-2018-MD-23-11 WITH THE MS OFFICE OF HIGHWAY SAFETY WHICH PROVIDES FOR TWO (2) ADDITIONAL FULL TIME DUI ENFORCEMENT OFFICERS AS WELL AS OVERTIME ENFORCEMENT IN THE AREAS OF ALCOHOL AND DRUGGED DRIVING ARRESTS.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the August 1, 2017 Official Agenda, and to accept items for consent, whereby the “authorization to enter into the grant agreement with the Mississippi Office of Highway Safety concerning grant number M5X-2018-MD-23-11 which is the DUI Enforcement grant for FY18 in the amount of \$73,045.60 with this grant providing for two (2) additional full time DUI enforcement officers as well as overtime enforcement in the areas of alcohol and drugged driving arrests” is enumerated, this consent item is thereby approved.



STATE OF MISSISSIPPI
DEPARTMENT OF PUBLIC SAFETY
DIVISION OF PUBLIC SAFETY PLANNING

PHIL BRYANT
GOVERNOR
July 24, 2017

MARSHALL L. FISHER
COMMISSIONER

Lynn Spruill, Mayor
City of Starkville
Starkville Police Department
110 West Main Street
Starkville, MS 39759

Dear Mayor Spruill

Enclosed please find the Mississippi Office of Highway Safety (MOHS) and City of Starkville Grant Agreement for the Fiscal Year 2018. Your agency has been approved for 405D Alcohol and Drug Impaired Driving, in the amount of \$73,045.60, pending final review and approval by NHTSA in the FY18 Highway Safety Plan.

The enclosed agreement is not fully executed until both the agency authorized official (Mayor, Board of Supervisor, President, Board President, etc.) and the MOHS Office Director, have signed and dated the agreement. Grant activities are not to be implemented and performed, until the agency receives a fully executed copy of the agreement. A copy of the executed agreement, will be provided to the agency at an upcoming Implementation meeting.

All FY18 grant activities begin October 1, 2017 and must be concluded by September 30, 2018. In addition, the FY18 Sub-Grantee Closeout Report must be received at the MOHS, no later than COB November 15, 2018.

Please thoroughly read the grant agreement, certifications and assurances, as changes have been made for FY18. **Your completed grant agreement must be returned to the MOHS by COB August 11, 2017.** Please make sure that you complete the following documents, in their entirety and all forms are signed by the Authorized Signatory Official (Board President or Mayor), when returning the grant agreement:

1. Signature Page (original signature in BLUE ink);
2. Completed Agreement of Understanding & Compliance;
3. Completed Governmental Resolution Form; and
4. Enclose a copy of your agency's leave policy, overtime policy and a payroll schedule (schedule should include beginning and ending dates of pay periods and paycheck dates for October 1, 2017–September 30, 2018)

Failure to return your completed grant agreement and required documents by the above stated date, will result in the reallocation of grant funds. Please mail the completed grant agreement and required documents to the following address:

Mississippi Office of Highway Safety
Attn. Tenicia Speech
1025 Northpark Drive
Ridgeland, MS 39157

Please feel free to contact your Traffic Safety Specialist, Sonya Williams if you should have any questions concerning the completion of the grant agreement. You may reach your Traffic Safety Specialist at 601-977-3726 or sdwilliams@dps.ms.gov.

Regards,

Tenicia Speech, Impaired Driving Division Director
Mississippi Office of Highway Safety

FY18 MOHS GRANT AGREEMENT

MS Office of Highway Safety

1025 Northpark Drive

Ridgeland, MS 39157

Phone: (601) 977-3700; Fax: (601) 977-3701

1. Subgrantee's Name City of Starkville/Starkville Police Department 101 East Lampkin Street Starkville, Mississippi 39759 Telephone Number: 662-323-4131 FAX: 662-324-4016 E-Mail: t.wells@cityofstarkville.org		2. Effective Date of Grant: October 1, 2017 3. Subgrant Number: MSX-2018-MD-23-11 4. Grant Identifier (Funding Source & Year): 405D Alcohol and Drug Impaired Driving FY18 5. Beginning and Ending Dates: October 1, 2017 thru September 30, 2018 6. Subgrant Payment Method: <u> X </u> Cost Reimbursement Method			
7. CFDA # - 20.616		8. DUNS # - 782430557		9. Congressional District - 3	
10. A.FAIN #: 18X920405DMS17		11.A: Initial Federal Award Date: December 1, 2016		12. Research and Development Grant: ____ Yes <u> X </u> No	
10.B. Federal Awarding Agency: NHTSA		11.B: Secondary Federal Award Date:			
13. The following funds are obligated:					
A. COST CATEGORY		B. SOURCE OF FUNDS		C. MATCH	D. RATIO%
(1) Personal Services-Salary	\$72,645.60	(1) Federal	\$73,045.60		
(2) Personal Services-Fringe	\$0.00	(2) State			
(3) Contractual Services	\$0.00	(3) Local			
(4) Travel	\$400.00	(4) Other			
(5) Equipment	\$0.00	Total:	\$73,045.60		
(6) Commodities	\$0.00	E. TOTAL OF ALL FEDERAL GRANTS THROUGH MOHS TO AGENCY:			
(7) Indirect Costs	\$0.00	Number of Grants: 2	405D	402PT	Total
TOTAL	\$73,045.60	TOTAL:	\$73,045.60	\$15,000.00	\$88,045.60
The Subgrantee agrees to operate the program outlined in this agreement in accordance with all provisions of this agreement as included herein. The following sections are attached and incorporated into this agreement: Final Approved Agreement which includes: Sub-Grantee Signature Sheet; Sub-Grantee Targets, Performance Measures and Strategies; Task by Quarter; Cost Summary Support Sheet; and Agreement of Understanding and Compliances.					
All policies, terms, conditions, and provisions listed in funding guidelines, grant agreement, and agreement of understanding which has been provided to Subgrantee, are also incorporated into this agreement, and Subgrantee agrees to fully comply therewith.					
14. Approved for Grantee:			15. Approved for Sub-grantee:		
Signature _____ Date _____ Name: Helen Porter Title: MOHS Office Director, MS Office of Highway Safety			Signature _____ Date _____ Name: Lynn Spruill Title: Mayor, City of Starkville		

FY18 Sub-Grantee Project Description (Law Enforcement):

MOHS Law Enforcement grant programs are provided with Federal grant funds to local police departments, sheriff's and state agencies for enforcement in jurisdictions all across Mississippi. All jurisdictions will provide enforcement, for hours that are specified in each agency agreement, in support of the DUI program. These enforcement grants will be coordinated with the national campaigns, along with any state blitz campaigns that the MOHS develops for FY18.

All law enforcement agencies participating in the MOHS Law Enforcement grant program will utilize data to target the need and deploy resources based on problem identification and traffic trends in the agency locale and make adjustments to the program as needed.

Law Enforcement agencies use the funding for salaries (part time and full time), travel that has been reviewed and approved by the MOHS. All information on budget can be found in the agency budget. The agency will generate at least (1) earned media campaigns during the blitz campaigns.

FY18 Sub-Grantee-Target(s), Performance Measures and Strategies

Agency Name: Starkville Police Department

List the target(s) that the sub-grantee will accomplish during the FY18 grant year. Performance measures should be set to help the sub-grantee accomplish the target(s) for the grant year. Strategies must be listed to show how the strategies will be implemented to meet the performance measures and to accomplish the target(s) set by the agency.

Target(s):

The Jurisdiction/agency of Starkville will maintain the number of alcohol related fatalities from 0 in 2015 to 0 by the end of 2018.

The Jurisdiction/agency of Starkville will reduce the number of alcohol related injuries from 5 in 2015 to 4 by the end of 2018.

The Jurisdiction/agency of Starkville will maintain the number of drug related injuries from 0 in 2015 to 0 by the end of 2018.

Performance Measures:

Increase the number of grant funded DUI Arrest from 252 in 2016 to 260 by the end of 2018.

Increase the number of grant funded DUI Other arrest from 21 in 2016 to 24 by the end of 2018.

Strategies:

Select or Hire Full-Time officers

Overtime Enforcement

12 Checkpoints

20 Saturation patrols

Conduct DRE evaluations as requested

Generate Earned Media

Publicize patrol activities results (after occurrence)

Attend LEL Troop Network meetings

Participate in the National blitz campaigns with enhanced DUI Enforcement:

Drive Sober or Get Pulled Over-Christmas/New Year's

Drive Sober or Get Pulled Over-Labor Day

Participate in the State blitz campaigns with enhanced DUI Enforcement:

Super Bowl

Memorial Day

4th July

FY18 MOHS TASKS BY QUARTERS

AGENCY NAME: Starkville Police Department

PROJECTION TASKS BY QUARTERS:

SCHEDULE PROJECTION OF TASKS BY QUARTERS

List the performance schedule of tasks by quarters referring specifically to the Statement of Tasks in the narrative description and defining the components of tasks to be accomplished by quarters. Tasks that extend beyond one quarter should specify the elements of the tasks that are to be performed for the particular quarters.

1st QUARTER (OCTOBER, NOVEMBER & DECEMBER)

Attend, at a minimum, one (1) MAHSL meeting during quarter.

Attend LEL Troop Network meeting.

Conduct not less than 3 checkpoints during quarter.

Conduct not less than 5 saturation patrols during quarter.

Issue a minimum of (65) DUI Arrest citations during quarter, to reach 100% goal of (260) for FY18.

Issue a minimum of (6) DUI Other Arrest during quarter, to reach 100% goal of (24) for FY2018

Submit all required reporting documents by scheduled date(s) as defined in agreement by MS Office of Highway Safety, i.e. (Monthly Cost Reporting Worksheets for reimbursement, Monthly Activity reports, etc.)

Additional Tasks:

Participate in the Drive Sober or Get Pulled Over national Christmas/New Year's blitz campaign with enhanced DUI enforcement and earned media with at least two (2) newspaper, television or radio presentations.

Projected Expenditures for 1st Quarter: \$18,761.40

FY18 MOHS TASK BY QUARTERS

AGENCY NAME: Starkville Police Department

PROJECTION TASK BY QUARTERS

SCHEDULE PROJECTION OF TASKS BY QUARTERS

List the performance schedule of tasks by quarters referring specifically to the Statement of Tasks in the narrative description and defining the components of tasks to be accomplished by quarters. Tasks that extend beyond one quarter should specify the elements of the tasks that are to be performed for the particular quarters.

2nd QUARTER (JANUARY, FEBRUARY & MARCH)

Attend, at a minimum, one (1) MAHSL meeting during quarter.

Attend LEL Troop Network meeting.

Conduct not less than 3 checkpoints during quarter.

Conduct not less than 5 saturation patrols during quarter.

Issue a minimum of (65) DUI Arrest citations during quarter, to reach 100% goal of (260) for FY18.

Issue a minimum of (6) DUI Other Arrest during quarter, to reach 100% goal of (24) for FY2018

Submit all required reporting documents by scheduled date(s) as defined in agreement by MS Office of Highway Safety, i.e. (Monthly Cost Reporting Worksheets for reimbursement, Monthly Activity reports, etc.)

Additional Tasks:

Participate in the Drive Sober or Get Pulled Over national New Year's and the State Super Bowl blitz campaign with enhanced DUI enforcement and earned media with at least one (1) newspaper, television or radio presentations.

Projected Expenditures for 2nd Quarter: \$18,361.40

FY18 MOHS TASK BY QUARTERS

AGENCY NAME: Starkville Police Department

PROJECTION TASK BY QUARTERS

SCHEDULE PROJECTION OF TASKS BY QUARTERS

List the performance schedule of tasks by quarters referring specifically to the Statement of Tasks in the narrative description and defining the components of tasks to be accomplished by quarters. Tasks that extend beyond one quarter should specify the elements of the tasks that are to be performed for the particular quarters.

3RD QUARTER (APRIL, MAY & JUNE)

Attend, at a minimum, one (1) MAHSL meeting during quarter.

Attend LEL Troop Network meeting.

Conduct not less than 3 checkpoints during quarter.

Conduct not less than 5 saturation patrols during quarter.

Issue a minimum of (65) DUI Arrest citations during quarter, to reach 100% goal of (260) for FY18.

Issue a minimum of (6) DUI Other citations during quarter, to reach 100% goal of (24) for FY18.

Submit all required reporting documents by scheduled date(s) as defined in agreement by MS Office of Highway Safety, i.e. (Monthly Cost Reporting Worksheets for reimbursement, Monthly Activity reports, etc.)

Additional Tasks:

Participate in the State Memorial Day blitz campaign with enhanced DUI enforcement.

Projected Expenditures for 3rd Quarter: \$17,561.40

FY18 MOHS TASK BY QUARTERS

AGENCY NAME: Starkville Police Department

PROJECTION TASK BY QUARTERS

SCHEDULE PROJECTION OF TASKS BY QUARTERS

List the performance schedule of tasks by quarters referring specifically to the Statement of Tasks in the narrative description and defining the components of tasks to be accomplished by quarters. Tasks that extend beyond one quarter should specify the elements of the tasks that are to be performed for the particular quarters.

4TH QUARTER (JULY, AUGUST & SEPTEMBER)

Attend, at a minimum, one (1) MAHSL meeting during quarter.

Attend LEL Troop Network meeting.

Conduct not less than 3 checkpoints during quarter.

Conduct not less than 5 saturation patrols during quarter.

Issue a minimum of (65) DUI Arrest citations during quarter, to reach 100% goal of (260) for FY18.

Issue a minimum of (6) DUI Other Arrest during quarter, to reach 100% goal of (24) for FY2018.

Submit all required reporting documents by scheduled date(s) as defined in agreement by MS Office of Highway Safety, i.e. (Monthly Cost Reporting Worksheets for reimbursement, Monthly Activity reports, etc.)

