



**Probation Department  
COUNTY OF TULARE  
AGENDA ITEM**

**BOARD OF SUPERVISORS**

ALLEN ISHIDA  
District One

PETE VANDER POEL  
District Two

PHILLIP A. COX  
District Three

J. STEVEN WORTHLEY  
District Four

MIKE ENNIS  
District Five

**AGENDA DATE:** November 17, 2015

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>

CONTACT PERSON: Steven Horton    PHONE: (559) 713-2761

**SUBJECT:** Approve a Memorandum of Understanding with the City of Visalia

**REQUEST(S):**

That the Board of Supervisors:

1. Approve a Memorandum of Understanding with the City of Visalia for participation in the "Avoid the 18" Tulare and Kings County Driving Under the Influence Taskforce, retroactive to October 1, 2015 through September 30, 2016. The proposed memorandum of understanding is retroactive due to the timing from the City of Visalia.
2. Find that the Board had authority to enter into the proposed memorandum of understanding as of October 1, 2015 and that it was in the County's best interest to enter into the memorandum of understanding on that date.
3. Authorize the Chairman to sign six (6) copies of the memorandum of understanding.

**SUMMARY:**

As a result of a recent grant awarded by the California Office of Traffic Safety to the Visalia Police Department (VPD), the "Avoid the 18" Driving Under the Influence (DUI) Taskforce will be combating the problem of drunk and drugged driving through DUI enforcement efforts in Tulare and Kings Counties. VPD will be the lead of 18 participating law enforcement agencies (LEAs) and will administer the grant for both of the counties.

The grant activities will specifically target those who get behind the wheel after drinking too much or using drugs that impair driving. Officers will be staffing DUI/ Driver License Checkpoints, multi-agency DUI Task Force deployments, and local DUI saturation patrols for each partnering. Additionally, funding will target the

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repeat DUI offenders with Warrant/ Probation Sweeps and Court Sting Enforcement Operations focusing on DUI offenders who leave court hearings and drive away on suspended licenses after being ordered not to drive by a judge. A large part of grant funding will go to DUI/Driver's License Checkpoints – highly visible, highly publicized events not only meant to make arrests, but to deter impaired driving in the first place.

Agencies participating in the "Avoid the 18" Taskforce include:

Visalia Police Department	Tulare Police Department
Dinuba Police Department	Exeter Police Department
Farmersville Police Department	Porterville Police Department
Woodlake Police Department	Tulare County Sheriff's Office
College of the Sequoias	Hanford Police Department
Tulare County Probation Department	Kings County Probation Department
Lemoore Police Department	Avenal Police Department
Corcoran Police Department	Kings County Sheriff's Office
Tulare County California Highway Patrol	Kings County California Highway Patrol

County Counsel reviewed and approved the proposed memorandum of understanding as form on October 23, 2015 and would like to bring to the Board's attention the following deviations from County Contract Protocol: First, the following clauses have been omitted: Independent Contractor Status; Governing Law; Indemnification; Dispute Resolution and Conflict with Laws/Severability. Second, the MOU allows for termination by any party with seven (7) days prior written notice. Third, the MOU requires that the City of Visalia have access to County records related to this agreement, but does not require that the City allow the County to access its records related to this agreement. Last, the County will sign the MOU prior to the City of Visalia signing.

**FISCAL IMPACT/FINANCING:**

This agreement involves no cost to either party. There is no net County cost to the General Fund.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

The County's five-year strategic business plan includes the Safety and Security initiative. The "Avoid the 18" DUI Taskforce supports the goal of promoting personal responsibility and public safety.

**ADMINISTRATIVE SIGN-OFF:**

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Christie Myer  
Chief Probation Officer

CC: Auditor-Controller  
County Counsel  
County Administrative Office (2)

**BEFORE THE BOARD OF SUPERVISORS  
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF APPROVE A )  
MEMORANDUM OF UNDERSTANDING ) Resolution No. \_\_\_\_\_  
WITH THE CITY OF VISALIA ) Agreement No. \_\_\_\_\_  
)

UPON MOTION OF SUPERVISOR \_\_\_\_\_, SECONDED BY  
SUPERVISOR \_\_\_\_\_, THE FOLLOWING WAS ADOPTED BY THE  
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD \_\_\_\_\_  
\_\_\_\_\_, BY THE FOLLOWING VOTE:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST: MICHAEL C. SPATA  
INTERIM COUNTY ADMINISTRATIVE  
OFFICER/  
CLERK, BOARD OF SUPERVISORS

BY: \_\_\_\_\_  
Deputy Clerk

\* \* \* \* \*

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2. Found that the Board had authority to enter into the proposed agreement as of October 1, 2015 and that it was in the County's best interest to enter into the memorandum of understanding on that date.
3. Authorized the Chairman to sign six (6) copies of the memorandum of understanding.