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Traffic Safety

MEMORANDUM OF UNDERSTANDING
WASHINGTON TRAFFIC SAFETY COMMISSION

THIS AGREEMENT, pursuant to Chapter 39.34 RCW, is made and entered into by and between the **CITY OF BAINBRIDGE ISLAND,** acting through the **BAINBRIDGE ISLAND POLICE DEPARTMENT,** and the **Washington Traffic Safety Commission (WTSC)**.

IT IS THE PURPOSE OF THIS AGREEMENT to provide overtime funding to law enforcement agencies to conduct multijurisdictional, high visibility enforcement (HVE), traffic safety emphasis patrols (**as outlined in Addendum A**), in support of Target Zero priorities. **The Target Zero Manager and Law Enforcement Liaison assigned to your county shall coordinate the Scope of Work as outlined below:**

TERM: October 1, 2014 - September 30, 2015

Impaired Driving Funding: $1,680
CFDA# 20.600

Seat Belt Funding: $520
CFDA # 20.602 and 20.600

Distracted Driving Funding: $3024
CFDA #20.600

These funds shall not be commingled and are only to be utilized for the specific emphasis area.

SWV 0019249-00
(BAINBRIDGE ISLAND POLICE DEPARTMENT) Statewide Vendor Number

IT IS, THEREFORE, MUTUALLY AGREED THAT:

1. GOAL: To reduce traffic related deaths and serious injuries through aggressive impaired driving, occupant protection, and distracted driving multijurisdictional HVE patrols.

2. SCOPE OF WORK:

   Impaired Driving:

   The **BAINBRIDGE ISLAND POLICE DEPARTMENT** will engage in multijurisdictional HVE patrols, as part of the national effort, for all or part of the following:

Holiday DUI Patrols; November 26, 2014 – January 1, 2015
Drive Sober or Get Pulled Over Labor Day DUI Crackdown;
August 21 – September 7, 2015.

These DUI patrols shall be deployed at locations where the data indicates that the most traffic safety benefit can be realized as determined by the local Traffic Safety Task Force. For statewide mobilizations patrols shall not begin before 4:00 pm and will occur Friday-Sunday, with the exception of:

Wednesday and Thursday, November 26 and 27, (Thanksgiving);
Wednesday, December 31 and Thursday, January 1 (New Year's Eve);
Monday, September 7 (Labor Day.)

Law enforcement officers will complete the Emphasis Patrol Activity Logs and forward to their Target Zero Manager within 48 hours of the completion of the seat belt patrols.

Funds permitting (not guaranteed), the local Task Force may coordinate HVE DUI patrols from January 1 – September 30, 2015. Dates of local patrols will be reported to the WTSC on a quarterly basis by the county Target Zero Manager. Only work done on Task Force/TZM pre-approved dates will be considered for reimbursement.

Seat Belts:

The **BAINBRIDGE ISLAND POLICE DEPARTMENT** will engage in multijurisdictional HVE seat belt-focused patrols on some or all of the following dates as part of the national effort:

Click it or Ticket - May 11 – May 25, 2015

These patrols shall be deployed at locations where the data indicates that the most traffic safety benefit can be realized as determined by the local Traffic Safety Task Force. Wherever possible these patrols shall occur in areas with the lowest seat belt use. Ideally, these patrols will not begin before 4:00 pm. The **BAINBRIDGE ISLAND POLICE DEPARTMENT agrees to take a zero tolerance approach to seat belt and child car seat violations.**

Law enforcement officers will complete the Emphasis Patrol Activity Logs and forward to their Target Zero Manager within 48 hours of the completion of the seat belt patrols.

Funds permitting (not guaranteed), the local Task Force may coordinate HVE occupant protection patrols from January 1 – September 30, 2015. Dates of local patrols will be reported in advance to the WTSC on a quarterly basis by the county Target Zero Manager. Only work done on Task Force/TZM pre-approved dates will be considered for reimbursement.

Distracted Driving (OPTIONAL)

The **BAINBRIDGE ISLAND POLICE DEPARTMENT** may engage in multijurisdictional HVE distracted driving focused patrols, as part the national effort, on some or all of the following dates:

U Drive. U Text. U Pay – April 1 – 14, 2015

These patrols shall be deployed at locations where the data indicates that the most traffic safety benefit can be realized as determined by the local Traffic Safety Task Force. Wherever possible these patrols shall occur in areas with the highest number of distracted driving violations.