Additional Tasks:

Participate in the Drive Sober or Get Pulled Over State 4th of July and national DSOGPO Labor Day blitz campaign with enhanced DUI enforcement and earned media with at least two (2) newspaper, television or radio presentation

Projected Expenditures for 4th Quarter: \$18,761.40

FY18 Mississippi Office of Highway Safety-Cost Summary Support Sheet

1. Applicant Agency: City of Starkville/Starkville Police Department		3. Grant ID: 405D Alcohol and Drug Impaired Driving	4. Beginning: October 1, 2017	5. Ending: September 30, 2018
2. Subgrant Number: M5X-2018-MD-23-11				
6. Activity: Alcohol and Drug Impaired Driving				
8. Category & Line Item	10. Description of item and/or Basis for Valuation	11. Budget Federal	All Other	Total
Personal Services-Salary	Full-Time Officer @ approx. \$15.66 per hour X 2080 hrs = \$32,572.80 Full-Time Officer @ approx. \$15.66 per hour X 2080 hrs = \$32,572.80 Officers Over-Time or Regular Time above and beyond normal work hours @ approx. \$25.00 per hour X approx. 300 hrs = \$7,500.00 Total Salaries: \$72,645.60	\$72,645.60		\$72,645.60
Travel	<u>In State Highway Safety Training (Must Be Pre-Approved)</u> (2) people X \$200.00 each (registration fee only) = \$400.00 Total Travel: \$400.00	\$400.00		\$400.00
TOTALS		\$73,045.60		\$73,045.60

Mississippi Office of Highway Safety

FY18 Agreement of Understanding and Compliance

This agreement made and entered into by and between the State of Mississippi by and through the MS Office of Highway Safety, hereinafter referred to as State, and the Governmental Unit or agency named in this application, hereinafter referred to as Sub-grantee.

WHEREAS, the National Highway Traffic Safety Act of 1966, as amended, provides Federal funds to the State for approved highway safety projects for the purpose of reducing injuries and fatalities as result of motor vehicle crashes, and

WHEREAS, the State may make said funds available to state, county, and municipal agencies and/or government or political subdivisions and/or non-profit entities upon application and approval by State and the National Highway Traffic Safety Administration (NHTSA) if applicable, and

WHEREAS, the Sub-grantee must comply with the requirements listed herein, to be eligible for Federal funds in approved highway safety projects, and

WHEREAS, the State is obligated to reimburse NHTSA out of its funds for any ineligible or unauthorized expenditures for which Federal funds have been claimed and payment received, and

WHEREAS, the Sub-grantee has submitted an application for Federal funds for highway safety projects:

NOW, THEREFORE, IN CONSIDERATION OF MUTUAL PROMISES AND OTHER GOOD AND VALUABLE CONSIDERATION, THE PARTIES AGREE AS FOLLOWS:

I. REIMBURSEMENT OF ELIGIBLE EXPENSES

- A. It is mutually agreed that upon written application by Sub-grantee and approval by State and NHTSA (if applicable), State will obligate Federal funds to Sub-grantee account for reimbursement of eligible expenditures as set forth in the application.
- B. It is understood that the State has the right to monitor and pre-audit any and all claims presented for reimbursement. Arrangements have been made for the financial and compliance audit required by 2CFR Subpart F, which is to be conducted within the prescribed audit reporting cycle (failure to furnish an acceptable audit, as determined by the cognizant Federal agency, may result in denial or require return of Federal funds). It is mutually agreed and promised that Sub-grantee reimburse State for any ineligible or unauthorized expenditure for which Federal funds have been claimed and payment received as determined by a State or Federal audit.
- C. It is also understood, pursuant to 2 CFR 200.336, the awarding agency and the Comptroller General of the United States, or any of their authorized representatives (such as National Highway Traffic Administration otherwise known as NHTSA), shall have the right of access to any pertinent books, documents, papers, or other records of grantees and sub-grantees which are pertinent to the grant, in order to make audits, examinations, excerpts, and transcripts.
- D. It is further agreed that where reimbursement is made to Sub-grantee in installments, State shall have the right to withhold any installments to make up reimbursement(s) received for any ineligible or unauthorized expenditure until such time as the ineligible claim is made up or corrected by Sub-grantee.

- E. Unless otherwise directed, Sub-grantees must submit monthly reimbursement and back up documentation, by the **10th working day** of the following month to receive reimbursement for project activities. Tasks by Quarter Reports reflect the status of project implementation and progress toward reaching goals. Each activity report shall describe the project status quarterly and shall be submitted to the State no later than the 10th working day following the end of each quarter.
- F. Final Closeout Report and Reimbursement Claim with all required documentation must be received to MS Office of Highway Safety within forty five (45) days of completion of the project (**Close of Business (COB) November 15th**). Appropriate forms will be provided to the Project Director. All required due dates for MOHS documents are provided in the Project Director's Guide.

Any Sub-grantee delinquent in submitting monthly reimbursement, monthly activity, and/or final accomplishment reports, or incomplete progress reports that lack sufficient detail of progress during the period in question, may be subject to having submitted reimbursement requests delayed, pending additional justification. Once completed reports are received, reimbursement requests will be processed.

II. ON-SITE MONITORING AND EVALUATION

Pursuant to Federal guidelines, the State has developed a plan for evaluating all projects. Each Sub-Grantee will be required to have at least one (1) on-site monitoring visits during the grant year. All written documents will be reviewed to determine progress, problems and reimbursements of the project. The State evaluates all sub recipient's risk of noncompliance with Federal statutes, regulations and the terms and conditions of the sub-award for the purposes of determining the appropriate level of sub recipient monitoring.

III. PROPERTY AGREEMENT

- Facilities and equipment acquired under this agreement for use in highway safety program areas shall be used and kept in operation for highway safety purposes by the MS Office of Highway Safety; or the State, by formal agreement with appropriate officials of a political subdivision, State agency, or non-profit entities.
- It is mutually agreed and promised that the Sub-grantee shall immediately notify the MS Office of Highway Safety if any equipment purchased under this project ceases to be used in the manner set forth by the project agreement. In such event, Sub-grantee further agrees to transfer or otherwise dispose of such equipment as directed by the MS Office of Highway Safety.
- It is mutually agreed and promised by the Sub-grantee that no equipment will be conveyed, sold, salvaged, transferred, etc., without the express written approval of the MS Office of Highway Safety.
- It is mutually agreed and promised that the Sub-grantee shall maintain, or cause to be maintained for its useful life, any equipment purchased under this project.
- Each Sub-grantee of federal grant funds has a financial management system that complies with the minimum requirements of 2 CFR Part 200 (Super Circular).
- All equipment awarded in this project agreement must be ordered within ninety (90) days after project implementation. If unforeseen circumstances arise which prohibit this being accomplished, the MS Office of Highway Safety must be notified as to the reason for the delay and projected purchase date of the equipment.
- Property records must be maintained that include a description of the property, a serial number or other identification number, the source of the property, who holds the title, the acquisition date, cost of the property, percentage of Federal participation in the cost of the property, the location use and condition of the property and any ultimate disposition data including the data of disposal and sale price of the property.

- A physical inventory of the property must be taken and the results reconciled with the property records at least once every two (2) years for the useful life of the property.
- A control system must be developed to ensure adequate safeguards to prevent loss, damage or theft of the property. Any loss, damage or theft shall be investigated.
- Adequate maintenance procedures must be developed to keep the property in good and working condition.
- If the sub-grantee is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return. Sale of items must be approved by the MOHS.
- Costs for equipment items are allowable only as part of a comprehensive program effort. All approved equipment must be included on the Federal Conformation Product List (CPL), where applicable. Approved equipment purchased with federal funds, must be in compliance of the Buy America Act (23 U.S.C. 313).
- Approved equipment with a purchase price of \$5,000.00 must be approved in writing from the National Highway Traffic Safety Administration before the purchase of approved equipment purchased with federal funds.

IV. STAFFING

Positions covered by this project that are 100% funded must be new positions. If staff of the Sub-grantee agency is transferred to work on this project, the agency must replace the vacant position with a new hire. Salaries in this project are for the purpose of remuneration for personal services over and above the present manpower level of the agency. All full time funded positions require time certification and/or detailed activity documentation as directed by MS Office of Highway Safety.

V. GENERAL PROJECT REQUIREMENTS

- A. Any change to out-of-state travel approved in the Grant Application, must have prior written approval by the MS Office of Highway Safety for changes. Requests for change should be submitted to the MS Office of Highway Safety not less than two (2) weeks before the intended date of travel on Agency letterhead.
 - Out of State Travel-All federal funded **out of state travel** requires expenses incurred to be placed on the authorized travel voucher. All cost must be based on current state and federal policies.
 - In State Travel- All federal funded **in state travel** requires **itemized receipts** for expenses incurred, as well as the authorized travel voucher. All cost must be based on current state and federal policies.
- B. No budget modification requests will be accepted by the MS Office of Highway Safety after **July 31st**. Any proposed changes in this agreement that would result in changes in the scope, character, or complexity of the agreement, require a Letter and Budget Modification Request to the MS Office of Highway Safety. Changes to the Agreement will not be effective until both parties have executed the modification.
- C. Sub-grantee must submit any proposed agreements for contractual services to the MS Office of Highway Safety. Contractual Services must be submitted forty-five (45) days prior to acceptance, due to the fact that contracts **must have** review and approval by DPS and NHTSA.
- D. Any program income earned by projects financed in whole or in part with Federal funds must be documented and accounted for. Program income earned during the project period shall be retained by the Sub-grantee and used for project related expenses or to offset eligible expenses with the approval of the MS Office of Highway Safety.
- E. Local government Sub-grantee **must complete** the "Local Governmental Resolution" included within this document, or a similar, equally binding resolution. **Grant Agreements are not effective until both parties (MOHS and the Sub-Grantee) have fully executed (signed and dated) the Grant Agreement.**

- F. Sub-grantee must maintain in the agency grant file the most current copy of the following policies with the application for funding. If agency does not have a current policy, please inform the MS Office of Highway Safety of the un-availability of the policy.
- Seat belt policy (Must Retain a Copy);
 - Warning citation policy (If Applicable);
 - Pursuit policy(Must Retain a Copy);
 - Checkpoint policy (If Applicable);
 - Saturation patrol policy (If Applicable); and
 - DUI enforcement policy (If Applicable)
 - Agency seat belt survey procedures must be provided if usage rate is identified as a performance measure within agreement (If Applicable)
- G. Sub-grantee must submit to the MS Office of Highway Safety a copy of the following policy(s):
- Payroll Schedule- To payroll period begin and payroll end dates & check date).
 - Leave policy (vacation, sick leave, holiday, & compensatory time)
 - Overtime Policy
- H. All training received under federal funded programs must be program related and the Sub-grantee must maintain a copy of the certificate of completion and must be available for inspection in the Sub-grantee grant file. A copy of the certificate of completion must be submitted to the MOHS for reimbursement of training expenses.
- I. A Property Inventory form must be completed for all equipment. All equipment cost exceeding \$500.00 will be tagged with a Department of Public Safety inventory control number. All equipment will be maintained on the MOHS inventory data base. All equipment purchased with grant funds must be available for inspection. A copy of the most current Property Inventory form must be available in the agency's grant file.
- J. Implementation of Agreement: All sub-grantees are required to attend a mandatory grant implementation meeting. Failure to attend one (1) of the available mandatory grant implementation meetings will result in rescinding of the grant funds allocated for the project.
- K. Termination of Agreement:
- In the event of Sub-grantee noncompliance with any of the provisions of this agreement, the MS Office of Highway Safety may terminate this agreement by giving the Sub-grantee a thirty (30) day notice. Before issuing notice of termination of this agreement, the MS Office of Highway Safety, shall allow the Sub-grantee a reasonable opportunity to correct noncompliance issues. For noncompliance with the nondiscrimination section of this agreement or with any of the said rules, regulations or orders, this agreement may be canceled, terminated, or suspended in whole or in part.
 - The Sub-grantee may terminate its participation in this agreement by notifying and submitting the required closeout documentation to the MS Office of Highway Safety, thirty (30) days in advance of the termination date.
 - Agreements: Unless otherwise authorized in writing by the MS Office of Highway Safety, the Sub-grantee shall not assign any portion of the work to be performed under this agreement, or execute any agreement, amendment or change order thereto, or obligate itself in any manner with any third party with respect to its rights and responsibilities under this agreement without the prior written concurrence of the MS Office of Highway Safety. Any subcontract under this agreement must include all required and/or applicable clauses and provisions of this agreement.

- Sub-grantee failure to meet all reporting, attendance at meeting(s), scheduled events and timely submission of reimbursement requests set forth in the agreement by the MS Office of Highway Safety, will result in the withholding of reimbursement payments.

VI. UNALLOWABLE COST

Limitations and Conditions: The provisions stated in the following section are not intended to deny flexibility in supporting potential accident and injury reduction activities; however, the conditions do serve as a guide in describing costs that are not allowable for highway safety funding. See NHTSA Highway Safety Grant Funding Guidance.

The following are unallowable:

A. Unallowable Costs for Facilities and Construction

- Highway construction, maintenance, or design other than design of safety features of highways incorporated into Roadway Safety guidelines
- Construction or reconstruction of permanent facilities, such as paving, driving ranges, towers and non-portable skid pads
- Highway safety appurtenances including longitudinal barriers (such as guardrails), sign supports (except as allowed under Allowable Costs with Conditions for selected Items, Part II.A.2.), luminaire supports, and utility poles (FHWA safety construction Federal-aid funds are available)
- Construction, rehabilitation, or remodeling for any buildings or structures or for purchase of office furnishings and fixtures;

Examples of office furnishings and fixtures

- | | | |
|-------------|------------------|--------------------------|
| • Chair | • Bookcase | • Portable Partition |
| • Table | • Filing Cabinet | • Picture, Wall Clock |
| • Shelving | • Floor Covering | • Draperies and Hardware |
| • Coat Rack | • Office Planter | • Fixed Lighting/Lamp |

- Land (except for SAFETEA-LU Section 2010 and MAP-21 Section 405(f) motorcycle safety grant funds used to purchase a facility which includes the purchase of land upon which the facilities sit.)

