

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

MEETING DATE: April 16, 2019	TYPE OF AGENDA ITEM: <input checked="" type="checkbox"/> Regular <input type="checkbox"/> Timed <input type="checkbox"/> Consent
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DEPARTMENT: Sheriff's Office
APPROVING PARTY: Mike Fisher, Sheriff-Coroner
PHONE NUMBER: (530) 289-3700

AGENDA ITEM: Discussion/adoption of resolution approving Cooperative Law Enforcement FY 19 Annual Operating and Financial Plan Between the Sierra County Sheriff's Office and the USDA, Forest Service Humboldt-Toiyabe National Forest.

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: \$8,000 Annually

ARE ADDITIONAL PERSONNEL REQUIRED?
 Yes, -- --
 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: <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</p>	<p><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: _____</p>	<p>Resolution 2018- _____ Agreement 2018- _____ Ordinance _____ Vote: Ayes: Noes: Abstain: Absent: <input type="checkbox"/> By Consensus</p>
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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 HUMBOLDT-TOIYABE NATIONAL FOREST RE: FY 2019
FINANCIAL AND OPERATING PLAN

RESOLUTION NO. 19-_____

BE IT RESOLVED THAT:

1. Agreement No. 16-LE-11041701-007, Mod. 003 captioned FY 2019 Operating and Financial Plan by and between the County of Sierra ("the County") and Contracting Party:

US Forest Service, Humboldt-Toiyabe National Forest

is hereby approved;

2. The responsible administrators for said Agreement are:

County: Mike Fisher, Sheriff-Coroner

Contractor: Donald Harris, 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 16th day of April, 2019.

AYES:
NOES:
ABSTAIN:
ABSENT:

COUNTY OF SIERRA

PAUL ROEN
CHAIR, BOARD OF SUPERVISORS

ATTEST:

APPROVED AS TO FORM:

HEATHER FOSTER
CLERK OF THE BOARD

DAVID PRENTICE
COUNTY COUNSEL



FS Agreement No. 16-LE-11041701-007

Mod 03

Cooperator Agreement No. _____

EXHIBIT A

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

Between The

SIERRA COUNTY SHERIFF’S OFFICE

And the

USDA, FOREST SERVICE

HUMBOLDT-TOIYABE NATIONAL FOREST

FY19 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 “Cooperator,” and the USDA, Forest Service, Humboldt-Toiyabe National Forest, hereinafter referred to as the “U.S. Forest Service,” under the provisions of Cooperative Law Enforcement Agreement #16-LE-11041701-007 executed on 05/27/2016. 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, 2018 and ending December 31, 2019.

Previous Year Carry-over: \$1,434.00

Current Fiscal Year Obligation: \$6,566.00

FY2019 Total Annual Operating Plan: \$8,000.00

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
Mike Fisher, Sheriff-Coroner Sierra County Sheriff’s Office PO Box 66 100 Courthouse Square Downieville, CA 95936 Telephone: (530) 289-3700 FAX: (530) 289-3318 Email: mikefisher@sierracounty.ca.gov	TBA Sierra County Sheriff’s Office PO Box 66 100 Courthouse Square Downieville, CA 95936 Telephone: (530) 289-3700 Fax: (530) 289-3318 Email: TBA



Principal U.S. Forest Service Contacts:

U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact
Donald Harris Law Enforcement Patrol Captain Humboldt-Toiyabe National Forest 1200 Franklin Way Sparks, NV 89431 Telephone: (775) 355-5327 Email: donald.e.harris@usda.gov	Ragan Hall R4 LE&I Administrative Assistant Intermountain Region 324 25 th Street Ogden, UT 84401 Telephone: (801)-625-5780 Email: ragan.hall@usda.gov
U.S. Forest Service Grants and Agreement Contact	
Sarah Russell Grants Management Specialist Southwest ID & NV Acquisition Center 1249 S. Vinnell Way, Suite 200 Boise, ID 83709 Telephone: (208) 373-4272 Email: sarah.russell@usda.gov	

B. Reimbursement for all types of enforcement activities shall be at the following rates unless specifically stated otherwise:

- Wages at the prevailing rate of \$65.00/hour
- Overtime wages at the prevailing rate of \$98.00/hour
- Mileage rate of \$00.58 per mile (Sierra County mileage rate)

PATROL ACTIVITIES:

- C. Time schedules for patrols will be flexible to allow for emergencies, other priorities, and day-to-day needs of both Cooperator and the U.S. Forest Service. Ample time will be spent in each area to make residents and visitors aware that law enforcement officers are in the vicinity.
1. Patrol on following U.S. Forest Service roads:
 - a) Long Valley and Dog Valley area.
 2. Patrol in the following campgrounds, developed sites, or dispersed areas:
 1. Crystal Mine, all campgrounds, picnic area, recreation sites in the Long Valley and Dog Valley area.

Total reimbursement for this category shall not exceed the amount of: **\$8,000.00.**

Unused dispatch funds may be used for patrol activities, in which case the maximum reimbursement may not exceed the amount of: \$0.00.

**II. TRAINING:**

See Cooperative Law Enforcement Agreement Provision IV-K for additional information.

Total reimbursement for this category shall not exceed the amount of: \$0.00

III. EQUIPMENT:

See Cooperative Law Enforcement Agreement Provisions IV-K, IV-L, and IV-M for additional information.

Total reimbursement for this category shall not exceed the amount of: \$0.00

IV. SPECIAL ENFORCEMENT SITUATIONS:

A. Special Enforcement Situations include but are not limited to: Fire Emergencies, Drug Enforcement, and certain Group Gatherings.

B. Funds available for special enforcement situations vary greatly from year to year and must be specifically requested and approved prior to any reimbursement being authorized. Requests for funds should be made to the U.S. Forest Service designated representative listed in Item I-A of this Annual Operating Plan. The designated representative will then notify The Cooperator whether funds will be authorized for reimbursement. If funds are authorized, the parties will then jointly prepare a revised Annual Operating Plan.

1. Drug Enforcement: This will be handled on a case by case basis. The request will normally come from the patrol Captain; however, it may come from the Special Agent in Charge or their designated representative. Reimbursement shall be made at the rates specified in Section I-B. Deputies assigned to the incident will coordinate all of their activities with the designated officer in charge of the incident.
2. Fire Emergency: During emergency fire suppression situations and upon request by the Forest Service pursuant to an incident resource order, the Cooperator agrees to provide special services beyond those provided under Section II-A, within the Cooperator's resource capabilities, for the enforcement of State and local laws related to the protection of persons and their property. The Cooperator will be compensated at the rate specified in Section I-B; the Forest Service will specify times and schedules. Upon concurrence of the local patrol Captain or their designated representative, an official from the Incident Management Team managing the incident, Cooperator personnel assigned to an incident where meals are provided will be entitled to such meals.

The below information provides the specific information on the procedures and requirements for requesting Fire Reimbursements from the U.S. Forest Service. Any



questions or clarifications necessary concerning incident/fire emergencies should be directed to the contacts listed below:

During fire emergencies, the Forest Service will reimburse the Cooperator for actual costs incurred for providing assistance requested by either the Agency Administrator or Incident Commander.

Reimbursement for personnel wages and services are based upon the information in the resource order and must identify the number of road blocks, number of personnel required, hours and time frame required and must be ordered by the Incident Commander or Agency Administrator. A copy of the resource order generated for the request for assistance will be provided by FS dispatch to the County. It is critically important that the IMT, Agency Administrator, and the Sheriff /County Official agree to what emergency services are needed and listed in the Resource Order and Incident Action Plans for each day until this resource is no longer required.

Upon request of the Agency Administrator or Incident Commander, a County designated Liaison(s) to the fire incident(s) may be established. The liaison will be requested via an incident resource order. The Liaison(s) primary duties, on behalf of the County Sheriff, will be to attend public meetings, planning and IC meetings. Eligible costs for reimbursement will include personnel time and mileage when fulfilling the liaison duties.

If meals and lodging are required for county officials, authorization must be documented using the standard fire meals and lodging authorization forms provided by the host fire unit.