Law enforcement officers will complete the Emphasis Patrol Activity Logs and forward to their Target Zero Manager within 48 hours of the completion of the seat belt patrols.

Funds permitting (not guaranteed), the local Task Force may coordinate HVE distracted driving patrols from January 1 – September 30, 2015. Dates of local patrols will be reported to the WTSC on a quarterly basis by the county Target Zero Manager. Only work done on Task Force/TZM pre-approved dates will be considered for reimbursement.

3. CONDITIONS:

For each of the emphasis patrols listed above, **Multijurisdictional High Visibility Enforcement Protocols**, as outlined in **Addendum A** of this document will be followed. These protocols are incorporated in their entirety to this document by reference. Exceptions to these protocols may only be provided by the WTSC Program Director.

These are enforcement activities intended to apprehend impaired drivers, and unbuckled vehicle occupants. It is expected that Notices of Infraction/Citation (NOI/C's) will be issued at contact unless circumstances dictate otherwise.

Standardized Field Sobriety Testing (SFST) Training Requirement

The **BAINBRIDGE ISLAND POLICE DEPARTMENT** certifies that all officers participating in these patrols are SFST trained. To meet this requirement:

- Officer must be BAC certified and have passed the SFST refresher training within the prior three years, or
- Officer must have successfully completed Advanced Roadside Impaired Driving Enforcement (ARIDE), or
- Officer must be a certified Drug Recognition Expert.

Media Contacts:

All of these patrols are conducted as part of a highly publicized, statewide effort. As such, publicity campaigns about these patrols are planned to alert the public to the fact that extra patrols are targeting these violations. Therefore, the **BAINBRIDGE ISLAND POLICE DEPARTMENT** must provide the names of at least two agency officers who can be available for media requests and questions.

***At least one of the individuals listed below must be available for weekend media contacts, beginning at noon on Fridays before mobilizations:**

Matthew Hamner, Chief of Police	Jeffrey Horn, Deputy Chief of Police
Name/Title	Name/Title
206-780-4686 mhamner@bainbridgewa.gov	206-780-4688 jhorn@bainbridgewa.gov
Office Phone & e-mail	Office Phone & e-mail
206-249-2014	206-730-7888
Cell Phone	Cell Phone
☒ **Available weekends per above?***	☐ **Available weekends per above?***

4. PAYMENT FOR LAW ENFORCEMENT: The **BAINBRIDGE ISLAND POLICE DEPARTMENT** will provide commissioned law enforcement with appropriate equipment (vehicle, radar, PBTs etc.) to participate in these emphasis patrols. **WTSC** will reimburse for overtime at 1.5 times officer's normal rate plus **BAINBRIDGE ISLAND POLICE DEPARTMENT** contributions to employee benefits including FICA, Medicare, Worker's Compensation and unemployment.

5. SHIFT LENGTH: The **BAINBRIDGE ISLAND POLICE DEPARTMENT** will not schedule individual officer shifts for longer than eight hours. (WTSC understands there may be instances when more than eight hours are billed because of DUI processing, etc.)

6. RESERVE OFFICERS: The **BAINBRIDGE ISLAND POLICE DEPARTMENT** certifies that any reserve officer for whom reimbursement is claimed has exceeded his/her normal monthly working hours when participating in this emphasis patrol and is authorized to be paid the amount requested. The **BAINBRIDGE ISLAND POLICE DEPARTMENT** understands that reserve officers are not eligible for *overtime* for this project.

7. DISPATCH: **WTSC** will reimburse communications officers/dispatch personnel for work on this project providing the **BAINBRIDGE ISLAND POLICE DEPARTMENT** has received prior approval from their local Target Zero Manager.

8. GRANT AMOUNT: **WTSC** will reimburse the **BAINBRIDGE ISLAND POLICE DEPARTMENT** for overtime salary and benefits. The total cost of overtime and

benefits shall not be exceeded in any one campaign area and **funds may not be commingled between campaign areas.**

Upon agreement by the **BAINBRIDGE ISLAND POLICE DEPARTMENT** and the local Target Zero Manager, the DUI or Occupant Protection allocation may be increased or decreased without amending this agreement PROVIDED THAT the increase in the allocation does not exceed 50% of the original agreed amount for the specific emphasis area. Any increase in allocation exceeding 50% will require an amendment to this document.