B. Unallowable Equipment Costs

- Fixed and portable truck scales (Motor Carrier safety program funds are available for truck scales)
- Traffic signal preemption systems (FHWA Federal-aid highway program funds are available for traffic signal preemption systems)
- Automated traffic enforcement systems may not be purchased, operated, or maintained with Section 402 funds (including MAP-21 Section 405(b) High Seat Belt Use Rate funds, 405(d) Ignition Interlock funds, 405(e) Distracted Driving funds, and 405(g) GDL funds, in which a State has been approved to use for any eligible project or activity under 23 USC 402). (23 CFR Part 1300.13(c)).
- Radars or other speed measuring devices using MAP-21 Section 405-Impaired Driving Countermeasures and SAFETEA-LU Section 410 Alcohol Impaired Driving Countermeasures grant funds.

C. Unallowable Training Costs

- Training of employees of Federal civilian and Federal military agencies. Note: Training for Department of the Interior personnel who are assigned Section 402 responsibilities is covered under the 5 percent administrative allowance.
- An individual's salary while pursuing training (except when the individual's salary is already supported with highway safety funds under an approved project).

- Overtime for police officers attending drug recognition expert training.

D. Program Administration

- General costs of government. For States, local governments and Indian Tribes, the general costs of government are unallowable (except as provided in § 200.474 Travel. Reference 2 CFR § 200.444 and 2 CFR § 200.474).
- NHTSA highway safety grant funds used to defray expenses incurred or sought to be incurred for activities of Federal civilian or military agencies or employees. For Department of the Interior, personnel expenditures for the Section 402 program are covered under the five percent administrative allowance.
- Alcoholic beverages for any consumption purposes or techniques for determining driver impairment are not allowable (See Part III, D.3.). Reference 2 CFR § 200.423.
- Drug impaired activities, equipment and drug impaired training is not allowable using Sections 154/164 funds.
- Drug impaired activities, equipment and drug impaired training is not allowable with Sections 154/164 funds.

E. Lobbying

- Federal - the cost of influencing the U.S. Congress and Federal agency officials for activities associated with obtaining grants, contracts, cooperative agreements or loans.
- State and Local - No Federal funds may be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., grassroots) lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds to engage in direct contact with State or local legislative officials, in accordance with customary State practice, even if it urges legislative officials to favor or oppose the adoption of a specific pending legislative proposal. (23 CFR Part 1300)

F. Additional Items Unallowable:

- Cell phones and guns are not allowable for purchase with these funds under any circumstances.
- Costs for equipment purchases exceeding \$5,000.00 must have prior approval from NHTSA. The MS Office of Highway Safety will obtain the approval letter and provide a copy to the Sub-grantee.
- Where major multi-purpose equipment is to be purchased, costs shall be factored, based on utilization for highway safety purposes.
- Costs for the following equipment items are allowable only if a part of a comprehensive program effort. All allowable equipment must be included on the Federal Conformation Product List (CPL):
 - (1) Police traffic radar and other speed measuring devices used by the police (devices must meet the recommended federal guidelines);
 - (2) Alcohol testing; and
 - (3) Mobile video systems.
- The cost of training is allowable using DOT/NHTSA developed, equivalent, or endorsed curriculum. Documentation must be provided in order to receive reimbursement for a Full Time Officer's salary for training. MOHS will reimburse an officer's salary as long as the proper documentation is submitted such as a Certificate of Completion or Certificate of Attendance.
- Development costs of new training curriculum and materials are allowable if they will not duplicate materials already developed for similar purposes by DOT/NHTSA or by other states. This does not preclude modifications of present materials necessary to meet particular state and local instructional needs.

- Costs are not allowable to pay for an employee's salary while pursuing training, nor to pay the salary of the employee's replacement except where the employee's salary is supported 100% under an approved project.
- All training must be included within the grant agreement. Only DUI/alcohol training is allowed under alcohol funding. Occupant protection training is allowed under occupant protection funding.
- Supplanting, includes: (a) replacing routine and/or existing State or local expenditures with the use of Federal grant funds and/or (b) using Federal grant funds for costs of activities that constitute general expenses required to carry out the overall responsibilities of State, local, or Federally-recognized Indian tribal governments.
- The MOHS will not reimburse for the assistance of providing training to law enforcement officers through specialized training activities, unless approved in the MOHS agreement. Any training or training assistance that is claimed and not listed in the approved MOHS agreement will not be reimbursed.
- Cost to purchase program advertising space in the mass communication media is not allowable for sub-grantees.

CERTIFICATIONS AND ASSURANCES FEDERAL CERTIFICATIONS AND ASSURANCES

NONDISCRIMINATION (APPLIES TO SUB RECIPIENTS AS WELL AS SUB-GRANTEES)

The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination ("Federal Nondiscrimination Authorities"). These include but are not limited to:

- TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 (42 U.S.C. 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin) and 49 CFR part 21;
- THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES Act of 1970, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- FEDERAL-AID HIGHWAY ACT OF 1973, (23 U.S.C. 324 *et seq.*), AND TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686) (prohibit discrimination on the basis of sex);
- SECTION 504 OF THE REHABILITATION ACT OF 1973, (29 U.S.C. 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability) and 49 CFR part 27;
- THE AGE DISCRIMINATION ACT OF 1975, as amended, (42 U.S.C. 6101 *et seq.*), (prohibits discrimination on the basis of age);
- THE CIVIL RIGHTS RESTORATION ACT OF 1987, (Pub. L. 100-209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal aid recipients, sub-recipients and contractors, whether such programs or activities are Federally-funded or not);
- TITLES II AND III OF THE AMERICANS WITH DISABILITIES ACT (42 U.S.C. 12131-12189) (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing) and 49 CFR parts 37 and 38;
- EXECUTIVE ORDER 12898, FEDERAL ACTIONS TO ADDRESS ENVIRONMENTAL JUSTICE IN MINORITY POPULATIONS AND LOW-INCOME POPULATIONS (prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations); and

- EXECUTIVE ORDER 13166, IMPROVING ACCESS TO SERVICES FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR 74087-74100).

The State highway safety agency—

- Will take all measures necessary to ensure that no person in the United States shall, on the grounds of race, color, national origin, disability, sex, age, limited English proficiency, or membership in any other class protected by Federal Nondiscrimination Authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of its programs or activities, so long as any portion of the program is Federally-assisted.
- Will administer the program in a manner that reasonably ensures that any of its sub recipients, contractors, subcontractors, and consultants receiving Federal financial assistance under this program will comply with all requirements of the Non-Discrimination Authorities identified in this Assurance;
- Agrees to comply (and require any of its sub recipients, contractors, subcontractors, and consultants to comply) with all applicable provisions of law or regulation governing US DOT's or NHTSA's access to records, accounts, documents, information, facilities, and staff, and to cooperate and comply with any program or compliance reviews, and/or complaint investigations conducted by US DOT or NHTSA under any Federal Nondiscrimination Authority;
- Acknowledges that the United States has a right to seek judicial enforcement with regard to any matter arising under these Non-Discrimination Authorities and this Assurance;
- Insert in all contracts and funding agreements with other State or private entities the following clause:
 “During the performance of this contract/funding agreement, the contractor/funding recipient agrees—
 a. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;
 b. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in appendix B of 49 CFR part 21 and herein;
 c. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;
 d. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and
 e. To insert this clause, including paragraphs a through e, in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement that receives Federal funds under this program.

POLITICAL ACTIVITY (HATCH ACT)

(APPLIES TO SUB RECIPIENTS AS WELL AS SUB-GRANTEES)

The Sub-Grantee will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

CERTIFICATION REGARDING FEDERAL LOBBYING

(APPLIES TO SUB RECIPIENTS AS WELL AS SUB-GRANTEES)

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

RESTRICTION ON STATE LOBBYING

(APPLIES TO SUB RECIPIENTS AS WELL AS SUB-GRANTEES)

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

(APPLIES TO SUB RECIPIENTS AS WELL AS SUB-GRANTEES)

Instructions for Primary Certification (Sub-Grantees)

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1300.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.

4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms *covered transaction*, *debarment*, *suspension*, *ineligible*, *lower tier*, *participant*, *person*, *primary tier*, *principal*, and *voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and coverage sections of 2 CFR part 180. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NHTSA.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1300.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters—Primary Covered Transactions

(1) The prospective primary participant certifies to the best of its knowledge and belief, that its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1300.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms *covered transaction*, *debarment*, *suspension*, *ineligible*, *lower tier*, *participant*, *person*, *primary tier*, *principal*, and *voluntarily excluded*, as used in this clause, have the meanings set out in the Definition and Coverage sections of 2 CFR part 180. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NHTSA.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1300.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency with which this transaction originated may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

BUY AMERICA ACT

(APPLIES TO SUB RECIPIENTS AS WELL AS SUB-GRANTEES)

The Sub-Grantee and each sub recipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or sub recipient, to purchase only steel, iron and manufactured products produced in the United States with Federal funds, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the Sub-Grantee must submit a waiver request that provides an adequate basis and justification to and approved by the Secretary of Transportation.

PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE

(APPLIES TO SUB RECIPIENTS AS WELL AS SUB-GRANTEES)

The Sub-Grantee and each sub recipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

STATE CERTIFICATION AND ASSURANCE

CERTIFICATION AND STANDARD ASSURANCE REQUIREMENT FOR: SUB-GRANTEE GRANTEES AND SUB-GRANTEES

CONCERNING: STATE, COUNTY AND LOCAL EMERGENCY RESPONSE AND VEHICULAR PURSUIT POLICIES

When truly applicable and in full cooperation with the MS Office of Highway Safety, all grant and/or sub-grant Sub-grantee Recipients (regardless of the type of entity or the amount awarded) must show substantial compliance with the following statutory requirement: On or after January 1, 2005, each state, county and local law enforcement agency that conducts Emergency response and vehicular pursuits shall adopt written policies and training procedures that set forth the manner in which these operations shall be conducted. Each law enforcement agency may create its own policies or adopt an existing model. All pursuit policies created or adopted by any law enforcement agency must address situations in which police pursuits cross over into other jurisdictions. Law enforcement agencies which do not comply with the requirements of this provision are subject to the withholding of any state funding or state administered federal funding.

MS Code Annotated § 45-1-43, effective from and after July 1, 2004.

The obligation of a Sub-grantee is to formulate, implement, and maintain certain written pursuit policies and training procedures which specifically set forth how these operations shall be conducted in accordance with State law. Note that "recipient" means any state, county or local law enforcement agency that conducts emergency response and vehicular pursuits and which may also receive any state funding or state administered federal funding.

A true copy of the law enforcement agency's emergency response and vehicular pursuit policy with pertinent training procedures must be included as an attachment to this Certification and Standard Assurance document. However, when otherwise allowed to submit an alternative for the required documentary confirmation, recipient must specifically identify and acknowledge the use of viable pertinent policies and training procedures, as these factors may be especially expressed through an appropriate letter or timely memorandum of understanding. All relevant information submitted or received shall become an actual documented part of the grant application and thus will be placed within the MOHS master file for grants.

During any occurrence or time period for application, selection, award, implementation or close out of a grant or an award, if the grantee, sub-grantee, or recipient does not show compliance with the statute emphasized above, the grantee, sub-grantee or recipient is subject to the withholding of any state funding or state administered federal funding. Failure of grantee, sub-grantee or recipient to communicate the relevant policy that is required by statute may lead to adverse cost adjustment, disallowance of costs and/or recovery of pertinent project funds. Such recovery may be accomplished on the basis of offset levied against any and all advanced funding, requests for reimbursements, or award of funds.

As the Authorized Official, I certify by my signature below, that I have fully read and I am cognizant of our duties and responsibilities under the emergency response and vehicular pursuit policies statute. Therefore, I hereby comply with this Certification and Standard Assurance requirement by submitting a true copy of the applicable state, county or local emergency response and vehicular pursuit policies with training procedures which are pertinent to this organization.

* * * * *

A copy of the vehicular pursuit policy must be maintained in the Sub-grantee grant file. This original signed form, together with the pertinent state, county or local policies to include, but not limited to the emergency response and vehicular pursuit policies with training procedures must be returned to the Mississippi Office of Highway Safety, Division of Public Safety Planning, Department of Public Safety, upon approval of the contract and prior to the beginning date.

MS OFFICE OF HIGHWAY SAFETY CERTIFICATIONS AND ASSURANCES
Alcohol/Impaired Driving/Occupant Protection/Police Traffic Services/ Law Enforcement Liaison (LEL)
Coordination and High Visibility Enforcement (HVE) Participation Compliance
(Applies only to Law Enforcement Sub-grantees)

Law enforcement agencies funded with Federal Highway Safety funds administered by the MS Office of Highway Safety for the purpose of LEL Coordination and HVE Enforcement Participation must comply with the following:

1. Sub-grantee with a LEL Network Coordinator Grant **must hold** at least one quarterly LEL Troop Network meeting to promote State/County/Local networking, the national blitz campaigns, blitz reporting, and PI&E efforts. **(LEL Coordination Sub-grantees Only)**
2. Sub-grantee with a LEL Network Coordinator Grant **must allow** the LEL network coordinators to assist the MS Office of Highway Safety in promoting and gathering statistics from the NHTSA national blitz campaigns. **(LEL Coordination Sub-grantees Only)**
3. Sub-grantee **must engage** in three (3) sustained enforcement blitz periods during the national campaigns for Christmas/New Year's, Memorial Day, and the Labor Day Holiday by conducting checkpoints and/or saturation patrols.
4. Sub-grantee **must** engage in two (2) sustained enforcement blitz periods during Super Bowl Sunday, 4th of July Holiday Period, and any additional sustained enforcement periods coordinated by the MOHS by conducting checkpoints and/or saturation patrols during the state campaigns.
5. For each of the national blitz campaigns, Sub-grantee **must maintain** relevant statistics and **submit** a mobilization form reporting the total number of checkpoints, saturation patrols, DUI arrests and other

citations/relevant statistics by the MOHS required deadline. Failure to comply with this requirement will result in the withholding of reimbursement payments.

