



MARIPOSA COUNTY

Sheriff's Office • (209) 966-3615



RESOLUTION - ACTION REQUESTED 2019-364

MEETING: June 25, 2019
TO: The Board of Supervisors
FROM: Doug Binnewies, Sheriff-Coroner-Public Administrator
RE: FY19-20 Forest Service Law Enforcement Patrol Agreement

RECOMMENDED ACTION AND JUSTIFICATION:

Approve the FY19-20 payment for operational services of the five-year Cooperative Agreement No. 17-LE-11051360-025 with the United States Department of Agriculture (Sierra and Stanislaus National Forest), Exhibit A, Mod 06 (2019 Annual Patrol Operating Plan) to assist in providing law enforcement services on National Forest Land; and authorize the Board of Supervisors Chair to sign the Agreement.

The United States Department of Agriculture and the Mariposa County Sheriff's Office currently enjoys a five-year agreement with Mariposa County Sheriff to provide law enforcement services on those lands that are designated as National Forest Lands. The law enforcement services that are provided by the Mariposa County Sheriff's Office are intended to supplement the services being provided by National Forest Service Law Enforcement Personnel.

The Mariposa County Sheriff's Office has a long history of working cooperatively with National Forest Law Enforcement, and a proven success record of locating and eradicating wilderness cannabis operations on National Forest Lands.

The identified areas of enforcement that will be reimbursed under the Agreement is as follows:

Regular scheduled Law Enforcement Patrols on Forest Service Lands as noted Exhibit A

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board of Supervisors has approved similar agreements with the Department of Agriculture in past years, which have been productive for the community.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

If the agreement is not signed, Mariposa County will not be able to seek reimbursement from the Department of Agriculture for law enforcement services provided on National Forest Lands.

Resolution - Action Requested 2019-364

FINANCIAL IMPACT:

Revenue and Appropriations will be included in Fiscal Year 2019 - 2020 Sheriff's Budget

ATTACHMENTS:

2019 Exhibit A Patrol Agreement (PDF)

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: Rosemarie Smallcombe, District I Supervisor

AYES: Smallcombe, Jones, Long, Cann, Menetrey

FS Agreement No. 17-LE-11051360-025
 Cooperator Agreement No. MOD 06

EXHIBIT A

**COOPERATIVE LAW ENFORCEMENT ANNUAL OPERATING PLAN &
 FINANCIAL PLAN
 Between The
 MARIPOSA COUNTY SHERIFF'S DEPARTMENT
 And the
 USDA, FOREST SERVICE
 SIERRA NATIONAL FOREST**

2019 ANNUAL OPERATING AND FINANCIAL PLAN

This Annual Financial and Operating Plan (Annual Operating Plan), is hereby made and entered into by and between Mariposa County Sheriff's Department, hereinafter referred to as "Cooperator," and the USDA, Forest Service, Sierra National Forest, hereinafter referred to as the "U.S. Forest Service," under the provisions of Cooperative Law Enforcement Agreement #17-LE-11051360-025 executed on March 16, 2017. This Annual Operating Plan is made and agreed to as of the last date signed below and is for the estimated period beginning October 1, 2018 and ending September 30, 2019.

Previous Year Carry-over: 0.00
 Current 2019 Year Obligation: \$9,000.00
FY2019 Total Annual Operating Plan: \$9,000.00

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
Doug Binnewies, Sheriff P.O. Box 276 Mariposa, CA 95338 Telephone: (209)966-3615 Fax: (209)742-5090	Chris Ramirez, Captain P.O. Box 276 Mariposa, CA 95338 Telephone: (209)966-3615 Email: cramirez@mariposacounty.org



Principal U.S. Forest Service Contacts:

U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact
Cody Wheeler, Patrol Captain 1600 Tollhouse Rd. Clovis, CA 93611 Telephone: 559-297-0706 ext. 4986 FAX: 559-294-4802 Email: cody.wheeler@usda.gov	Chad Krogstad, Patrol Commander 1323 Club Drive Vallejo, CA 94592 Telephone: 707-562-9125 FAX: 707-562-9031 Email: chad.krogstad@usda.gov

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

Deputy Salary (base)	\$32.69 per hour
Sergeant Salary	\$41.06 per hour
Salary (overtime)	\$Base + ½ per hour
Travel (mileage)	\$0.63 per mile
Per diem cost	\$215.00 per day

II. PATROL ACTIVITIES:

A. 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:

Assignment of one Deputy Sheriff or Sheriff’s Sergeant to the Bass Lake Ranger District of the Sierra National Forest within Mariposa County commencing May 1, 2019 and terminating September 30, 2019. The primary duties of the Deputy or Sergeant will include answering calls for service, routine patrol, and investigation of criminal offenses occurring within the National Forest.

