



County of Fresno

Hall of Records, Rm. 301
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Legislation Details (With Text)

File #: 17-0180 **Name:** Retroactive Revenue Agreements with the USDA Forest Service, Sierra National Forests for Law Enforcement Services

In control: Sheriff - Coroner

On agenda: 3/28/2017 **Final action:** 3/28/2017

Enactment date: **Enactment #:** Agreement No. 17-103, Agreement No. 17-104, Agreement No. 17-105

Title: Approve and authorize the Chairman to execute retroactive Cooperative Law Enforcement Agreement #17-LE-11051360-024 with the United States Department of Agriculture (USDA) Forest Service Sierra National Forest effective upon execution through December 31, 2021; approve and authorize the Chairman to execute a retroactive revenue agreement, referred to as the 2017 Patrol annual operating and financial plan Modification 001 to Agreement 17-LE-1151360-024 for the period beginning October 1, 2016 through September 30, 2017 (\$26,000); and approve and authorize the Chairman to execute a retroactive revenue agreement referred to as the 2017 Controlled Substance annual operating and financial plan Modification 002 to Agreement 17-LE-1151360-024 for the period beginning October 1, 2016 through September 30, 2017 (\$18,000)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Agenda Item, 2. Agreement A-17-103 with USDA, Forest Service, 3. Agreement A-17-104 with USDA, Forest Service, 4. Agreement A-17-105 with USDA, Forest Service

Date	Ver.	Action By	Action	Result
3/28/2017	1	Board of Supervisors	Conducted Hearings	Pass

DATE: March 28, 2017

TO: Board of Supervisors

SUBMITTED BY: Margaret Mims, Sheriff-Coroner

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

RECOMMENDED ACTION(S):

1. Approve and authorize the Chairman to execute retroactive Cooperative Law Enforcement Agreement #17-LE-11051360-024 with the United States Department of Agriculture (USDA) Forest Service Sierra National Forest effective upon execution through December 31, 2021;
2. Approve and authorize the Chairman to execute a retroactive revenue agreement, referred to as the 2017 Patrol annual operating and financial plan Modification 001 to Agreement 17-LE-1151360-024 for the period beginning October 1, 2016 through September 30, 2017 (\$26,000); and
3. Approve and authorize the Chairman to execute a retroactive revenue agreement referred to as the 2017 Controlled Substance annual operating and financial plan Modification 002 to Agreement 17-LE-1151360-024 for the period beginning October 1, 2016 through September 30, 2017 (\$18,000).

There is no additional Net County Cost associated with the recommended actions. Law enforcement services

are provided by the Sheriff-Coroner's Office in the High Sierra recreational areas. However, each year the USDA Forest Service requests additional services in the campgrounds and recreational sites during the summer months. The first recommended action approves a five-year Cooperative Law Enforcement agreement. The remaining recommended actions will authorize the Chairman to execute the revenue agreements to allow the Sheriff-Coroner's Office to provide patrol and enforcement coverage in campgrounds and recreational sites during the summer months and combat controlled substance issues on National Forest System lands.

ALTERNATIVE ACTION(S):

There is no viable alternative action. If the recommended actions are not approved, no additional services will be provided, likely resulting in delayed response time.

RETROACTIVE AGREEMENT:

The recommended agreements are being brought to the Board retroactively due to the delay in receiving them from USDA Forest Service. These agreements were received from the USDA Forest Service on February 10, 2017 and are being brought to the Board on the first available Board date. The agreements will provide additional law enforcement coverage during the summer months for the period commencing on or about June 22, 2017 through August 9, 2017.

FISCAL IMPACT:

There is no additional Net County Cost associated with the recommended actions. The proposed agreements provide for additional law enforcement services not to exceed \$44,000. The appropriations and estimated revenues for these agreements are included in the Sheriff-Coroner's FY 2016-17 Adopted Budget for Org 3111 and will be included in the Sheriff-Coroner's FY 2017-18 Requested Budget for Org 3111. The approval of the recommended actions will allow the Sheriff-Coroner's Office to recover the cost of salaries, benefits, radio usage, mileage and equipment usage for the Deputy Sheriff position at the FY 2016-17 approved Master of Schedule (MSF) rate of \$96.78/hour (regular) and \$54.94/hour (overtime).

DISCUSSION:

The Sheriff-Coroner's Office has provided additional law enforcement services in the National Forest System lands since 2000. The USDA Forest Service wishes to continue services to suppress manufacturing and trafficking of controlled substances on National Forest System lands. In addition, the 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 U.S. Forest Service roads.

On April 23, 2013, your Board approved Cooperative Law Enforcement Agreement #13-219 with the USDA Forest Service for a period of five years from October 1, 2011 through September 30, 2016. The proposed agreement is for an additional five years effective upon execution through December 31, 2021, and consists of an annual operation plan that is 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; and
- Modification 2 from October 1, 2016 to September 30, 2017 for investigative services to suppress 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 government property and the area around both Huntington and Shaver Lakes varies. Deputy response time from another location to the High Sierra Recreation Area can take up to 45 minutes or more depending on the response location.

Recommended action two is for the Board to approve one of the 2017 revenue agreements that will provide additional patrol hours commencing on or about June 22, 2017 through August 9, 2017 and will allow the Sheriff-Coroner'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, 2017 through September 30, 2017, training not to exceed 10% of the total allocation (\$2,600), and equipment not to exceed 10% of the total allocation (\$2,600). Recommended action three is for the Board to approve the second 2017 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, and supplies and equipment that may not exceed 10% of the total allocation (\$1,800) without prior approval by the U.S. Forest Service Designated Representative.

REFERENCE MATERIAL:

BAI #31, April 23, 2013
BAI #32, May 24, 2016
BAI #28, May 24, 2016

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreements with USDA

CAO ANALYST:

Jeannie Z. Figueroa