6. Sub-grantee **is required** to generate earned media (example: press conference, TV, radio or print news articles) before, during, or after High Visibility Enforcement (HVE) state and national campaign events and must submit documentation with each activity report.
7. Law Enforcement Sub-grantees **will use** the following criteria to help identify locations in each city/county for intensified enforcement including checkpoints and saturation patrols.
 - ☐ Unusual incidents of alcohol/ drug related crashes/fatalities;
 - ☐ Alcohol/ drug impaired driving violations;
 - ☐ Unusual number of nighttime single vehicle crashes/fatalities (Including Impaired, Unbelted and Speed)
 - ☐ Any other documented alcohol/ drug related vehicular incidents;
 - ☐ Citation data related to restrained and unrestrained occupants;
 - ☐ Unusual incidents of unbelted crashes/fatalities
 - ☐ Seatbelt/Child restraint violations;
 - ☐ Unusual incidents of teen crashes/fatalities; and
 - ☐ Unusual incidents of speed crashes/fatalities.

DUI/Impaired Enforcement Compliance

(Applies only to Sub-grantees funded with Impaired Driving (405d), Alcohol (154) funds, and/or any Police Traffic Service (402)funds used for Impaired Driving and/or Alcohol enforcement)

Law enforcement agencies funded with Federal Highway Safety funds administered by the MS Office of Highway Safety for the purpose of DUI/Impaired Enforcement must comply with the following:

1. Subgrantee **agrees and commits** to have the DUI/Impaired Officer(s) (if applicable) and/or other officers assigned to work DUI/Impaired overtime to engage their efforts during peak hours when most impaired drivers are likely driving under the influence.
 - Full Time DUI/Impaired Officer(s) Shift hours **will include** 4:00 p.m. and no later than 7:00 a.m. and will include Thursday, Friday and Saturday.
 - Overtime hours for DUI/Impaired Enforcement **will include** 4:00 p.m. and no later than 7:00 a.m. and will include Thursday, Friday and Saturday.

If proper justification can be made regarding **other dates or time periods** within the jurisdiction for needed enforcement, a written request can be made to MOHS for consideration and approval. However, written approval **must** be given by MOHS prior to implementing hours and day of week outside the above shifts.

2. Specific DUI/Impaired activities in which the DUI/Impaired officer(s) (if applicable) and/or other officers working overtime **will include** checkpoints, saturation patrols and other impaired driving enforcement activities as designated.
3. The Sub-grantee **will engage** in national campaigns endorsed by the National Highway Traffic Safety Administration.

4. The Sub-grantee will engage in all activities as described in the High Visibility Enforcement (HVE) Participation Compliance.
5. The Sub-grantee must engage in sustained enforcement blitz periods during Super Bowl Sunday, 4th of July Holiday Period, and any additional sustained enforcement periods coordinated by the MOHS by conducting checkpoints and/or saturation patrols during the state campaigns.
6. The Sub-grantee must generate earned media (example: press conference, TV, radio or print news articles) either before, during, or after High Visibility Enforcement (HVE) national campaign events and must submit documentation with each quarterly report.

Occupant Protection/Police Traffic Services

High Visibility Enforcement (HVE)

Applies only to Sub-grantee funded with 402 (OP), 402(PTS) or 405(B)

Law enforcement agencies funded with Federal Highway Safety funds administered by the MS Office of Highway Safety for the purpose of Occupant Protection/Police Traffic Service Enforcement must comply with the following:

1. Sub-grantee funded under a 402/405(b) Occupant Protection/Police Traffic Services Federal grant funds must participate in the National Click It or Ticket Campaign Mobilization and Child Passenger Safety week.
2. Sub-grantee will submit forms containing the number of child restraint/safety belt citations, etc. and must submit by the reporting deadline set forth by the MS Office of Highway Safety for the National Click It or Ticket Campaign. Failure to comply with this requirement will result in the withholding of reimbursement payments.
3. Sub-Grantee must generate earned media (example: press conference, TV, radio or print news articles) either before, during, or after High Visibility Enforcement (HVE) national campaign events and must submit documentation with each activity report.

Audit Requirements:

Law enforcement, state, local, non-profit agencies funded with Federal Highway Safety funds administered by the MS Office of Highway Safety for the purpose of grant activity must comply with the following (2 CFR§200.501):

- (a) *Audit required.* A non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single or program-specific audit conducted for that year in accordance with the provisions of this part.
- (b) *Single audit.* A non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single audit conducted in accordance with §200.514 Scope of audit except when it elects to have a program-specific audit conducted in accordance with paragraph (c) of this section.
- (c) *Program-specific audit election.* When an auditee expends Federal awards under only one Federal program (excluding R&D) and the Federal program's statutes, regulations, or the terms and conditions of the Federal award do not require a financial statement audit of the auditee, the auditee may elect to have a program-specific

audit conducted in accordance with §200.507 Program-specific audits. A program-specific audit may not be elected for R&D unless all of the Federal awards expended were received from the same Federal agency, or the same Federal agency and the same pass-through entity, and that Federal agency, or pass-through entity in the case of a sub recipient, approves in advance a program-specific audit.

(d) *Exemption when Federal awards expended are less than \$750,000.* A non-Federal entity that expends less than \$750,000 during the non-Federal entity's fiscal year in Federal awards is exempt from Federal audit requirements for that year, except as noted in §200.503 Relation to other audit requirements, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and Government Accountability Office (GAO).

(e) *Federally Funded Research and Development Centers (FFRDC).* Management of an auditee that owns or operates a FFRDC may elect to treat the FFRDC as a separate entity for purposes of this part.

(f) *Sub recipients and Contractors.* An auditee may simultaneously be a recipient, a sub recipient, and a contractor. Federal awards expended as a recipient or a sub recipient are subject to audit under this part. The payments received for goods or services provided as a contractor are not Federal awards. Section §200.330 Sub recipient and contractor determinations sets forth the considerations in determining whether payments constitute a Federal award or a payment for goods or services provided as a contractor.

(g) *Compliance responsibility for contractors.* In most cases, the auditee's compliance responsibility for contractors is only to ensure that the procurement, receipt, and payment for goods and services comply with Federal statutes, regulations, and the terms and conditions of Federal awards. Federal award compliance requirements normally do not pass through to contractors. However, the auditee is responsible for ensuring compliance for procurement transactions which are structured such that the contractor is responsible for program compliance or the contractor's records must be reviewed to determine program compliance. Also, when these procurement transactions relate to a major program, the scope of the audit must include determining whether these transactions are in compliance with Federal statutes, regulations, and the terms and conditions of Federal awards.

(h) *For-profit sub recipient.* Since this part does not apply to for-profit sub recipients, the pass-through entity is responsible for establishing requirements, as necessary, to ensure compliance by for-profit sub recipients. The agreement with the for-profit sub recipient must describe applicable compliance requirements and the for-profit sub recipient's compliance responsibility. Methods to ensure compliance for Federal awards made to for-profit sub recipients may include pre-award audits, monitoring during the agreement, and post-award audits. See also §200.331 Requirements for pass-through entities.

Sub grantees are required to provide a copy of the jurisdiction/agency(s) most recent financial audit with the submission of the Grant Application. If the agency receives an updated audit during the grant year, the agency is required to provide a copy within ninety (90) days of completion of an audit of the agency.

ASSURANCE OF UNDERSTANDING REQUIREMENT FOR SUB-GRANTEES:

As the Authorized Official for, _____ (Sub-grantee), I certify by my signature below, that I have fully read and am cognizant of our duties and responsibilities under this requirement.

I acknowledge by my signature below, that I understand that the Grant Agreement is not effective until both parties (MOHS and Authorized Official) have signed, dated and fully executed the Grant Agreement.

Therefore, the Agency, I represent promises and will comply with all Federal, State and MS Office of Highway Safety Certifications and Assurances and their conditions.

_____	_____
Authorized Official's Signature (Sub-Grantee)	Date

_____	_____
[Typed or Printed Name]	[Person's Organizational Title]

* * * * *

This original signed form (blue ink only) must be returned to the MS Office of Highway Safety, Division of Public Safety Planning, Department of Public Safety, within forty-five (45) days of receiving the attached grant award letter.

LOCAL GOVERNMENTAL RESOLUTION AGREEMENT AND AUTHORIZATION TO PROCEED

WHEREAS, the _____
(Governing Body of Unit of Government)

Herein called the "**SUB-GRANTEE**" has thoroughly considered the problem addressed in the application (entitled) _____ and has reviewed the project described in the application; and

WHEREAS, under the terms of Public Law 89-564 as amended, the United States of America has authorized the Department of Transportation, through the Mississippi Office of Highway Safety to make federal contracts to assist local governments in the improvement of highway safety,

NOW THEREFORE BE IT RESOLVED BY THE _____
(Governing Body of Unit of Government)

IN OPEN MEETING ASSEMBLED IN THE JURISDICTION _____ **MISSISSIPPI,**
THIS _____ **Day of** _____, **20** _____ **AS FOLLOWS:**

1. That the project above is in the best interest of the Sub-grantee and the general public.
2. _____ is authorized to accept, on behalf of the
(Name and Title of Representative)
Sub-grantee, an award in the form prescribed by the MS Office of Highway Safety for federal funding in the amount of \$ _____ to be made to the Sub-grantee defraying the cost
(Federal Dollar Requested)
of the project described in the award.
3. That the Sub-grantee has formally agreed to provide a cash and/or in-kind contribution of \$ _____ as required by the project. (If Applicable)
(Local Match Amount)
4. One original or certified copy of this resolution must be included as part of the award referenced above.
5. That this resolution shall take effect immediately upon its adoption.

DONE AND ORDERED IN OPEN MEETING BY: _____
(Chairman of the Board/Mayor - Blue Ink)

Alderman/Councilperson _____ offered the foregoing resolution and moved its adoption, which was seconded by Alderman/Councilperson _____ and, was duly adopted.

Date: _____

Attest: _____

Seal

By: _____
(Blue Ink)

27. CONSIDERATION OF THE APPROVAL TO ENTER INTO THE GRANT AGREEMENT PT-2018-PT-23-11 WITH THE MS OFFICE OF HIGHWAY SAFETY WHICH PROVIDES FOR OVERTIME ENFORCEMENT IN THE AREAS OF TRAFFIC LAW ENFORCEMENT.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the August 1, 2017 Official Agenda, and to accept items for consent, whereby the “authorization to enter into the grant agreement in the amount of \$15,000 with the Mississippi Office of Highway Safety concerning grant number PT-2018-PT-23-11 which is the Police Traffic Safety grant for FY18 with this grant provides for overtime enforcement in the areas of traffic law enforcement” is enumerated, this consent item is thereby approved.



STATE OF MISSISSIPPI
DEPARTMENT OF PUBLIC SAFETY
DIVISION OF PUBLIC SAFETY PLANNING

PHIL BRYANT
GOVERNOR

MARSHALL L. FISHER
COMMISSIONER

July 24, 2017

Lynn Spruill, Mayor
City of Starkville
Starkville Police Department
Starkville, MS 39759

Dear Mayor Spruill:

Enclosed please find the Mississippi Office of Highway Safety (MOHS) and City of Starkville Grant Agreement for the Fiscal Year 2018. Your agency has been approved for 402 Police Traffic Services, in the amount of \$15,000.00, pending final review and approval by NHTSA in the FY18 Highway Safety Plan.

The enclosed agreement is not fully executed until both the agency authorized official (Mayor, Board of Supervisor, President, Board President, etc.) and the MOHS Office Director, have signed and dated the agreement. Grant activities are not to be implemented and performed, until the agency receives a fully executed copy of the agreement. A copy of the executed agreement, will be provided to the agency at an upcoming Implementation meeting.

All FY18 grant activities begin October 1, 2017 and must be concluded by September 30, 2018. In addition, the FY18 Sub-Grantee Closeout Report must be received at the MOHS, no later than COB November 15, 2018.

Please thoroughly read the grant agreement, certifications and assurances, as changes have been made for FY18. **Your completed grant agreement must be returned to the MOHS by COB August 11, 2017.** Please make sure that you complete the following documents, in their entirety and all forms are signed by the Authorized Signatory Official (**Board President or Mayor**), when returning the grant agreement:

1. Signature Page (original signature in BLUE ink);
2. Completed Agreement of Understanding & Compliance;
3. Completed Governmental Resolution Form; and
4. Enclose a copy of your agency's leave policy, overtime policy and a payroll schedule (schedule should include beginning and ending dates of pay periods and paycheck dates for October 1, 2017 - September 30, 2018)

Failure to return your completed grant agreement and required documents by the above stated date, will result in the reallocation of grant funds. Please mail the completed grant agreement and required documents to the following address:

Mississippi Office of Highway Safety
Attn. Robin Layton
1025 Northpark Drive
Ridgeland, MS 39157

Please feel free to contact your Traffic Safety Specialist, Sonya Williams if you should have any questions concerning the completion of the grant agreement. You may reach your Traffic Safety Specialist at 601-977-3726 or sdwilliams@dps.ms.gov.