9. PERFORMANCE STANDARDS:

   a. Participating law enforcement officers are required to make a minimum of 3 self-initiated contacts per hour of enforcement.
   b. Some violator contacts may result in related, time-consuming activity. This activity is reimbursable.
   c. Other activities, such as collision investigation or emergency response that are not initiated through emphasis patrol contact **WILL NOT** be reimbursed.

10. REIMBURSEMENT OF CLAIMS: Claims for reimbursement must include:

   a. Invoice Voucher (A19 Form).

      1) **BAINBRIDGE ISLAND POLICE DEPARTMENT** identified as the "Claimant"
      2) Statewide Vendor Number
      3) A Federal Tax ID #
      4) Original signature of the agency head, command officer or contracting officer, and
      5) Other information denoted by arrows on the form.

   b. Payroll support documents (signed overtime slips, payroll documents, etc.).

   c. Emphasis Patrol Activity Logs showing 3 or more self-initiated contacts per hour.

      Emphasis Patrol Activity Logs cannot be modified.
      Payment cannot be made unless these activity logs are included.

   The Invoice Voucher (A19 Form), payroll supporting documents, and Emphasis Patrol Activity Logs shall be submitted to your Target Zero Manager for review and approval. The Target Zero Manager will forward these documents to WTSC for processing and payment.

11. **DEADLINES FOR CLAIMS**

   All claims must be approved by your Target Zero Manager, please allow adequate time for processing in order to meet the following deadlines:

a. **First Deadline:** All claims for reimbursement for emphasis conducted from October 1, to June 30, must be received by **WTSC** no later than August 15, 2015.

b. **Second Deadline:** All claims for reimbursement for emphasis conducted between July 1 and September 30 must be received by **WTSC** no later than November 15, 2015.

Invoices submitted for reimbursement after the above dates, will not be paid.

WTSC will NOT accept faxed invoices.

12. DISPUTES: Disputes arising under this Memorandum shall be resolved by a panel consisting of one representative of the **WTSC**, one representative from the **BAINBRIDGE ISLAND POLICE DEPARTMENT**, and a mutually agreed upon third party. The dispute panel shall decide the dispute by majority vote.

13. TERMINATION: Either party may terminate this agreement upon 30 days written notice to the other party. In the event of termination of this Agreement, the terminating party shall be liable for the performance rendered prior to the effective date of termination.

14. SUPPLANTING DISCLAIMER: I certify that none of the funds for this project supplant the normally budgeted funds of this agency nor do these funds pay for routine traffic enforcement normally provided by this agency.

IN WITNESS THEREOF, THE PARTIES HAVE EXECUTED THIS AGREEMENT.

CITY OF BAINBRIDGE ISLAND Signature	**WTSC** Signature
On behalf of Douglas Schulze, City Manager	Angela C. Ward Printed Name
10/30/14 (Date)	11/4/14 (Date)

Agency Address (where fully executed copy of this document will be mailed):

City of Bainbridge Island / 280 Madison Avenue North
Bainbridge Island, Washington 98110 Attention: Roz Lassoff, City Clerk

Please return this signed MOU (No later than October 17, 2014) to your Target Zero Manager:

MARSHA MASTERS, KITSAP COUNTY TARGET ZERO
614 DIVISION, PORT ORCHARD, WA 98366

Target Zero Manager will forward this signed document to:

Angie Ward, WTSC
621 – 8th Avenue SW, Suite 409
PO Box 40944
Olympia, WA 98504-0944
360.725.9888

No later than October 31, 2014

Addendum A

Multijurisdictional High-Visibility Enforcement Protocols

Purpose

This protocol is intended to guide Target Zero Managers, Law Enforcement Liaisons, and law enforcement agencies in coordinating multijurisdictional high visibility enforcement (HVE) mobilizations to address impaired driving, distracted driving, and seat belt use. These mobilizations are funded by federal highway safety grants.

Goal

The goal of multijurisdictional high-visibility campaigns is to reduce fatal and serious injury collisions through the coordination of:

- Publicity addressing increased enforcement, and
- Increased contacts and arrests of violators.

Method

Funding from the Washington Traffic Safety Commission (WTSC) will support multijurisdictional HVE patrol activities to increase the number of officers working on impaired driving, distracted driving, and occupant protection enforcement. Public education and media will be coordinated by the Target Zero Manager and Law Enforcement Liaison. The law enforcement activity will support the media effort by demonstrating to the public that the media messages are true; i.e., that "extra enforcement patrols (with a particular focus) are going on now" so that the public takes the media messages seriously.

