

**Sierra County
Board of Supervisors'
Agenda Transmittal &
Record of Proceedings**

MEETING DATE: May 17, 2016	TYPE OF AGENDA ITEM: <input type="checkbox"/> Regular <input type="checkbox"/> Timed <input checked="" type="checkbox"/> Consent
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DEPARTMENT: Sheriff
APPROVING PARTY: Sheriff Tim Standley
PHONE NUMBER: 530-289-3700

AGENDA ITEM: Resolution and Approval of Cooperative Law Enforcement Annual Operating Plan and Financial Plan Between the Sierra County Sheriff's Office and the USDA, Forest Service Tahoe and Plumas National Forests 2016 Controlled Substance Annual Operating and Financial Plan.

SUPPORTIVE DOCUMENTS ATTACHED: Memo Resolution Agreement Other

BACKGROUND INFORMATION: See Attached Agreement

FUNDING SOURCE:
GENERAL FUND IMPACT: General Fund Impact
OTHER FUND: USFS Reimbursement Cooperative Agreement
AMOUNT: \$5,000 Annually

ARE ADDITIONAL PERSONNEL REQUIRED?
 Yes, 1 Seasonal Help Employee(s)
 No

IS THIS ITEM ALLOCATED IN THE BUDGET? Yes No
IS A BUDGET TRANSFER REQUIRED? Yes No

SPACE BELOW FOR CLERK'S USE

<p>BOARD ACTION:</p> <input type="checkbox"/> Approved <input type="checkbox"/> Approved as amended <input type="checkbox"/> Adopted <input type="checkbox"/> Adopted as amended <input type="checkbox"/> Denied <input type="checkbox"/> Other <input type="checkbox"/> No Action Taken	<input type="checkbox"/> Set public hearing For: _____ <input type="checkbox"/> Direction to: _____ <input type="checkbox"/> Referred to: _____ <input type="checkbox"/> Continued to: _____ <input type="checkbox"/> Authorization given to: _____	Resolution 2016- _____ Agreement 2016- _____ Ordinance _____ Vote: Ayes: Noes: Abstain: Absent: <input type="checkbox"/> By Consensus
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COMMENTS:

CLERK TO THE BOARD

DATE

BOARD OF SUPERVISORS, COUNTY OF SIERRA,
STATE OF CALIFORNIA

IN THE MATTER OF THE APPROVAL OF AGREEMENT BETWEEN THE SHERIFF'S
OFFICE AND THE TAHOE & PLUMAS NATIONAL FORESTS RE: FY 2016 FINANCIAL
AND OPERATING PLAN

RESOLUTION NO. 16-_____

BE IT RESOLVED THAT:

1. Agreement No. 12-LE-11051360-007, Mod. 009 captioned 2016 Controlled Substance Annual Operating and Financial Plan by and between the County of Sierra ("the County") and Contracting Party:

US Forest Service, Tahoe & Plumas National Forests

is hereby approved;

2. The responsible administrators for said Agreement are:

County: Tim Standley, Sheriff-Coroner

Contractor: Joseph M. Cook, Patrol Captain

3. The Responsible Administrator for the County designated above and/or the Chairman of the Board of Supervisors is authorized to execute the subject Agreement.
4. The Sierra County Auditor is hereby authorized to pay said expenditure out of the Sheriff-Coroner Budget #5450.

ADOPTED by the Board of Supervisors of the County of Sierra on the 17th day of May, 2016.

AYES:
NOES:
ABSTAIN:
ABSENT:

COUNTY OF SIERRA

Lee Adams
CHAIR, BOARD OF SUPERVISORS

ATTEST:

APPROVED AS TO FORM:

HEATHER L. FOSTER
CLERK OF THE BOARD

JAMES A. CURTIS
COUNTY COUNSEL



FS Agreement No. 12-LE-11051360-007
Cooperator Agreement No. 007
Modification No. _____