In pursuit of public safety,

Robin Layton, Occupant Protection/Police Traffic Services Division Director
Mississippi Office of Highway Safety

1025 NORTH PARK DRIVE • RIDGELAND, MISSISSIPPI 39157 • TELEPHONE 601-977-3700 • www.dps.state.ms.us

FY18 MOHS GRANT AGREEMENT

MS Office of Highway Safety

1025 Northpark Drive

Ridgeland, MS 39157

Phone: (601) 977-3700; Fax: (601) 977-3701

1. Subgrantee's Name City of Starkville/Starkville Police Department 101 East Lampkin Street Starkville, Mississippi 39759 Telephone Number: 662-323-4131 FAX: 662-324-4016 E-Mail: twells@cityofstarkville.org		2. Effective Date of Grant: October 1, 2017 3. Subgrant Number: PT-2018-PT-23-11 4. Grant Identifier (Funding Source & Year): 402 Police Traffic Services FY18 5. Beginning and Ending Dates: October 1, 2017 thru September 30, 2018 6. Subgrant Payment Method: ☒ Cost Reimbursement Method	
7. CFDA # - 20.600		8. DUNS # - 782430557	
9. Congressional District -- MS03			
10. A.FAIN #: 18X9204020MS17	11.A: Initial Federal Award Date: 1/19/2017	12. Research and Development Grant: ____ Yes ☒ No	
10.B. Federal Awarding Agency: NHTSA	11.B: Secondary Federal Award Date:		
13. The following funds are obligated:			
A. COST CATEGORY		B. SOURCE OF FUNDS	
(1) Personal Services-Salary	\$15,000.00	(1) Federal	\$15,000.00
(2) Personal Services-Fringe	\$0.00	(2) State	
(3) Contractual Services	\$0.00	(3) Local	
(4) Travel	\$0.00	(4) Other	
(5) Equipment	\$0.00	Total:	\$15,000.00
(6) Commodities	\$0.00	E. TOTAL OF ALL FEDERAL GRANTS THROUGH MOHS TO AGENCY:	
(7) Indirect Costs	\$0.00	Number of Grants: 2	402PT
			405D
			Total
TOTAL	\$15,000.00	TOTAL:	\$15,000.00
			\$73,045.60
			\$88,045.60
The Subgrantee agrees to operate the program outlined in this agreement in accordance with all provisions of this agreement as included herein. The following sections are attached and incorporated into this agreement: Final Approved Agreement which includes: Sub-Grantee Signature Sheet; Sub-Grantee Targets, Performance Measures and Strategies; Task by Quarter; Cost Summary Support Sheet; and Agreement of Understanding and Compliances. All policies, terms, conditions, and provisions listed in funding guidelines, grant agreement, and agreement of understanding which has been provided to Subgrantee, are also incorporated into this agreement, and Subgrantee agrees to fully comply therewith.			
14. Approved for Grantee:		15. Approved for Sub-grantee:	
Signature	Date	Signature	Date
Name: Helen Porter Title: MOHS Office Director, MS Office of Highway Safety		Name: Lynn Spruill Title: Mayor, City of Starkville	

FY18 Sub-Grantee Project Description (Law Enforcement):

MOHS Law Enforcement grant programs are provided with Federal grant funds to local police departments, sheriff's and state agencies for enforcement in jurisdictions all across Mississippi. All jurisdictions will provide enforcement, for hours that are specified in each agency agreement, in support of the PTS program. These enforcement grants will be coordinated with the national campaigns, along with any state blitz campaigns that the MOHS develops for FY18.

All law enforcement agencies participating in the MOHS Law Enforcement grant program will utilize data to target the need and deploy resources based on problem identification and traffic trends in the agency locale and make adjustments to the program as needed.

Law Enforcement agencies use the funding for salaries part time that has been reviewed and approved by the MOHS. All information on budget can be found in the agency budget. The agency will generate at least (1) earned media campaigns during the blitz campaigns.

FY18 Sub-Grantee-Target(s), Performance Measures and Strategies

Agency Name: Starkville Police Department

List the target(s) that the sub-grantee will accomplish during the FY18 grant year. Performance measures should be set to help the sub-grantee accomplish the target(s) for the grant year. Strategies must be listed to show how the strategies will be implemented to meet the performance measures and to accomplish the target(s) set by the agency.

Target(s):

The jurisdiction/agency of Starkville Police Department will maintain the number of unbelted injuries from 6 in 2015 to 6 by the end of 2018.

The jurisdiction/agency of Starkville Police Department will reduce the number of speed related injuries from 4 in 2015 to 3 by the end of 2018.

Performance Measures:

Increase the number of grant funded Seatbelt citations by 3% from 757 in FY16 to 688 in FY18.

Increase the number of grant funded Child Restraint citations by 5% from 23 in FY16 to 24 in FY18.

Increase the number of grant funded Speed citations by 5% from 94 in FY16 to 99 in FY18.

Strategies:

Overtime Enforcement

4 Checkpoints

20 Saturation Patrols

Generate Earned Media

Publicize patrol activities results (after occurrence)

Conduct 12 of education outreach activities/presentations

Attend Troop LEL Network Meeting

Participate in the National blitz campaigns with enhanced PT enforcement:

Click It or Ticket – Memorial Day

Participate in the State blitz campaigns with enhanced PT enforcement:

Christmas/New Year's

Super Bowl

4th of July

Labor Day

FY18 MOHS TASKS BY QUARTERS

AGENCY NAME: STARKVILLE POLICE DEPARTMENT

PROJECTION TASKS BY QUARTERS:

SCHEDULE PROJECTION OF TASKS BY QUARTERS

List the performance schedule of tasks by quarters referring specifically to the Statement of Tasks in the narrative description and defining the components of tasks to be accomplished by quarters. Tasks that extend beyond one quarter should specify the elements of the tasks that are to be performed for the particular quarters.

1st QUARTER (OCTOBER, NOVEMBER & DECEMBER)

Attend, at a minimum, one (1) MAHSL meeting during quarter.

Attend LEL Troop Network meeting.

Conduct not less than 1 checkpoints during quarter.

Conduct not less than 4 saturation patrols during quarter.

Issue a minimum of 195 Seat Belt citations during quarter, to reach 25% goal of 780 for FY2018.

Issue a minimum of 6 Child Restraint citations during quarter, to reach 25% goal of 24 for FY2018.

Issue a minimum of 25 Speed citations during quarter, to reach 25% goal of 99 for FY2018.

Agency will conduct a not less than 1 school, community and/or public information and education presentation during the quarter.

Submit all required reporting documents by scheduled date(s) as defined in agreement by MS Office of Highway Safety, i.e. (Monthly Cost Reporting Worksheets for reimbursement, Monthly Activity reports, etc.)

Additional Tasks:

Participate in the State Thanksgiving and Christmas/New Year's blitz campaign with enhanced PT enforcement.

Projected Expenditures for 1st Quarter: \$3,750.00

FY18 MOHS TASK BY QUARTERS

AGENCY NAME: STARKVILLE POLICE DEPARTMENT

PROJECTION TASK BY QUARTERS

SCHEDULE PROJECTION OF TASKS BY QUARTERS

List the performance schedule of tasks by quarters referring specifically to the Statement of Tasks in the narrative description and defining the components of tasks to be accomplished by quarters. Tasks that extend beyond one quarter should specify the elements of the tasks that are to be performed for the particular quarters.

2nd QUARTER (JANUARY, FEBRUARY & MARCH)

Attend, at a minimum, one (1) MAHSL meeting during quarter.

Attend LEL Troop Network meeting.

Conduct not less than 1 checkpoints during quarter.

Conduct not less than 2 saturation patrols during quarter.

Issue a minimum of 195 Seat Belt citations during quarter, to reach 25% goal of 780 for FY2018.

Issue a minimum of 6 Child Restraint citations during quarter, to reach 25% goal of 24 for FY2018.

Issue not less than a minimum of 25 Speed citations during quarter, to reach 25% goal of 99 for FY2018.

Agency will conduct a not less than 1 school, community and/or public information and education presentation during the quarter.

Submit all required reporting documents by scheduled date(s) as defined in agreement by MS Office of Highway Safety, i.e. (Monthly Cost Reporting Worksheets for reimbursement, Monthly Activity reports, etc.)

Additional Tasks:

Participate in the State New Year's and the State Super Bowl blitz campaign with enhanced PT enforcement.

Projected Expenditures for 2nd Quarter: \$3,750.00

FY18 MOHS TASK BY QUARTERS

AGENCY NAME: STARKVILLE POLICE DEPARTMENT

PROJECTION TASK BY QUARTERS

SCHEDULE PROJECTION OF TASKS BY QUARTERS

List the performance schedule of tasks by quarters referring specifically to the Statement of Tasks in the narrative description and defining the components of tasks to be accomplished by quarters. Tasks that extend beyond one quarter should specify the elements of the tasks that are to be performed for the particular quarters.

3RD QUARTER (APRIL, MAY & JUNE)

Attend, at a minimum, one (1) MAHSL meeting during quarter.

Attend LEL Troop Network meeting.

Conduct not less than 1 checkpoints during quarter.

Conduct not less than 8 saturation patrols during quarter.

Issue a minimum of 195 Seat Belt citations during quarter, to reach 25% goal of 780 for FY18.

Issue a minimum of 6 Child Restraint citations during quarter, to reach 25% goal of 24 for FY2018.

Issue a minimum of 25 Speed citations during quarter, to reach 25% goal of 99 for FY2018.

Agency will conduct a not less than 1 school, community and/or public information and education presentation during the quarter.

Submit all required reporting documents by scheduled date(s) as defined in agreement by MS Office of Highway Safety, i.e. (Monthly Cost Reporting Worksheets for reimbursement, Monthly Activity reports, etc.)

Additional Tasks:

Participate in the national Click It or Ticket Memorial Day blitz campaign with enhanced PT enforcement and earned media with at least two (2) newspaper, television or radio presentations.

Projected Expenditures for 3rd Quarter: \$3,750.00

FY18 MOHS TASK BY QUARTERS

AGENCY NAME: STARKVILLE POLICE DEPARTMENT

PROJECTION TASK BY QUARTERS

SCHEDULE PROJECTION OF TASKS BY QUARTERS

List the performance schedule of tasks by quarters referring specifically to the Statement of Tasks in the narrative description and defining the components of tasks to be accomplished by quarters. Tasks that extend beyond one quarter should specify the elements of the tasks that are to be performed for the particular quarters.

4TH QUARTER (JULY, AUGUST & SEPTEMBER)

Attend, at a minimum, one (1) MAHSL meeting during quarter.

Attend LEL Troop Network meeting.

Conduct not less than 1 checkpoints during quarter.

Conduct not less than 6 saturation patrols during quarter.

Issue a minimum of 195 Seat Belt citations during quarter, to reach 25% goal of 780 for FY18.

Issue a minimum of 6 Child Restraint citations during quarter, to reach 25% goal of 24 for FY2018.

Issue a minimum of 24 Speed citations during quarter, to reach 25% goal of 99 for FY2018.

Agency will conduct a not less than 1 school, community and/or public information and education presentation during the quarter.

Submit all required reporting documents by scheduled date(s) as defined in agreement by MS Office of Highway Safety, i.e. (Monthly Cost Reporting Worksheets for reimbursement, Monthly Activity reports, etc.)

Additional Tasks:

Participate in the State 4th of July and Labor Day blitz campaign with enhanced PT enforcement.

Projected Expenditures for 4th Quarter: \$3,750.00

FY18 Mississippi Office of Highway Safety-Cost Summary Support Sheet

1. Applicant Agency: City of Starkville/Starkville Police Department		3. Grant ID: 402 Police Traffic Services FY18	4. Beginning: October 1, 2017	5. Ending: September 30, 2018
2. Subgrant Number: PT-2018-PT-23-11				
6. Activity: Police Traffic Services				
8. Category & Line Item	10. Description of item and/or Basis for Valuation	11. Budget Federal	All Other	Total
Personal Services-Salary	Officers Over-Time or Regular Time above and beyond normal work hours @ approx. \$25.00 X approx. 600 Hours = \$15,000.00 Total Salaries = \$15,000.00 Not to exceed \$15,000.00	\$15,000.00		\$15,000.00
Personal Services-Fringe				
Contractual Services				
Travel				
Equipment				
Commodities				
Indirect Costs				
TOTALS		\$15,000.00		\$15,000.00

Mississippi Office of Highway Safety

FY18 Agreement of Understanding and Compliance

This agreement made and entered into by and between the State of Mississippi by and through the MS Office of Highway Safety, hereinafter referred to as State, and the Governmental Unit or agency named in this application, hereinafter referred to as Sub-grantee.

WHEREAS, the National Highway Traffic Safety Act of 1966, as amended, provides Federal funds to the State for approved highway safety projects for the purpose of reducing injuries and fatalities as result of motor vehicle crashes, and

WHEREAS, the State may make said funds available to state, county, and municipal agencies and/or government or political subdivisions and/or non-profit entities upon application and approval by State and the National Highway Traffic Safety Administration (NHTSA) if applicable, and

WHEREAS, the Sub-grantee must comply with the requirements listed herein, to be eligible for Federal funds in approved highway safety projects, and

WHEREAS, the State is obligated to reimburse NHTSA out of its funds for any ineligible or unauthorized expenditures for which Federal funds have been claimed and payment received, and

WHEREAS, the Sub-grantee has submitted an application for Federal funds for highway safety projects:

NOW, THEREFORE, IN CONSIDERATION OF MUTUAL PROMISES AND OTHER GOOD AND VALUABLE CONSIDERATION, THE PARTIES AGREE AS FOLLOWS:

I. REIMBURSEMENT OF ELIGIBLE EXPENSES

- A. It is mutually agreed that upon written application by Sub-grantee and approval by State and NHTSA (if applicable), State will obligate Federal funds to Sub-grantee account for reimbursement of eligible expenditures as set forth in the application.
- B. It is understood that the State has the right to monitor and pre-audit any and all claims presented for reimbursement. Arrangements have been made for the financial and compliance audit required by 2CFR Subpart F, which is to be conducted within the prescribed audit reporting cycle (failure to furnish an acceptable audit, as determined by the cognizant Federal agency, may result in denial or require return of Federal funds). It is mutually agreed and promised that Sub-grantee reimburse State for any ineligible or unauthorized expenditure for which Federal funds have been claimed and payment received as determined by a State or Federal audit.
- C. It is also understood, pursuant to 2 CFR 200.336, the awarding agency and the Comptroller General of the United States, or any of their authorized representatives (such as National Highway Traffic Administration otherwise known as NHTSA), shall have the right of access to any pertinent books, documents, papers, or other records of grantees and sub-grantees which are pertinent to the grant, in order to make audits, examinations, excerpts, and transcripts.
- D. It is further agreed that where reimbursement is made to Sub-grantee in installments, State shall have the right to withhold any installments to make up reimbursement(s) received for any ineligible or unauthorized expenditure until such time as the ineligible claim is made up or corrected by Sub-grantee.