The media work will support the police effort by encouraging voluntary compliance with the law. The objective of multijurisdictional HVE patrol activities is to change driver behavior by raising the awareness of increased enforcement.

Definitions:

- HVE is enforcement of the law in conjunction with publicity that draws the attention of the public to the enforcement activity.
- Multijurisdictional enforcement is defined as a minimum of three law enforcement agencies (LEA's) or patrol units participating at a designated date and time, enforcing a specific activity, in a location determined by the local Target Zero Task Force.

Responsibilities

WTSC:

- Provide Funding.
- Provide state/local traffic fatality and serious injury data.
- Coordinate paid media at the state level for statewide and local mobilizations (when possible).
- Lead news media efforts for:
    - Holiday DUI
    - Click It or Ticket
    - U Drive. U Text. U Pay
    - Drive Sober or Get Pulled Over
- Summarize statewide enforcement activity.
- Report results to the National Highway Traffic Safety Administration.

Target Zero Manager and Law Enforcement Liaison:

- Lead the development of Multijurisdictional High Visibility Enforcement Mobilization Plans.
- Report any plans for local DUI, seat belt, or distracted mobilizations to the WTSC on quarterly basis:

Plans Due:	For local patrols planned from:
October 31, 2014	January – March, 2015
January 30, 2015	April – June, 2015
April 30, 2015	July – September, 2015

*One yearly plan for local mobilizations may be submitted on October 31 in lieu of three quarterly plans.

- Coordinate mobilization briefings.
- Lead news media and community outreach efforts for local mobilizations.
- Review and approve all MOUs, invoices, and other documentation before submission to WTSC. This includes follow-up on incomplete invoicing paperwork and Emphasis Patrol Activity Logs with unexplained low contacts.
- Report local mobilization enforcement totals (by agency and task force) to WTSC within two weeks of mobilization end date.

Law Enforcement Agencies:

- Send a representative to local task force meetings to plan mobilization locations and exact dates.

- Ensure availability of agency media contact, noted on page 3 of this agreement, prior to and during all mobilization dates.

- Provide commissioned police officer(s) (active or paid reserve) with appropriate equipment (vehicle, radar, etc.) to participate in multijurisdictional HVE patrols.

- Ensure that officers assigned to the multijurisdictional HVE campaigns are qualified to enforce the impaired driving laws as outlined on page 2, section 3 of this agreement.

- Require all officers participating in multijurisdictional HVE patrols to attend mobilization briefings.

- Ensure officers working the overtime conduct **a minimum of three (3) self-initiated contacts per hour.**

  This is an enforcement activity that is intended to apprehend violators. It is expected that a Notice of Infraction/Citation (NOI/C) will be issued at contact unless circumstances dictate otherwise. It is understood that violator contacts may result in related, time-consuming activity. Such activity will be considered for reimbursement.

  Activity other than that initiated through HVE patrol contact (investigating collisions, emergency responses, etc.) will be the responsibility of the contracting agency and may not be considered for reimbursement.

- Require officers to complete and submit multijurisdictional HVE patrol productivity on WTSC Emphasis Patrol Activity Log.

10-30-14

CITY OF BAINBRIDGE ISLAND/BAINBRIDGE ISLAND POLICE DEPARMENT

Signature Date

Routing Cover Sheet

Return to Rox

Instructions:

Complete Section 1
Attach to document requiring City Manager signature/approval
Route to Executive Admin

Note:

Section 2 will be completed by Executive Department staff
Section 3 can be used as an Admin checklist and is optional

Section 1 (Required)

General Information

Originating Department: Police Contact Name: Barbara Bruns

Document/Project Name: WTSC MOU

Document Type

Contract ☐ Agreement ☐ Change Order ☐ Amendment ☐ Other ☑

Notes: MOU approved 10/28/14

Initial Reviews and Routing

Dept. Admin: [signature] Date: 10/30/14

Dept. Manager N/A Date: N/A

Department Director: [signature] Date: 10-30-14

Routed to Exec Admin: Date:

Hand-delivered to KCTSTF liaison 10/30, who will return one fully executed original (town). – Bruns

Section 2 (For Executive Use Only)

Final Reveiws

Date Received: Routed to Legal: 10/29/14

Initial Legal Review By: Corrections Needed:

Required Corrections:

Final Legal Review By: [signature] Approved: 10-29-14

Section 3 (Optional)

Admin

☐ Contract
☐ PO
☐ Laserfiche
☐ _____

Route executed original doc to Records Mgmt.