



# Board Agenda Item 24

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DATE: June 21, 2022

TO: Board of Supervisors

SUBMITTED BY: Margaret Mims, Sheriff-Coroner-Public Administrator

SUBJECT: Retroactive Revenue Agreement with the U.S. Army Corps of Engineers for Law Enforcement Services

RECOMMENDED ACTION(S):

**Approve and authorize the Chairman to execute a retroactive revenue Agreement with the U.S. Army Corps of Engineers for the Sheriff's Office to provide law enforcement services for Pine Flat Lake and Dam project boundaries effective April 15, 2022 through March 14, 2027, not to exceed five consecutive years, which consists of a Base Year plus four (4) Option Years. The award total for the Base Year is (\$88,625).**

There is no increase in Net County Cost associated with the recommended action. Law enforcement services have been provided by the Sheriff's Office in the Pine Flat Lake area since 1978; however, each year the U.S. Army Corps of Engineers requests additional patrol services during the summer months. The recommended agreement provides for a continuation of these services. This item pertains to locations in District 5.

ALTERNATIVE ACTION(S):

There is no viable alternative action. If the recommended action is not approved, no additional services will be provided. Services will be provided by the deputies on regular patrol within the service area, likely resulting in delayed response times.

RETROACTIVE AGREEMENT:

The recommended Agreement is retroactive to April 15, 2022 due to Department staff not receiving the agreement from the granting agency until May 10, 2022.

FISCAL IMPACT:

There is no additional Net County Cost associated with the recommended agreement. The recommended agreement provides for additional law enforcement services not to exceed \$88,625 for the Base Year effective April 15, 2022 to March 14, 2023. Sufficient appropriations and estimated revenues are included in the Sheriff-Coroner-Public Administrator's Recommended Budget for Org 3111 for FY 2021-22 and will be included in future requested budgets. The Agreement consists of a Base Year plus four (4) Option Years. An Amendment of Contract will be brought to the Board for each Option Year with the specified award allocation from the U.S. Army Corps of Engineers.

DISCUSSION:

Additional law enforcement services in the Pine Flat Lake area have been provided by the Sheriff's Office under contract since as early as 1978. The U.S. Army Corps of Engineers wishes to continue these services, which include patrol services for multiple areas within Pine Flat Lake and Dam project boundaries. Areas where services are to be performed include: Park Headquarters, Pine Flat Dam, Kings River Wildlife area, Pine Flat Dam Restricted Area, the campgrounds, the recreation areas, and all other non-designated recreation areas within the Pine Flat Lake Project boundaries. This Base Year Agreement is to provide additional law enforcement coverage during the summer months (April through September).

Pine Flat Lake and Dam is within Area 4 of the Fresno County Sheriff's Office designated patrol routes. The existing law enforcement patrol standard for Area 4 is twenty-four (24) hour daily land patrol. Designated patrol time conducted on government property and the area around Pine Flat Lake varies. Deputy response time from another location to the Pine Flat Lake recreation area can take up to 45 minutes or more, depending on the response location. The recommended agreement with the U.S. Army Corps of Engineers will provide funding for two Deputies and one Reserve Deputy to provide additional patrol hours at Pine Flat Lake and Dam Project boundaries from Thursday through Sunday, as well as holidays falling on a Monday, Tuesday and a Wednesday.

On May 24, 2016 your Board approved revenue Agreement No. 16-203 with the U.S. Army Corps of Engineers for services from May 1, 2016 to April 30, 2021. The U.S. Army Corps of Engineers is exercising a new contract consisting of a Base Year plus four (4) Option Years as follows:

- Base Year shall be from April 15, 2022 to March 14, 2023.
- Option Year 1 shall be from March 15, 2023 to March 14, 2024.
- Option Year 2 shall be from March 15, 2024 to March 14, 2025.
- Option Year 3 shall be from March 15, 2025 to March 14, 2026.
- Option Year 4 shall be from March 15, 2026 to March 14, 2027.

Option Years are exercised at the discretion of the U.S. Army Corps of Engineers. The U.S. Army Corps of Engineers requires the recommended agreement to be on their standard form; therefore, the County Standard Agreement template cannot be utilized. The recommended agreement does not contain County's insurance requirements or County's indemnification language, and U.S. Army Corps of Engineers will not alter their required language. Since the County is the recipient of the service funds, Risk Management has reviewed the language in the recommended agreement and finds the language acceptable.

REFERENCE MATERIAL:

- BAI #30, April 28, 2020
- BAI #41, May 7, 2019
- BAI #26, April 17, 2018
- BAI #30, June 6, 2017
- BAI #30, May 24, 2016
- BAI #32, September 22, 2015

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with U.S. Army Corps of Engineers

CAO ANALYST:

Yussel Zalapa