- E. Unless otherwise directed, Sub-grantees must submit monthly reimbursement and back up documentation, by the **10th working day** of the following month to receive reimbursement for project activities. Tasks by Quarter Reports reflect the status of project implementation and progress toward reaching goals. Each activity report shall describe the project status quarterly and shall be submitted to the State no later than the 10th working day following the end of each quarter.
- F. Final Closeout Report and Reimbursement Claim with all required documentation must be received to MS Office of Highway Safety within forty five (45) days of completion of the project (**Close of Business (COB) November 15th**). Appropriate forms will be provided to the Project Director. All required due dates for MOHS documents are provided in the Project Director's Guide.

Any Sub-grantee delinquent in submitting monthly reimbursement, monthly activity, and/or final accomplishment reports, or incomplete progress reports that lack sufficient detail of progress during the period in question, may be subject to having submitted reimbursement requests delayed, pending additional justification. Once completed reports are received, reimbursement requests will be processed.

II. ON-SITE MONITORING AND EVALUATION

Pursuant to Federal guidelines, the State has developed a plan for evaluating all projects. Each Sub-Grantee will be required to have at least one (1) on-site monitoring visits during the grant year. All written documents will be reviewed to determine progress, problems and reimbursements of the project. The State evaluates all sub recipient's risk of noncompliance with Federal statutes, regulations and the terms and conditions of the sub-award for the purposes of determining the appropriate level of sub recipient monitoring.

III. PROPERTY AGREEMENT

- Facilities and equipment acquired under this agreement for use in highway safety program areas shall be used and kept in operation for highway safety purposes by the MS Office of Highway Safety; or the State, by formal agreement with appropriate officials of a political subdivision, State agency, or non-profit entities.
- It is mutually agreed and promised that the Sub-grantee shall immediately notify the MS Office of Highway Safety if any equipment purchased under this project ceases to be used in the manner set forth by the project agreement. In such event, Sub-grantee further agrees to transfer or otherwise dispose of such equipment as directed by the MS Office of Highway Safety.
- It is mutually agreed and promised by the Sub-grantee that no equipment will be conveyed, sold, salvaged, transferred, etc., without the express written approval of the MS Office of Highway Safety.
- It is mutually agreed and promised that the Sub-grantee shall maintain, or cause to be maintained for its useful life, any equipment purchased under this project.
- Each Sub-grantee of federal grant funds has a financial management system that complies with the minimum requirements of 2 CFR Part 200 (Super Circular).
- All equipment awarded in this project agreement must be ordered within ninety (90) days after project implementation. If unforeseen circumstances arise which prohibit this being accomplished, the MS Office of Highway Safety must be notified as to the reason for the delay and projected purchase date of the equipment.
- Property records must be maintained that include a description of the property, a serial number or other identification number, the source of the property, who holds the title, the acquisition date, cost of the property, percentage of Federal participation in the cost of the property, the location use and condition of the property and any ultimate disposition data including the data of disposal and sale price of the property.

- A physical inventory of the property must be taken and the results reconciled with the property records at least once every two (2) years for the useful life of the property.
- A control system must be developed to ensure adequate safeguards to prevent loss, damage or theft of the property. Any loss, damage or theft shall be investigated.
- Adequate maintenance procedures must be developed to keep the property in good and working condition.
- If the sub-grantee is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return. Sale of items must be approved by the MOHS.
- Costs for equipment items are allowable only as part of a comprehensive program effort. All approved equipment must be included on the Federal Conformation Product List (CPL), where applicable. Approved equipment purchased with federal funds, must be in compliance of the Buy America Act (23 U.S.C. 313).
- Approved equipment with a purchase price of \$5,000.00 must be approved in writing from the National Highway Traffic Safety Administration before the purchase of approved equipment purchased with federal funds.

IV. STAFFING

Positions covered by this project that are 100% funded must be new positions. If staff of the Sub-grantee agency is transferred to work on this project, the agency must replace the vacant position with a new hire. Salaries in this project are for the purpose of remuneration for personal services over and above the present manpower level of the agency. All full time funded positions require time certification and/or detailed activity documentation as directed by MS Office of Highway Safety.

V. GENERAL PROJECT REQUIREMENTS

- Any change to out-of-state travel approved in the Grant Application, must have prior written approval by the MS Office of Highway Safety for changes. Requests for change should be submitted to the MS Office of Highway Safety not less than two (2) weeks before the intended date of travel on Agency letterhead.
 - Out of State Travel-All federal funded out of state travel requires expenses incurred to be placed on the authorized travel voucher. All cost must be based on current state and federal policies.
 - In State Travel- All federal funded in state travel requires itemized receipts for expenses incurred, as well as the authorized travel voucher. All cost must be based on current state and federal policies.
- No budget modification requests will be accepted by the MS Office of Highway Safety after **July 31st**. Any proposed changes in this agreement that would result in changes in the scope, character, or complexity of the agreement, require a Letter and Budget Modification Request to the MS Office of Highway Safety. Changes to the Agreement will not be effective until both parties have executed the modification.
- Sub-grantee must submit any proposed agreements for contractual services to the MS Office of Highway Safety. Contractual Services must be submitted forty-five (45) days prior to acceptance, due to the fact that contracts must have review and approval by DPS and NHTSA.
- Any program income earned by projects financed in whole or in part with Federal funds must be documented and accounted for. Program income earned during the project period shall be retained by the Sub-grantee and used for project related expenses or to offset eligible expenses with the approval of the MS Office of Highway Safety.
- Local government Sub-grantee must complete the "Local Governmental Resolution" included within this document, or a similar, equally binding resolution. Grant Agreements are not effective until both parties (MOHS and the Sub-Grantee) have fully executed (signed and dated) the Grant Agreement.

- F. Sub-grantee must maintain in the agency grant file the most current copy of the following policies with the application for funding. If agency does not have a current policy, please inform the MS Office of Highway Safety of the un-availability of the policy.
- Seat belt policy (Must Retain a Copy);
 - Warning citation policy (If Applicable);
 - Pursuit policy(Must Retain a Copy);
 - Checkpoint policy (If Applicable);
 - Saturation patrol policy (If Applicable); and
 - DUI enforcement policy (If Applicable)
 - Agency seat belt survey procedures must be provided if usage rate is identified as a performance measure within agreement (If Applicable)
- G. Sub-grantee must submit to the MS Office of Highway Safety a copy of the following policy(s):
- Payroll Schedule- To payroll period begin and payroll end dates & check date).
 - Leave policy (vacation, sick leave, holiday, & compensatory time)
 - Overtime Policy
- H. All training received under federal funded programs must be program related and the Sub-grantee must maintain a copy of the certificate of completion and must be available for inspection in the Sub-grantee grant file. A copy of the certificate of completion must be submitted to the MOHS for reimbursement of training expenses.
- I. A Property Inventory form must be completed for all equipment. All equipment cost exceeding \$500.00 will be tagged with a Department of Public Safety inventory control number. All equipment will be maintained on the MOHS inventory data base. All equipment purchased with grant funds must be available for inspection. A copy of the most current Property Inventory form must be available in the agency's grant file.
- J. Implementation of Agreement: All sub-grantees are required to attend a mandatory grant implementation meeting. Failure to attend one (1) of the available mandatory grant implementation meetings will result in rescinding of the grant funds allocated for the project.
- K. Termination of Agreement:
- In the event of Sub-grantee noncompliance with any of the provisions of this agreement, the MS Office of Highway Safety may terminate this agreement by giving the Sub-grantee a thirty (30) day notice. Before issuing notice of termination of this agreement, the MS Office of Highway Safety, shall allow the Sub-grantee a reasonable opportunity to correct noncompliance issues. For noncompliance with the nondiscrimination section of this agreement or with any of the said rules, regulations or orders, this agreement may be canceled, terminated, or suspended in whole or in part.
 - The Sub-grantee may terminate its participation in this agreement by notifying and submitting the required closeout documentation to the MS Office of Highway Safety, thirty (30) days in advance of the termination date.
 - Agreements: Unless otherwise authorized in writing by the MS Office of Highway Safety, the Sub-grantee shall not assign any portion of the work to be performed under this agreement, or execute any agreement, amendment or change order thereto, or obligate itself in any manner with any third party with respect to its rights and responsibilities under this agreement without the prior written concurrence of the MS Office of Highway Safety. Any subcontract under this agreement must include all required and/or applicable clauses and provisions of this agreement.

- Sub-grantee failure to meet all reporting, attendance at meeting(s), scheduled events and timely submission of reimbursement requests set forth in the agreement by the MS Office of Highway Safety, will result in the withholding of reimbursement payments.

VI. UNALLOWABLE COST

Limitations and Conditions: The provisions stated in the following section are not intended to deny flexibility in supporting potential accident and injury reduction activities; however, the conditions do serve as a guide in describing costs that are not allowable for highway safety funding. See NHTSA Highway Safety Grant Funding Guidance.

The following are unallowable:

A. Unallowable Costs for Facilities and Construction

- Highway construction, maintenance, or design other than design of safety features of highways incorporated into Roadway Safety guidelines
- Construction or reconstruction of permanent facilities, such as paving, driving ranges, towers and non-portable skid pads
- Highway safety appurtenances including longitudinal barriers (such as guardrails), sign supports (except as allowed under Allowable Costs with Conditions for selected Items, Part II.A.2.), luminaire supports, and utility poles (FHWA safety construction Federal-aid funds are available)
- Construction, rehabilitation, or remodeling for any buildings or structures or for purchase of office furnishings and fixtures;

Examples of office furnishings and fixtures

- | | | |
|-------------|------------------|--------------------------|
| • Chair | • Bookcase | • Portable Partition |
| • Table | • Filing Cabinet | • Picture, Wall Clock |
| • Shelving | • Floor Covering | • Draperies and Hardware |
| • Coat Rack | • Office Planter | • Fixed Lighting/Lamp |

- Land (except for SAFETEA-LU Section 210 and MAP-21 Section 405(f) motorcycle safety grant funds used to purchase a facility which includes the purchase of land upon which the facilities sit.)

B. Unallowable Equipment Costs

- Fixed and portable truck scales (Motor Carrier safety program funds are available for truck scales)
- Traffic signal preemption systems (FHWA Federal-aid highway program funds are available for traffic signal preemption systems)
- Automated traffic enforcement systems may not be purchased, operated, or maintained with Section 402 funds (including MAP-21 Section 405(b) High Seat Belt Use Rate funds, 405(d) Ignition Interlock funds, 405(e) Distracted Driving funds, and 405(g) GDL funds, in which a State has been approved to use for any eligible project or activity under 23 USC 402). (23 CFR Part 1300.13(c)).
- Radars or other speed measuring devices using MAP-21 Section 405-Impaired Driving Countermeasures and SAFETEA-LU Section 410 Alcohol Impaired Driving Countermeasures grant funds.

C. Unallowable Training Costs

- Training of employees of Federal civilian and Federal military agencies. Note: Training for Department of the Interior personnel who are assigned Section 402 responsibilities is covered under the 5 percent administrative allowance.
- An individual's salary while pursuing training (except when the individual's salary is already supported with highway safety funds under an approved project).

- Overtime for police officers attending drug recognition expert training.

D. Program Administration

- General costs of government. For States, local governments and Indian Tribes, the general costs of government are unallowable (except as provided in § 200.474 Travel. Reference 2 CFR § 200.444 and 2 CFR § 200.474).
- NHTSA highway safety grant funds used to defray expenses incurred or sought to be incurred for activities of Federal civilian or military agencies or employees. For Department of the Interior, personnel expenditures for the Section 402 program are covered under the five percent administrative allowance.
- Alcoholic beverages for any consumption purposes or techniques for determining driver impairment are not allowable (See Part III, D.3.). Reference 2 CFR § 200.423.
- Drug impaired activities, equipment and drug impaired training is not allowable using Sections 154/164 funds.
- Drug impaired activities, equipment and drug impaired training is not allowable with Sections 154/164 funds.

E. Lobbying

- Federal - the cost of influencing the U.S. Congress and Federal agency officials for activities associated with obtaining grants, contracts, cooperative agreements or loans.
- State and Local - No Federal funds may be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., grassroots) lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds to engage in direct contact with State or local legislative officials, in accordance with customary State practice, even if it urges legislative officials to favor or oppose the adoption of a specific pending legislative proposal. (23 CFR Part 1300)

F. Additional Items Unallowable:

- Cell phones and guns are not allowable for purchase with these funds under any circumstances.
- Costs for equipment purchases exceeding \$5,000.00 must have prior approval from NHTSA. The MS Office of Highway Safety will obtain the approval letter and provide a copy to the Sub-grantee.
- Where major multi-purpose equipment is to be purchased, costs shall be factored, based on utilization for highway safety purposes.
- Costs for the following equipment items are allowable only if a part of a comprehensive program effort. All allowable equipment must be included on the Federal Conformation Product List (CPL):
 - (1) Police traffic radar and other speed measuring devices used by the police (devices must meet the recommended federal guidelines);
 - (2) Alcohol testing; and
 - (3) Mobile video systems.
- The cost of training is allowable using DOT/NHTSA developed, equivalent, or endorsed curriculum. Documentation must be provided in order to receive reimbursement for a Full Time Officer's salary for training. MOHS will reimburse an officer's salary as long as the proper documentation is submitted such as a Certificate of Completion or Certificate of Attendance.
- Development costs of new training curriculum and materials are allowable if they will not duplicate materials already developed for similar purposes by DOT/NHTSA or by other states. This does not preclude modifications of present materials necessary to meet particular state and local instructional needs.

