



# Board Agenda Item 22

DATE: August 6, 2019

TO: Board of Supervisors

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

SUBJECT: Retroactive Revenue Agreements with the USDA Forest Service, Sierra National Forests for Law Enforcement Services

RECOMMENDED ACTION(S):

1. **Approve and ratify the Sheriff's previous execution of Modification 05 to Agreement 17-103 to accept additional funding of \$27,000 for FY 2018 Controlled Substance Annual Operating and Financial Plan for the period of October 1, 2017 through September 30, 2018, total not to exceed \$45,000;**
2. **Approve and authorize the Chairman to execute a retroactive revenue Agreement, referred to as the 2019 Controlled Substance Annual Operating and Financial Plan, Modification 06, to Agreement 17-103 with the USDA, Forest Service, Sierra and Sequoia National Forest, effective October 1, 2018 and ending September 30, 2019, total not to exceed \$18,000;**
3. **Approve and authorize the Chairman to execute a retroactive revenue Agreement, referred to as the 2019 Patrol Operating and Financial Plan, Modification 07, to Agreement 17-103 with the USDA, Forest Service, Sierra and Sequoia National Forest, effective October 1, 2018 and ending September 30, 2019, total not to exceed \$26,000; and**
4. **Approve and authorize the Chairman to execute a Modification revenue Agreement, referred to as the 2019 Controlled Substance Annual Operating and Financial Plan, Modification 08, to Agreement 17-103 with the USDA, Forest Service, Sierra and Sequoia National Forest, for additional FY 2019 funding in the amount of \$10,000.**

There is no increase in Net County Cost associated with the recommended actions, which will allow the Sheriff's Office to continue to work cooperatively with the U.S. Forest Service (USFS) to provide patrol and enforcement coverage in campgrounds and recreational sites during the summer months and to combat controlled substance issues on National Forest System lands. This item is countywide.

ALTERNATIVE ACTION(S):

There is no viable alternative action. If the recommended actions are not approved, no additional services will be provided on National Forest System lands.

RETROACTIVE AGREEMENT:

The recommended agreements are being brought to the Board retroactively due to the delay in receiving them from the USFS. The agreement for Modification 5 for additional funding was received from the USFS on June 12, 2018 after the Board approved the FY 2018 agreements; the modification was executed by the Sheriff's Office and is being brought to your Board with FY 2019's modifications. The agreements for Modifications 6 and 7 were received from the USFS on May 21, 2019 and are being brought to your Board at the first available Board date. These agreements will provide additional law enforcement coverage during

the summer months for the period commencing on or about June 15, 2019 through September 30, 2019.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The proposed 2019 agreements provide for additional law enforcement services not to exceed \$54,000. The appropriations and estimated revenues for these agreements are included in the Sheriff-Coroner-Public Administrator's FY 2019-20 Recommended Budget for Org 3111 that will be presented to your Board in September 2019. The approval of the recommended actions will allow the Sheriff's Office to recover the cost of salaries, radio usage, mileage and equipment usage for the Deputy Sheriff position at the FY 2018-19 approved Master Schedule Fee (MSF) rate of \$106.46/hour (regular) and \$60.43/hour (overtime).

DISCUSSION:

The Sheriff's Office has provided additional law enforcement services in the National Forest System lands since 2000. The USDA Forest Service wishes to continue providing funding for patrol and enforcement coverage for multiple areas within the Shaver and Huntington Lake recreational sites and campgrounds to include the USFS roads. In addition, the Forest Service wishes to continue services to suppress manufacturing and trafficking of controlled substances on National Forest System lands.

The Sierra National Forest is within Area 4 of Fresno County Sheriff's designated patrol routes. The existing law enforcement patrol standard for Area 4 is twenty-four hour daily land patrol. Designated patrol time conducted on property and the area around both Huntington and Shaver Lake varies. Deputy response time from another location to High Sierra Recreation Area can take up to 45 minutes or more depending on the response location.

On March 28, 2017, your Board approved a Cooperative Law Enforcement Agreement #17-103 with the USDA Forest Service for a period of five years effective from March 28, 2017 through December 31, 2021. The agreement consists of an annual operation plan negotiated on a fiscal year basis via Modification(s) as follows:

- Modification 1 from October 1, 2016 to September 30, 2017 for patrol from Shaver Lake to Huntington Lake Recreation Area approved by your Board on March 28, 2017.
- Modification 2 from October 1, 2016 to September 30, 2017 for investigative services to suppress controlled substances on National Forest System lands approved by your Board on March 28, 2017.
- Modification 3 from October 1, 2017 to September 30, 2018 for patrol from Shaver Lake to Huntington Lake Recreation Area approved by your Board on June 12, 2018.
- Modification 4 from October 1, 2017 to September 30, 2018 for investigative services to suppress controlled substances on National Forest System lands approved by your Board on June 12, 2018, in the amount of \$18,000.
- Modification 5 to add additional funding of \$27,000 for FY 2018 controlled substance operations, increasing overall amount from \$18,000 to not exceed \$45,000.

The first recommended action will ratify the Sheriff's execution of Modification 5, for additional funding in the amount of \$27,000, that was received by the Sheriff's Office after the Board approved the FY 2018 agreements on June 12, 2018. The modification was executed by the Sheriff's Office and the funding was expended during the agreement period of October 1, 2017 through September 30, 2018; therefore, the first recommended action requests Board approval.

The second recommended action will approve a 2019 revenue agreement that will provide reimbursement of \$18,000 to support operations to suppress manufacturing and trafficking of controlled substances on or affecting the National Forest System Lands. The agreement includes funding for the following: regular salaries and overtime, supplies and equipment not to exceed 10% of the total allocation (\$1,800).

The third recommended action will approve a 2019 revenue agreement that will provide additional patrol hours commencing on or about June 15, 2019 through September 30, 2019 and will allow the Sheriff's Office to collect revenue in the amount of \$26,000. The agreement includes funding for the following: regular salaries, residential rental at Huntington Lake for the period of June 15, 2019 through September 30, 2019, training not to exceed 10% of the total allocation (\$2,600), and equipment not to exceed 10% of the total allocation (\$2,600).

The fourth recommended action will approve an agreement to accept additional funding of \$10,000 for FY 2019 controlled substance operations and increasing the overall amount to \$28,000.

REFERENCE MATERIAL:

BAI #23, March 28, 2017

BAI #27, June 12, 2018

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement No. 17-103 with USDA

On file with Clerk - Agreement with USDA Modification No. 05

On file with Clerk - Agreement with USDA Modification No. 06

On file with Clerk - Agreement with USDA Modification No. 07

On file with Clerk - Agreement with USDA Modification No. 08

CAO ANALYST:

Jeannie Z. Figueroa