This Deputy will be assigned as needed to patrol the Merced River Canyon, rural forest roads, campground, recreation areas, trails, trailheads, and forest service facilities with extended coverage on major holiday weekends. This Deputy is to provide copies of all incidents occurring on National Forest Lands including any incidents outside the contract period.



2. Patrol in the following campgrounds, developed sites, or dispersed areas:

Assignment of one Deputy Sheriff or Sheriff's Sergeant to the Greeley Hill area on a call when needed basis during the period commencing May 1, 2019 and terminating September 30, 2019. This Deputy is to provide copies of all written reports, incident reports, citations, and incidents occurring on National Forest Lands including any incidents outside the contract period.

Any funding not used under section III TRAINING and Section IV EQUIPMENT will be allocated to Patrol activities under Section II. PATROL ACTIVITIES and will not exceed a combined total of \$9,000.00.

III. TRAINING:

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

Training will be limited to work related training aimed at improving the overall efficiency of the enforcement and patrol activities related to this agreement between the Cooperator and the Forest Service. This includes training for those Officers that work in the mountainous terrain and County areas within the boundaries of the Sierra National Forest. It is mutually understood that at the time of this agreement that not all parties will know of all the training that is available.

Total reimbursement for this category shall not exceed: 10% of the total agreement.

IV. EQUIPMENT:

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

Any equipment purchase will be mutually agreed upon between the designated representatives or alternate representatives.

Total reimbursement for this category shall not exceed: 10% of the total agreement.

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 Annual Operating Plan. The designated representative will then notify 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.
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.

VI. BILLING FREQUENCY:

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

The Cooperator will furnish the Forest Service with itemized monthly statements for expenditures. The statement shall be in sufficient detail to allow the Forest Service to tie these expenditures back to reimbursable expenses and the rate schedule and shall be certified by the County of Mariposa as being current and proper. These statements must be accompanied by a Law Enforcement Activity Report, form FS-5300-5, filled out as required by Provision 11-G of the Cooperative Law Enforcement Agreement 17-LE-11051360-025.



A. Mail copies of itemized billing statements to:

Cody Wheeler, Patrol Captain
USFS Law Enforcement
1600 Tollhouse Rd.
Clovis, CA 93611

Send hard copy invoices to:

US Forest Service
Albuquerque Service Center
Payments – Grants & Agreements
101 B Sun Ave NE
Albuquerque, NM 87109

Or fax to: 877-687-4984

Or e-mail scanned invoice to: ASC_GA@fs.fed.us

Final billings for reimbursement must be received by the Forest Service before October 30, 2019 in order to receive payment. Please see agreement provision IV-V regarding use of funding in succeeding years.

Annually update the registration of the County Sheriff’s DUNS# on the System for Award Management (SAM) website at www.sam.gov for the verification of the EFT (Electronic Funds Transfer) banking information.


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	\$9,000.00	
Training		10
Equipment		10
Special Enforcement Situations		
Total	\$9,000.00	

C. Any remaining funding in this Annual Operating Plan may be carried forward to the next FY2020 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. *See Cooperative Law Enforcement Agreement Provision IV-D.*



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.



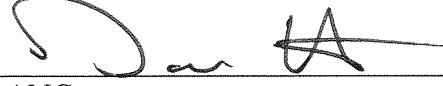
DOUG BINNEWIES, SHERIFF
Mariposa County
5/23/2019
Date



DEAN GOULD, FOREST SUPERVISOR
U.S. Forest Service, Sierra National Forest
5/16/19
Date



~~ROSEMARIE SMALLCOMBE~~ ~~MILES MENETREY~~
Chairman
June 25 2019
Date

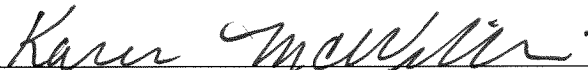


DON HOANG
Special Agent in Charge, Pacific Southwest Region
7/25/19
Date

APPROVED AS TO FORM:


STEVEN W. DAHLEM
COUNTY COUNSEL

The authority and format of this agreement have been reviewed and approved for signature.



KAREN MCWILLIAMS
U.S. Forest Service Grants Management Specialist
4-24-19
Date

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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