- Costs are not allowable to pay for an employee's salary while pursuing training, nor to pay the salary of the employee's replacement except where the employee's salary is supported 100% under an approved project.
- All training must be included within the grant agreement. Only DUI/alcohol training is allowed under alcohol funding. Occupant protection training is allowed under occupant protection funding.
- Supplanting, includes: (a) replacing routine and/or existing State or local expenditures with the use of Federal grant funds and/or (b) using Federal grant funds for costs of activities that constitute general expenses required to carry out the overall responsibilities of State, local, or Federally-recognized Indian tribal governments.
- The MOHS will not reimburse for the assistance of providing training to law enforcement officers through specialized training activities, unless approved in the MOHS agreement. Any training or training assistance that is claimed and not listed in the approved MOHS agreement will not be reimbursed.
- Cost to purchase program advertising space in the mass communication media is not allowable for sub-grantees.

CERTIFICATIONS AND ASSURANCES **FEDERAL CERTIFICATIONS AND ASSURANCES**

NONDISCRIMINATION **(APPLIES TO SUB RECIPIENTS AS WELL AS SUB-GRANTEES)**

The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination ("Federal Nondiscrimination Authorities"). These include but are not limited to:

- TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 (42 U.S.C. 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin) and 49 CFR part 21;
- THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES Act of 1970, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- FEDERAL-AID HIGHWAY ACT OF 1973, (23 U.S.C. 324 *et seq.*), AND TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686) (prohibit discrimination on the basis of sex);
- SECTION 504 OF THE REHABILITATION ACT OF 1973, (29 U.S.C. 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability) and 49 CFR part 27;
- THE AGE DISCRIMINATION ACT OF 1975, as amended, (42 U.S.C. 6101 *et seq.*), (prohibits discrimination on the basis of age);
- THE CIVIL RIGHTS RESTORATION ACT OF 1987, (Pub. L. 100-209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal aid recipients, sub-recipients and contractors, whether such programs or activities are Federally-funded or not);
- TITLES II AND III OF THE AMERICANS WITH DISABILITIES ACT (42 U.S.C. 12131-12189) (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing) and 49 CFR parts 37 and 38;
- EXECUTIVE ORDER 12898, FEDERAL ACTIONS TO ADDRESS ENVIRONMENTAL JUSTICE IN MINORITY POPULATIONS AND LOW-INCOME POPULATIONS (prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations); and

- EXECUTIVE ORDER 13166, IMPROVING ACCESS TO SERVICES FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR 74087-74100).

The State highway safety agency—

- Will take all measures necessary to ensure that no person in the United States shall, on the grounds of race, color, national origin, disability, sex, age, limited English proficiency, or membership in any other class protected by Federal Nondiscrimination Authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of its programs or activities, so long as any portion of the program is Federally-assisted.
- Will administer the program in a manner that reasonably ensures that any of its sub recipients, contractors, subcontractors, and consultants receiving Federal financial assistance under this program will comply with all requirements of the Non-Discrimination Authorities identified in this Assurance;
- Agrees to comply (and require any of its sub recipients, contractors, subcontractors, and consultants to comply) with all applicable provisions of law or regulation governing US DOT's or NHTSA's access to records, accounts, documents, information, facilities, and staff, and to cooperate and comply with any program or compliance reviews, and/or complaint investigations conducted by US DOT or NHTSA under any Federal Nondiscrimination Authority;
- Acknowledges that the United States has a right to seek judicial enforcement with regard to any matter arising under these Non-Discrimination Authorities and this Assurance;
- Insert in all contracts and funding agreements with other State or private entities the following clause:
 “During the performance of this contract/funding agreement, the contractor/funding recipient agrees—
 a. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;
 b. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in appendix B of 49 CFR part 21 and herein;
 c. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;
 d. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and
 e. To insert this clause, including paragraphs a through e, in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement that receives Federal funds under this program.

POLITICAL ACTIVITY (HATCH ACT)

(APPLIES TO SUB RECIPIENTS AS WELL AS SUB-GRANTEES)

The Sub-Grantee will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

CERTIFICATION REGARDING FEDERAL LOBBYING

(APPLIES TO SUB RECIPIENTS AS WELL AS SUB-GRANTEES)

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

RESTRICTION ON STATE LOBBYING

(APPLIES TO SUB RECIPIENTS AS WELL AS SUB-GRANTEES)

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

(APPLIES TO SUB RECIPIENTS AS WELL AS SUB-GRANTEES)

Instructions for Primary Certification (Sub-Grantees)

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1300.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.

4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms *covered transaction, debarment, suspension, ineligible, lower tier, participant, person, primary tier, principal, and voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and coverage sections of 2 CFR part 180. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NHTSA.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1300.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters—Primary Covered Transactions

(1) The prospective primary participant certifies to the best of its knowledge and belief, that its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1300.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms *covered transaction*, *debarment*, *suspension*, *ineligible*, *lower tier*, *participant*, *person*, *primary tier*, *principal*, and *voluntarily excluded*, as used in this clause, have the meanings set out in the Definition and Coverage sections of 2 CFR part 180. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NHTSA.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1300.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency with which this transaction originated may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

BUY AMERICA ACT

(APPLIES TO SUB RECIPIENTS AS WELL AS SUB-GRANTEES)

The Sub-Grantee and each sub recipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or sub recipient, to purchase only steel, iron and manufactured products produced in the United States with Federal funds, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the Sub-Grantee must submit a waiver request that provides an adequate basis and justification to and approved by the Secretary of Transportation.

PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE

(APPLIES TO SUB RECIPIENTS AS WELL AS SUB-GRANTEES)

The Sub-Grantee and each sub recipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

STATE CERTIFICATION AND ASSURANCE

CERTIFICATION AND STANDARD ASSURANCE REQUIREMENT FOR: SUB-GRANTEE GRANTEEES AND SUB-GRANTEES

CONCERNING: STATE, COUNTY AND LOCAL EMERGENCY RESPONSE AND VEHICULAR PURSUIT POLICIES

When truly applicable and in full cooperation with the MS Office of Highway Safety, all grant and/or sub-grant Sub-grantee Recipients (regardless of the type of entity or the amount awarded) must show substantial compliance with the following statutory requirement: On or after January 1, 2005, each state, county and local law enforcement agency that conducts Emergency response and vehicular pursuits shall adopt written policies and training procedures that set forth the manner in which these operations shall be conducted. Each law enforcement agency may create its own policies or adopt an existing model. All pursuit policies created or adopted by any law enforcement agency must address situations in which police pursuits cross over into other jurisdictions. Law enforcement agencies which do not comply with the requirements of this provision are subject to the withholding of any state funding or state administered federal funding.

MS Code Annotated § 45-1-43, effective from and after July 1, 2004.

The obligation of a Sub-grantee is to formulate, implement, and maintain certain written pursuit policies and training procedures which specifically set forth how these operations shall be conducted in accordance with State law. Note that "recipient" means any state, county or local law enforcement agency that conducts emergency response and vehicular pursuits and which may also receive any state funding or state administered federal funding.

A true copy of the law enforcement agency's emergency response and vehicular pursuit policy with pertinent training procedures must be included as an attachment to this Certification and Standard Assurance document. However, when otherwise allowed to submit an alternative for the required documentary confirmation, recipient must specifically identify and acknowledge the use of viable pertinent policies and training procedures, as these factors may be especially expressed through an appropriate letter or timely memorandum of understanding. All relevant information submitted or received shall become an actual documented part of the grant application and thus will be placed within the MOHS master file for grants.

During any occurrence or time period for application, selection, award, implementation or close out of a grant or an award, if the grantee, sub-grantee, or recipient does not show compliance with the statute emphasized above, the grantee, sub-grantee or recipient is subject to the withholding of any state funding or state administered federal funding. Failure of grantee, sub-grantee or recipient to communicate the relevant policy that is required by statute may lead to adverse cost adjustment, disallowance of costs and/or recovery of pertinent project funds. Such recovery may be accomplished on the basis of offset levied against any and all advanced funding, requests for reimbursements, or award of funds.

As the Authorized Official, I certify by my signature below, that I have fully read and I am cognizant of our duties and responsibilities under the emergency response and vehicular pursuit policies statute. Therefore, I hereby comply with this Certification and Standard Assurance requirement by submitting a true copy of the applicable state, county or local emergency response and vehicular pursuit policies with training procedures which are pertinent to this organization.

* * * * *

A copy of the vehicular pursuit policy must be maintained in the Sub-grantee grant file. This original signed form, together with the pertinent state, county or local policies to include, but not limited to the emergency response and vehicular pursuit policies with training procedures must be returned to the Mississippi Office of Highway Safety, Division of Public Safety Planning, Department of Public Safety, upon approval of the contract and prior to the beginning date.

MS OFFICE OF HIGHWAY SAFETY CERTIFICATIONS AND ASSURANCES
Alcohol/Impaired Driving/Occupant Protection/Police Traffic Services/ Law Enforcement Liaison (LEL)
Coordination and High Visibility Enforcement (HVE) Participation Compliance
(Applies only to Law Enforcement Sub-grantees)

Law enforcement agencies funded with Federal Highway Safety funds administered by the MS Office of Highway Safety for the purpose of LEL Coordination and HVE Enforcement Participation must comply with the following:

1. Sub-grantee with a LEL Network Coordinator Grant **must hold** at least one quarterly LEL Troop Network meeting to promote State/County/Local networking, the national blitz campaigns, blitz reporting, and PI&E efforts. **(LEL Coordination Sub-grantees Only)**
2. Sub-grantee with a LEL Network Coordinator Grant **must allow** the LEL network coordinators to assist the MS Office of Highway Safety in promoting and gathering statistics from the NHTSA national blitz campaigns. **(LEL Coordination Sub-grantees Only)**
3. Sub-grantee **must engage** in three (3) sustained enforcement blitz periods during the national campaigns for Christmas/New Year's, Memorial Day, and the Labor Day Holiday by conducting checkpoints and/or saturation patrols.
4. Sub-grantee **must** engage in two (2) sustained enforcement blitz periods during Super Bowl Sunday, 4th of July Holiday Period, and any additional sustained enforcement periods coordinated by the MOHS by conducting checkpoints and/or saturation patrols during the state campaigns.
5. For each of the national blitz campaigns, Sub-grantee **must maintain** relevant statistics and **submit** a mobilization form reporting the total number of checkpoints, saturation patrols, DUI arrests and other

citations/relevant statistics by the MOHS required deadline. Failure to comply with this requirement will result in the withholding of reimbursement payments.

6. Sub-grantee **is required** to generate earned media (example: press conference, TV, radio or print news articles) before, during, or after High Visibility Enforcement (HVE) state and national campaign events and must submit documentation with each activity report.
7. Law Enforcement Sub-grantees **will use** the following criteria to help identify locations in each city/county for intensified enforcement including checkpoints and saturation patrols.
 - ☐ Unusual incidents of alcohol/ drug related crashes/fatalities;
 - ☐ Alcohol/ drug impaired driving violations;
 - ☐ Unusual number of nighttime single vehicle crashes/fatalities (Including Impaired, Unbelted and Speed)
 - ☐ Any other documented alcohol/ drug related vehicular incidents;
 - ☐ Citation data related to restrained and unrestrained occupants;
 - ☐ Unusual incidents of unbelted crashes/fatalities
 - ☐ Seatbelt/Child restraint violations;
 - ☐ Unusual incidents of teen crashes/fatalities; and
 - ☐ Unusual incidents of speed crashes/fatalities.

DUI/Impaired Enforcement Compliance

(Applies only to Sub-grantees funded with Impaired Driving (405d), Alcohol (154) funds, and/or any Police Traffic Service (402)funds used for Impaired Driving and/or Alcohol enforcement)

Law enforcement agencies funded with Federal Highway Safety funds administered by the MS Office of Highway Safety for the purpose of DUI/Impaired Enforcement must comply with the following:

1. Subgrantee **agrees and commits** to have the DUI/Impaired Officer(s) (if applicable) and/or other officers assigned to work DUI/Impaired overtime to engage their efforts during peak hours when most impaired drivers are likely driving under the influence.
 - Full Time DUI/Impaired Officer(s) Shift hours **will include** 4:00 p.m. and no later than 7:00 a.m. and will include Thursday, Friday and Saturday.
 - Overtime hours for DUI/Impaired Enforcement **will include** 4:00 p.m. and no later than 7:00 a.m. and will include Thursday, Friday and Saturday.

If proper justification can be made regarding **other dates or time periods** within the jurisdiction for needed enforcement, a written request can be made to MOHS for consideration and approval. However, written approval **must** be given by MOHS prior to implementing hours and day of week outside the above shifts.

2. Specific DUI/Impaired activities in which the DUI/Impaired officer(s) (if applicable) and/or other officers working overtime **will include** checkpoints, saturation patrols and other impaired driving enforcement activities as designated.
3. The Sub-grantee **will engage** in national campaigns endorsed by the National Highway Traffic Safety Administration.