Administrative support (e.g. posting incident time, delivering meals, bill preparation, etc.) will be reimbursed on an actual cost basis. The Cooperator will prepare and submit an itemized accounting of actual cost as part of the reimbursement request.

What is not eligible for reimbursement?

1. Law enforcement duties that are within the normal jurisdictional responsibilities such as enforcement, patrols, evacuation.
2. Automotive repairs, tires, and services are covered in the mileage rate.

Billing Protocol:

Documentation required to be submitted by the Cooperator to the FS for payment processing:

- Resource Order. Resource order will state what kind of assistance is ordered, how many people requested, and the time period for the services as ordered by the IC or Agency Administrator.
- Copy of Law Enforcement Agreement and annual Operating and Financial Plan.



- DUNS number.
- Tax ID number.
- Breakout of actual costs:
 - Salary – Daily Crew Time Reports, Payroll summary by hours per day or timesheets of personnel.
 - Supplies – Copies of receipts with date and description of items purchased and FS authorization (S# or FS Signature) for purchase.
 - Mileage – Summary by day by vehicle and personnel using the vehicle

For questions concerning incident/fire emergencies, please contact:

VACANT, Forest Fire Management Officer
Humboldt-Toiyabe National Forest
1200 Franklin Way
Sparks, NV 89431
Telephone:
Email:

Bills will be submitted to:

Irene Burkholder, Incident Business Specialist
Humboldt-Toiyabe National Forest
1200 Franklin Way
Sparks, NV 89431
Telephone: 775-355-5364
Email: irene.burkholder@usda.gov

3. Group Gatherings: This includes but is not limited to situations which are normally unanticipated or which typically include very short notices, large group gatherings such as rock concerts, demonstrations, and organization rendezvous. Upon authorization by a Forest Service representative listed in Section I-A for requested services of this nature, reimbursement shall be made at the rates specified in Section I-B. Deputies assigned to this type of incident will normally coordinate their activities with the designated officer in charge of the incident.

This includes but is not limited to situations which are normally unanticipated or which typically include very short notice, large group gatherings such as rock concerts, demonstrations, and organizational rendezvous.

V. BILLING FREQUENCY:

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

- A. The Cooperator shall bill the U.S. Forest Service on quarterly basis
- B. The following is a breakdown of the total estimated costs associated with this Annual Operating Plan.

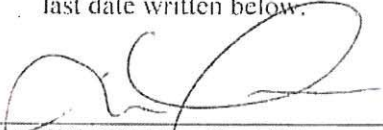


Category	Estimated Costs	Not to Exceed by %
Patrol Activities	\$8,000.00	\$8,000.00
Training	\$0.00	\$0.00
Equipment	\$0.00	\$0.00
Special Enforcement Situations	\$0.00	\$0.00
Total	\$8,000.00	\$8,000.00

C. Any remaining funding in this Annual Operating Plan may be carried forward to the next fiscal year and may be available to spend through the term of the Cooperative Law Enforcement Agreement. Any funds carried forward will result in a reduction of funds available in subsequent years. In order for the funding levels to be determined for the subsequent operating period, invoicing by the County shall be submitted no later than October 31 for the period of operation established in this AOP. Carryover and/or new funding levels will be determined and finalized no later than November 1 of each operating season. Any funds not spent at the end of the 5 year Cooperative Law Enforcement Agreement will be de-obligated. *See Cooperative Law Enforcement Agreement Provision IV-C.*

D. By signature below, each party certifies that the individuals listed in this document as representatives of the individual parties are authorized to act in their respective areas for matters related to this agreement.

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


 MIKE FISHER, Sheriff-Coroner
 Sierra County Sheriff's Office

3/6/2019
 Date


 WILLIAM A. DUNKLBERGER, Forest Supervisor
 U.S. Forest Service, Humboldt-Toiyabe National Forest

3/6/19
 Date


 SCOTT HARRIS, Special Agent in Charge
 U.S. Forest Service, Region 4

3/13/19
 Date



The authority and format of this agreement have been reviewed and approved for signature. **16-LE-11041701-007 MOD 3.**

3/6/2019

SARAH RUSSELL

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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To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.