EXHIBIT B

**COOPERATIVE LAW ENFORCEMENT ANNUAL OPERATING PLAN &
FINANCIAL PLAN**

**Between The
SIERRA COUNTY SHERIFF'S OFFICE
And the
USDA, FOREST SERVICE
TAHOE AND PLUMAS NATIONAL FORESTS**

2016 CONTROLLED SUBSTANCE ANNUAL OPERATING AND FINANCIAL PLAN

This Annual Financial and Operating Plan (Annual Operating Plan), is hereby made and entered into by and between the Sierra County Sheriff's Office, hereinafter referred to as "the Cooperator," and the USDA, Forest Service, Tahoe and Plumas National Forest, hereinafter referred to as the "U.S. Forest Service," under the provisions of Cooperative Law Enforcement Agreement #12-LE-11051360-007 executed on November 4, 2011 . This Annual Operating Plan is made and agreed to as of the last date signed below and is for the estimated period beginning October 01, 2015 and ending September 30, 2016.

Prior Year Carryover: zero
Current 2016 Funds: \$5,000
FY-2016 Total Annual Operating Plan: \$5,000

I. GENERAL:

- A. The following individuals shall be the designated and alternate representative(s) of each party, so designated to make or receive requests for special enforcement activities.

Principal Cooperator Contacts:

Cooperator Program Contact	Cooperator Administrative Contact
Tim Standley, Sheriff-Coroner Sierra County Sheriff's Office P.O. Box 66 Downieville, CA 95936-0066 Telephone: (530)289-3700	Michelle Anderson Sierra County Sheriff's Office P.O. Box 66 Downieville, CA 95936-0066 Telephone: (530)289-2880 FAX: (530)289-3318 E-mail: michelleanderson@sierracounty.ws



Principal U.S. Forest Service Contacts:

U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact
Ted Williams, Special Agent Tahoe National Forest, LEI 631 Coyote Street Nevada City, CA 95959 Office: 530-515-8686 E-mail: ewilliams@fs.fed.us	Jennie Shirley, Administrative Specialist Pacific Southwest Regional Office – LEI 1323 Club Drive Vallejo, CA 94592 Office: 707-562-9127 FAX: 707-562-9031 E-mail: jennieshirley@fs.fed.us

U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact
Joe Cook Tahoe National Forest, LEI 631 Coyote Street Nevada City, CA 95959 Office: 530-906-2087 FAX: 530-478-6179 E-mail: jcook02@fs.fed.us	Melissa Ewing Tahoe National Forest – LEI 631 Coyote Street Nevada City, CA 95959 Office: 530-478-6166 FAX: 530-478-6179 E-mail: melissaewing@fs.fed.us

II. CONTROLLED SUBSTANCE OPERATIONS

Pursuant to IV- I of Agreement No. 12-LE-11051360-007, the following is in support of operations to suppress manufacturing and trafficking of controlled substances on or affecting the administration of National Forest System lands, with an emphasis on identification, apprehension and prosecution of suspects engaged in these activities:

A. The *U.S. Forest Service* agrees:

1. To reimburse **the Cooperator** for expenditures associated with the detection of locations and activities related to illegal production and trafficking of controlled substances, including;
 - a. Ground reconnaissance to identify and inventory locations and activities associated with producing or trafficking controlled substances.
 - b. Aerial reconnaissance to identify and inventory locations and activities associated with producing or trafficking controlled substances.



2. To reimburse **the Cooperator** for certain expenses resulting from investigative activities associated with investigating cases involving the illegal production or trafficking of controlled substances on or affecting the administration of National Forest system lands, including:
 - a. Surveillance operations to identify persons illegally producing or trafficking controlled substances.
 - b. Apprehension of persons suspected of producing or trafficking controlled substances.
 - c. Collection of evidence to support prosecution of persons suspected of illegally producing or trafficking controlled substances.
 - d. Prosecution of persons suspected of producing or trafficking controlled substances.
3. To reimburse **the Cooperator** for expenses resulting from the removal of cannabis plants from National Forest System lands. When circumstances indicate that removal of the cannabis plants is required before an investigation to determine the person(s) responsible can be completed, eradication operations must be approved by the U.S. Forest Service prior to taking place.