4. The Sub-grantee **will engage** in **all** activities as described in the High Visibility Enforcement (HVE) Participation Compliance.
5. The Sub-grantee **must engage** in sustained enforcement blitz periods during Super Bowl Sunday, 4th of July Holiday Period, and any additional sustained enforcement periods coordinated by the MOHS by conducting checkpoints and/or saturation patrols during the state campaigns.
6. The Sub-grantee **must generate** earned media (example: press conference, TV, radio or print news articles) either before, during, or after High Visibility Enforcement (HVE) national campaign events and must submit documentation with each quarterly report.

Occupant Protection/Police Traffic Services

High Visibility Enforcement (HVE)

Applies only to Sub-grantee funded with 402 (OP), 402(PTS) or 405(B)

Law enforcement agencies funded with Federal Highway Safety funds administered by the MS Office of Highway Safety for the purpose of Occupant Protection/Police Traffic Service Enforcement must comply with the following:

1. Sub-grantee funded under a 402/405(b) Occupant Protection/Police Traffic Services Federal grant funds **must participate** in the National Click It or Ticket Campaign Mobilization and Child Passenger Safety week.
2. Sub-grantee **will submit** forms containing the number of child restraint/safety belt citations, etc. and **must submit** by the reporting deadline set forth by the MS Office of Highway Safety for the National Click It or Ticket Campaign. Failure to comply with this requirement will result in the withholding of reimbursement payments.
3. Sub-Grantee **must generate** earned media (example: press conference, TV, radio or print news articles) either before, during, or after High Visibility Enforcement (HVE) national campaign events and must submit documentation with each activity report.

Audit Requirements:

Law enforcement, state, local, non-profit agencies funded with Federal Highway Safety funds administered by the MS Office of Highway Safety for the purpose of grant activity must comply with the following (2 CFR§200.501):

- (a) *Audit required.* A non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single or program-specific audit conducted for that year in accordance with the provisions of this part.
- (b) *Single audit.* A non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single audit conducted in accordance with §200.514 Scope of audit except when it elects to have a program-specific audit conducted in accordance with paragraph (c) of this section.
- (c) *Program-specific audit election.* When an auditee expends Federal awards under only one Federal program (excluding R&D) and the Federal program's statutes, regulations, or the terms and conditions of the Federal award do not require a financial statement audit of the auditee, the auditee may elect to have a program-specific

audit conducted in accordance with §200.507 Program-specific audits. A program-specific audit may not be elected for R&D unless all of the Federal awards expended were received from the same Federal agency, or the same Federal agency and the same pass-through entity, and that Federal agency, or pass-through entity in the case of a sub recipient, approves in advance a program-specific audit.

(d) *Exemption when Federal awards expended are less than \$750,000.* A non-Federal entity that expends less than \$750,000 during the non-Federal entity's fiscal year in Federal awards is exempt from Federal audit requirements for that year, except as noted in §200.503 Relation to other audit requirements, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and Government Accountability Office (GAO).

(e) *Federally Funded Research and Development Centers (FFRDC).* Management of an auditee that owns or operates a FFRDC may elect to treat the FFRDC as a separate entity for purposes of this part.

(f) *Sub recipients and Contractors.* An auditee may simultaneously be a recipient, a sub recipient, and a contractor. Federal awards expended as a recipient or a sub recipient are subject to audit under this part. The payments received for goods or services provided as a contractor are not Federal awards. Section §200.330 Sub recipient and contractor determinations sets forth the considerations in determining whether payments constitute a Federal award or a payment for goods or services provided as a contractor.

(g) *Compliance responsibility for contractors.* In most cases, the auditee's compliance responsibility for contractors is only to ensure that the procurement, receipt, and payment for goods and services comply with Federal statutes, regulations, and the terms and conditions of Federal awards. Federal award compliance requirements normally do not pass through to contractors. However, the auditee is responsible for ensuring compliance for procurement transactions which are structured such that the contractor is responsible for program compliance or the contractor's records must be reviewed to determine program compliance. Also, when these procurement transactions relate to a major program, the scope of the audit must include determining whether these transactions are in compliance with Federal statutes, regulations, and the terms and conditions of Federal awards.

(h) *For-profit sub recipient.* Since this part does not apply to for-profit sub recipients, the pass-through entity is responsible for establishing requirements, as necessary, to ensure compliance by for-profit sub recipients. The agreement with the for-profit sub recipient must describe applicable compliance requirements and the for-profit sub recipient's compliance responsibility. Methods to ensure compliance for Federal awards made to for-profit sub recipients may include pre-award audits, monitoring during the agreement, and post-award audits. See also §200.331 Requirements for pass-through entities.

Sub grantees are required to provide a copy of the jurisdiction/agency(s) most recent financial audit with the submission of the Grant Application. If the agency receives an updated audit during the grant year, the agency is required to provide a copy within ninety (90) days of completion of an audit of the agency.

ASSURANCE OF UNDERSTANDING REQUIREMENT FOR SUB-GRANTEES:

As the Authorized Official for, _____ (Sub-grantee), I certify by my signature below, that I have fully read and am cognizant of our duties and responsibilities under this requirement.

I acknowledge by my signature below, that I understand that the Grant Agreement is not effective until both parties (MOHS and Authorized Official) have signed, dated and fully executed the Grant Agreement.

Therefore, the Agency, I represent promises and will comply with all Federal, State and MS Office of Highway Safety Certifications and Assurances and their conditions.

Authorized Official's Signature
(Sub-Grantee)

Date

[Typed or Printed Name]

[Person's Organizational Title]

* * * * *

This original signed form (blue ink only) must be returned to the MS Office of Highway Safety, Division of Public Safety Planning, Department of Public Safety, within forty-five (45) days of receiving the attached grant award letter.

LOCAL GOVERNMENTAL RESOLUTION AGREEMENT AND AUTHORIZATION TO PROCEED

WHEREAS, the _____
(Governing Body of Unit of Government)

Herein called the "SUB-GRANTEE" has thoroughly considered the problem addressed in the application (entitled) _____ and has reviewed the project described in the application; and

WHEREAS, under the terms of Public Law 89-564 as amended, the United States of America has authorized the Department of Transportation, through the Mississippi Office of Highway Safety to make federal contracts to assist local governments in the improvement of highway safety,

NOW THEREFORE BE IT RESOLVED BY THE _____
(Governing Body of Unit of Government)

IN OPEN MEETING ASSEMBLED IN THE JURISDICTION _____ **MISSISSIPPI,**
THIS _____ **Day of** _____, **20** _____ **AS FOLLOWS:**

1. That the project above is in the best interest of the Sub-grantee and the general public.
2. _____ is authorized to accept, on behalf of the
(Name and Title of Representative)
Sub-grantee, an award in the form prescribed by the MS Office of Highway Safety for federal funding in the amount of \$ _____ to be made to the Sub-grantee defraying the cost
(Federal Dollar Requested)
of the project described in the award.
3. That the Sub-grantee has formally agreed to provide a cash and/or in-kind contribution of \$ _____ as required by the project. (If Applicable)
(Local Match Amount)
4. One original or certified copy of this resolution must be included as part of the award referenced above.
5. That this resolution shall take effect immediately upon its adoption.

DONE AND ORDERED IN OPEN MEETING BY: _____
(Chairman of the Board Mayor Blue Ink)

Alderman/Councilperson _____ offered the foregoing resolution and moved its adoption, which was seconded by Alderman/Councilperson _____ and, was duly adopted.

Date: _____

Attest: _____

Seal

By: _____
(Blue Ink)

28. CONSIDERATION OF AUTHORIZATION TO ADVERTISE FOR BIDS FOR CONSTRUCTION AND INSTALLATION OF SANITARY SEWER PUMP STATION MODIFICATIONS.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the August 1, 2017 Official Agenda, and to accept items for consent, whereby the "approval for Starkville Utilities to advertise for bids for construction and installation of sanitary sewer pump station modifications" is enumerated, this consent item is thereby approved.

These modifications will include installation of new pump bases and slide rail retrieval systems, new station piping and valves, new wetwell tops and access hatches, new emergency forcemain connection, providing a new diesel fired trailer mounted bypass pump and other accessories. The modifications will be for twelve (12) wastewater pump stations in the City of Starkville.

29. CONSIDERATION OF AUTHORIZATION TO PROCEED WITH INSTALLATION OF APPROXIMATELY 5,000 FEET OF IDENTIFIED SEWER LINE AND TAPS AS PART OF THE SEWER REHABILITATION PROGRAM PER COMMITMENT TO THE EPA AGENCY WITH AN EXPECTED TOTAL COST OF \$299,841 UTILIZING APPROVED SOURCE OF SUPPLY MATERIALS AND LABOR.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the August 1, 2017 Official Agenda, and to accept items for consent, whereby the "authorization to proceed with installation of approximately 5,000 feet of identified sewer line and taps as part of the sewer rehabilitation program per commitment to the Environmental Protection Agency with an expected total cost will be \$299,841 utilizing approved Source of Supply materials and labor" is enumerated, this consent item is thereby approved.

30. CONSIDERATION OF AUTHORIZATION FOR STARKVILLE UTILITIES TO ADVERTISE FOR SOURCE OF SUPPLY BIDS FOR WATER DIVISION MATERIAL FOR THE PERIOD JULY 1, 2017 THROUGH DECEMBER 31, 2017.

Upon the motion of Alderman Little, duly seconded by Alderman Miller, and adopted by the Board to approve the August 1, 2017 Official Agenda, and to accept items for consent, whereby the "approval for Starkville Utilities to advertise for source of supply bids for the period July 1, 2017 through December 31, 2017 for the water division" is enumerated, this consent item is thereby approved.

ANNOUNCEMENTS AND COMMENTS:

MAYOR'S COMMENTS: Mayor Spruill invited Police Chief Nichols to discuss the upcoming Police Charity Ball to be held August 5, 2017.

BOARD OF ALDERMEN COMMENTS: Alderman Sistrunk thanked Representative Ellis for his service and invited the public to an event scheduled for August 26, 2017 in his honor.

CITIZEN COMMENTS:

Alvin Turner, Ward 7, noted that citizens are nervous about the Hwy 12 construction where medians are being installed.

PUBLIC APPEARANCES: None

PUBLIC HEARINGS:

A. PUBLIC HEARING OF VA 17-14: A REQUEST BY FRANK JONES CONSTRUCTION FOR VARIANCE RELIEF FROM FRONT AND SIDE SETBACK REQUIREMENTS FOR THE FINAL PHASE OF COUNTRY CLUB ESTATES IN A R-4 ZONE WITH THE PROPERTY #106-14-013.00

Buddy Sanders presented the request. The applicant is currently developing the final phase of Country Club Estates. They are operating with an approved Preliminary Plat and Infrastructure Plan. Since the time of approval, the applicant has proposed modifying several of the approved lots. As part of these modifications, a Variance will be required for front and side setbacks. A total of 24 lots will need relief from front setback requirements. A total of 5 lots will need relief from the side setback requirements. On July 26, 2017, the Board of Adjustments and Appeals voted 4-0 to recommend approval of the variance request.

66 property owners of record within 300 feet of the subject property were notified directly by mail of the request. A public hearing notice was published in the Starkville Daily News June 27, 2017 and a placard was posted on the property concurrent with publication of the notice. As of this date, the Planning Office has received two phone calls against this request.

Alderman Little asked about the two calls against the request. Mr. Sanders noted the two callers were opposed to the size of the proposed homes. The new layout will yield more footage per lot.

Mayor Spruill opened the Public Hearing and called for public comments.

Jeremy Tabor discussed the layout of the 24 proposed lots for the final phase of Country Club Estates and the need for the relief from front and side setback requirements.

There being no further comments from the public or the Board, the Mayor announced the public hearing closed.

31. CONSIDERATION OF VA 17-14 A REQUEST BY FRANK JONES CONSTRUCTION FOR VARIANCE RELIEF FROM FRONT AND SIDE SETBACK REQUIREMENTS FOR THE FINAL PHASE OF COUNTRY CLUB ESTATES IN A R-4 ZONE WITH THE PROPERTY #106-14-013.00.

Upon the motion of Alderman Carver, duly seconded by Alderman Little, to grant VA 17-14, a request by Frank Jones Construction for variance relief from front and side setback requirements for the final phase of Country Club Estates in a R-4 Zone with the property #106-14-013.00, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Patrick Miller	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

32. CONSIDERATION OF ADOPTING THE JOB DESCRIPTION FOR A PROCESSING CLERK, AND AUTHORIZATION TO ADVERTISE TO FILL THE POSITION OF A PROCESSING CLERK IN THE COMMUNITY DEVELOPMENT DEPARTMENT.

Buddy Sanders presented the item. Previously this position was held by Bill Green, who was the Office Manager and Vicki Lowrey, who was the Code Compliance Officer. It was proposed to combine and reclassify those positions in that Ms. Lowrey resigned effective August 3 and Mr. Green effective August 31. The Community Development Director decided it was a great time to look over his organization structure and restructure the department. After conducting a job analysis, a decision was made to potentially hybrid these positions. Discussion followed as to the new software being implemented by the Department and its benefits to the City.

Upon the motion of Alderman Walker, duly seconded by Alderman Carver, to request that the Mayor work with Mr. Sanders and Mr. Ashford to evaluate the structure of the Community Development Department and to authorize the hiring of a part time temporary employee if determined one is needed, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Patrick Miller	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

33. MOTION TO RECESS UNTIL AUGUST 15, 2017 @ 5:30 IN THE COURT ROOM AT CITY HALL LOCATED AT 110 WEST MAIN STREET.

Upon the motion of Alderman Little, duly seconded by Alderman Vaughn, for the Board of Aldermen to recess the meeting until August 15, 2017 @ 5:30 at 110 West Main Street in the Court Room of City Hall, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Patrick Miller	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, Mayor Spruill declared the motion passed.

SIGNED AND SEALED THIS THE _____ DAY OF _____ 2017.

Attest:

D. LYNN SPRUILL, MAYOR

LESA HARDIN, CITY CLERK

(SEAL)