

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

<b>MEETING DATE:</b> February 2, 2021	<b>TYPE OF AGENDA ITEM:</b> <input type="checkbox"/> Regular <input type="checkbox"/> Timed <input checked="" type="checkbox"/> Consent
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<b>DEPARTMENT:</b> Sheriff's Office <b>APPROVING PARTY:</b> Sheriff Mike Fisher <b>PHONE NUMBER:</b> (530) 289-3700
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**AGENDA ITEM:** Cooperative Law Enforcement Annual Operating and Financial Plan USDA Humboldt-Toiyable National Forest and the Sierra County Sheriff's Office

**SUPPORTIVE DOCUMENTS ATTACHED:**  Memo  Resolution  Agreement  Other

**BACKGROUND INFORMATION:** Annual Operating and Financial Plan USDA Humboldt-Toiyable National Forest

**FUNDING SOURCE:** USDA (USFS) Reimbursement Cooperative Agreement

**GENERAL FUND IMPACT:** No General Fund Impact

**OTHER FUND:**

**AMOUNT:** \$ 8000 One Time Expense

**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><b>BOARD ACTION:</b></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 2021- _____ Agreement 2021- _____ Ordinance _____ Vote: Ayes: Noes: Abstain: Absent: <input type="checkbox"/> By Consensus
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**COMMENTS:**

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CLERK TO THE BOARD

\_\_\_\_\_  
DATE

**BOARD OF SUPERVISORS, COUNTY OF SIERRA, STATE OF CALIFORNIA**

**RESOLUTION APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE  
AND THE HUMBOLDT-TOIYABE NATIONAL FOREST RE: FY2021 FINANCIAL  
AND OPERATING PLAN**

**Resolution 2021-**

**BE IT RESOLVED THAT:**

1. Agreement No. 21-LE-11041700-004, Captioned COOPERATIVE LAW ENFORCEMENT OPERATING & FINANCIAL PLAN Between The SIERRA COUNTY SHERIFF And the USDA, 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 2<sup>nd</sup> day of February, 2021, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

COUNTY OF SIERRA

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LEE ADAMS, CHAIRMAN  
BOARD OF SUPERVISORS

ATTEST:

APPROVED AS TO FORM:

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HEATHER FOSTER  
CLERK TO THE BOARD

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DAVID PRENTICE  
COUNTY COUNSEL



**Principal U.S. Forest Service Contacts:**

<b>U.S. Forest Service Program Manager Contact</b>	<b>U.S. Forest Service Administrative Contact</b>
Donald Harris Law Enforcement Patrol Captain Humboldt-Toiyabe National Forest 1200 Franklin Way Sparks, NV 89431 (775) 355-5327 <a href="mailto:donald.e.harris@usda.gov">donald.e.harris@usda.gov</a>	Ragan Hall R4 LE&I Administrative Assistant Intermountain Region 324 25 <sup>th</sup> Street Ogden, UT 84401 (801)-625-5780 <a href="mailto:ragan.hall@usda.gov">ragan.hall@usda.gov</a>
<b>U.S. Forest Service Grants and Agreement Contact</b>	
Mallory Munz Grants Management Specialist Southwest ID & NV Acquisition Center 1249 S. Vinnell Way, Suite 200 Boise, ID 83709 (208) 373-4289 <a href="mailto:mallory.munz@usda.gov">mallory.munz@usda.gov</a>	

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

Overtime wages at the prevailing rate of \$50.00/hour

**II. PATROL ACTIVITIES:**

A. Time schedules for patrols will be flexible to allow for emergencies, other priorities, and day-to-day needs of both the 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.

**III. 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**

**IV. 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

**V. 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 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 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. 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 U.S. 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.

**VI. 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 a quarterly basis.



- B. Each statement shall display the Cooperator’s actual expenditures to date of the invoice, for each separate cost element as documented in the Operating Plan. The invoice should be forwarded as follows:

**Submit original invoice(s) for payment to:**

USDA, Forest Service  
 Albuquerque Service Center  
 Payments – Grants & Agreements  
 101B Sun Avenue NE  
 Albuquerque, NM 87109  
 FAX: (877) 687-4894  
 E-Mail: [sm.fs.asc\\_ga@usda.gov](mailto:sm.fs.asc_ga@usda.gov)

**Send copy to:**

Jon Knudson  
 U.S. Forest Service  
 Humboldt-Toiyabe National Forest  
 1536 S Carson St.  
 Carson City, NV 89701  
 Phone: (775) 884-8113  
 E-Mail: [jon.knudson@usda.gov](mailto:jon.knudson@usda.gov)

Invoices should be short in length (i.e., 2 pages at most), but contain the following information in order to reduce the possibility of payment delays: your signature, your name, invoice date, invoice number, agreement number, period of performance, description of goods provided or services performed, dates of service, and amount of payment request.

- C. The following is a breakdown of the total estimated costs associated with this 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
<b>Total</b>	<b>\$8,000.00</b>	<b>\$8,000.00</b>

- D. Any remaining funding in this 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 deobligated at the request of the U.S. Forest Service. 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.*
- E. 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 Operating Plan as of the last date written below.



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

Date

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

Date

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SCOTT HARRIS  
Special Agent in Charge, Region 4

Date

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The authority and format of this agreement have been reviewed and approved for signature. **21-LE-11041700-004**

Digitally signed by AARON  
STOUT  
Date: 2020.10.01 13:13:28  
-0700'

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AARON STOUT  
U.S. Forest Service Grants Management Specialist

Date





## Addendum A

### **U.S. Forest Service Fire Emergency Language & Billing Protocol Coop Law Enforcement Agreements / Operating Plan**

#### **Fire Emergencies:**

During fire emergencies, the Forest Service will reimburse the County for actual costs incurred while the County is 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 Incident Management Team, 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 Incident Command meetings. Eligible costs for reimbursement will include personnel time.

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. Cooperator personnel directly assigned to the incident by a resource order will be entitled to meals that are provided on the incident.

Administrative support (e.g. posting incident time, delivering meals, bill preparation, etc.) will be reimbursed on an actual cost basis. The County 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 prevailing wage rate as identified in the AOP Provision I. B.

#### **Billing Protocol:**

Documentation required to be submitted by the County 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 Operating Plan.
- DUNS number.
- Active status in System for Award Management (SAM).
- 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 (already included in hourly salary rate in Provision I. B. in Operating Plan).

**For questions concerning incident/fire emergencies, please contact:**

Gwen Sanchez, Forest Fire Management Officer  
Humboldt-Toiyabe National Forest  
1200 Franklin Way  
Sparks, NV 89431  
Telephone: 775-355-5315  
Email: [gwen.sanchez@usda.gov](mailto:gwen.sanchez@usda.gov)

**BILLINGS FOR FIRE ARE NOT TO BE SUBMITTED TO THE  
SM.FS.ASC GA@USDA.GOV UNDER THE OBLIGATION ESTABLISHED THROUGH THE  
COOPERATIVE LAW ENFORCEMENT AGREEMENT.**

Please coordinate remittance of billings to the Albuquerque Service Center, Incident Finance Branch through the local Fire Business Manager, **Irene Burkholder, Humboldt-Toiyabe National Forest, 370 American Avenue, 1200 Franklin Way Sparks, NV 89431, (775) 355-5364, [irene.burkholder@usda.gov](mailto:irene.burkholder@usda.gov)**. Invoices must include the information identified above in the Billing Protocol section in order to be processed in a timely manner.

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.