Note: **the Cooperator** retains the authority to eradicate cannabis plants from National Forest System lands without reimbursement from the U.S. Forest Service at its discretion.

4. To reimburse **the Cooperator** for the costs of purchasing supplies and equipment used exclusively for activities described in items A.1, A.2 and A.3 of this Plan. Purchases must be agreed to and approved by the U.S. Forest Service.

Purchases may **not exceed 10% of the total allocation** without prior approval by the U.S. Forest Service Designated Representative.

B. **The Cooperator** agrees:

1. Within its capability, to perform the following activities on National Forest System lands:
 - a. Detect and inventory locations associated with illegal production or trafficking of controlled substances, and notify the U.S. Forest Service of such locations as soon as possible.
 - b. Investigations to determine the person(s) responsible for manufacturing or trafficking controlled substances.



- c. Upon request and prior approval of the U.S. Forest Service, remove cannabis plants from National Forest System lands.
 - 2. To furnish all activity reports, crime reports, investigation reports, and other reports or records, resulting from activities identified in **Section II, A** of this Operating and Financial Plan to the affected Forests for review and forwarding to the Regional Office for processing.
- C. The *U.S. Forest Service* and **the Cooperator** mutually agree to the following:
- 1. The following rate schedule will apply to all expenditures that may be reimbursed to **the Cooperator** under this agreement;
 - Regular Deputies:* For services provided, the Forest Service agrees to reimburse the Cooperator at a rate not to exceed \$65.00 per hour (salary and mileage) and overtime (OT) rate \$98.00 per hour.
 - Reserve Deputies:* For the services provided, the Forest Service agrees to reimburse the Cooperator at a rate not to exceed \$65.00 per hour (salary and mileage) OT rate \$98.00 per hour.

Rotor of Fixed Wing flight time	Actual documented costs,
Supplies or equipment	Actual documented costs
 - 2. The total expenditures of **the Cooperator** that may be reimbursed may not exceed... **\$5,000**
The total expenditures for item **A.4** may not exceed **10%** of the total allocation.
- D. **Any remaining funding in this Annual Operating Plan may be carried forward to the next fiscal year and will be available to spend through the term of the Cooperative Law Enforcement Agreement, or de-obligated at the request of the U.S. Forest Service.**

III. BILLING FREQUENCY:

See Cooperative Law Enforcement Agreement Provisions II-H and III-B for additional information.

The Cooperator will furnish monthly itemized statements of expenses to the U.S. Forest Service for expenditures that may be reimbursed as identified in items II A.1, A.2, A.3, and A.4 of this Plan. Attachment A, Law Enforcement Billing Summary, Drug Enforcement, must be completed and submitted to the contacts in (a) below for each billing statement.

- a. Mail copies of itemized billing statements (Attachment A) to:

Melissa Ewing
Tahoe National Forest - LEI



631 Coyote Street
Nevada City, CA 95959

b. Mail invoices to:

U.S. Forest Service
Albuquerque Service Center
Payments – Grants & Agreements
101 B Sun Ave NE
Albuquerque, NM 87109

Or fax to: (877) 687-4894

Or e-mail scanned invoice to: ASC_GA@fs.fed.us

c. Final billings for reimbursement on this Annual Operating Plan (AOP) must be received by the U.S. Forest Service before October 31, 2016 in order to receive payment.

d. Annually update the registration of the County Sheriff's DUNS# on the System for Award Management (SAM) website at www.sam.gov for the verification of the EFT (Electronic Funds Transfer) banking information.

Job Code: NFLE0516 1360 \$5,000



In witness whereof, the parties hereto have executed this Annual Operating Plan as of the last date written below.

TIM STANDLEY, Sheriff-Coroner Date
Sierra County

JAMES CURTIS, County Counsel Date
Sierra County

DON HOANG, Special Agent in Charge Date
U.S. Forest Service, Pacific Southwest Region

The authority and format of this agreement has been reviewed and approved for signature.

GERALDINE BORDASH Date
U.S. Forest Service, Grants Management Specialist

Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this information collection is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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