

City of Scottsbluff, Nebraska

Tuesday, February 16, 2016

Regular Meeting

Item Reports2

**Council to consider a Memorandum of Agreement between
Panhandle Public Health District and the Scottsbluff Police
Department to provide tobacco compliance checks and authorize
the Mayor to execute the Agreement**

Staff Contact: Kevin Spencer, Police Chief

MEMORANDUM OF AGREEMENT
Between
SCOTTSBLUFF POLICE DEPARTMENT
and
Panhandle Public Health District

The Scottsbluff Police Department(hereinafter known as Scottsbluff Police Department) and Panhandle Public Health District, agree to the following responsibilities relating to the implementation of tobacco compliance checks in Scotts Bluff county.

1. The term of this Agreement shall be for the period of January 2016 through May 30, 2017.
2. Scottsbluff Police Department will provide sworn officers for tobacco compliance checks enforcement.
3. For purposes of completing the compliance checks, Scottsbluff Police Department officers will spend up to \$750 (officers at \$50, CI at \$10 an hour). These unannounced compliance checks will be on licensed tobacco retailers. Compliance checks will only be conducted in Scotts Bluff County.
4. In general two Scottsbluff Police Department officers and one or two confidential informants will be assigned to work each designated licensee compliance check.
5. An attempt will be made to check every licensed tobacco retailer in the county twice with the cooperation of the Scotts Bluff County Sherriff's Office. Once prior to December and a second time prior to May failure to meet this requirement will require revaluation of this MOU.
6. Scottsbluff Police Department "Guidelines for Using Underage Cooperating Individuals during Compliance Checks" will be followed on all checks involving Scottsbluff Police Department officers. Officers participating in the checks will keep the scheduled dates and the names of those retailers who will be checked confidential, and will follow all necessary precautions to protect the cooperating individuals who assist them with the compliance checks.
7. Scottsbluff Police Department officers will only use cooperating individuals between the ages of 15-17 for tobacco checks.
8. Officers will complete the required reporting form on compliance checks in its entirety, providing information on retailers who comply with the law as well as those that do not. Panhandle Public Health District will also provide compliance check invoice form. One invoice form is to be completed by Scottsbluff Police Department for each day of compliance checks and returned to Panhandle Public Health District within 15 days of those checks, failure to receive the invoice and reporting forms will result in no reimbursement..
9. During this agreement period, Panhandle Public Health District agrees to reimburse Scottsbluff Police Department at the rate of \$50 per hour, per officer for overtime expenses. Panhandle Public Health District also agrees to reimburse Scottsbluff Police Department at the rate of \$10.00 per hour, per Cooperating Individual(s) assisting Scottsbluff Police Department officers with compliance checks and for the purchase of tobacco evidence during those checks, not to exceed \$750 per fiscal year (June-July). To receive reimbursement all invoices must be submitted within the 15 days to PPHD by June 15, 2016.

Executed this _____, 2016.

Kim Engel, Director
Panhandle Public Health District

Randy Meininger, Mayor,
City of Scottsbluff