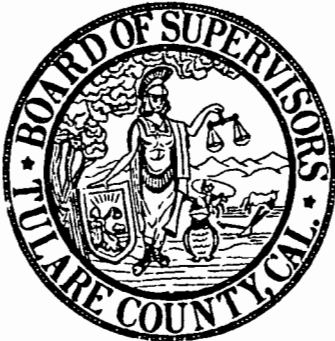


BEFORE THE BOARD OF SUPERVISORS COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF APPROVE THE)
 ANNUAL OPERATING AND FINANCIAL) Resolution No. 2018-0567
 PLANS, EXHIBIT A AND B, TO) Agreement No. 28077-A
 AGREEMENT NO. 28077)

UPON MOTION OF SUPERVISOR ENNIS, SECONDED BY SUPERVISOR CROCKER, THE FOLLOWING WAS ADOPTED BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD JUNE 26, 2018, BY THE FOLLOWING VOTE:

AYES: SUPERVISORS CROCKER, VANDER POEL, SHUKLIAN, WORTHLEY,
 AND ENNIS
 NOES: NONE
 ABSTAIN: NONE
 ABSENT: NONE



ATTEST: MICHAEL C. SPATA
 COUNTY ADMINISTRATIVE OFFICER/
 CLERK, BOARD OF SUPERVISORS

BY: Mary Ravello
 Deputy Clerk

1. Approved the Annual Operating and Financial Plan, identified as Exhibit A, to Agreement No. 28077 with the United States Forest Service for reimbursement to the Sheriff's Office for patrol services on United States Forest Service land in the amount of \$33,000, retroactive to October 1, 2017 through September 30, 2018. The Annual Operating and Financial Plan is retroactive because it was received from the United States Forest Service seven months after the effective date.
2. Authorized the Chairman to sign three copies of Exhibit A to the Agreement.
3. Approved the Annual Operating and Financial Plan, identified as Exhibit B, to Agreement No. 28077 with the United States Forest Service for reimbursement to the Sheriff's Office for services related to controlled substances on United States Forest Service land in the amount of \$24,000, retroactive to October 1, 2017 through September 30, 2018. The Annual Operating and Financial Plan is retroactive because it was received from the United States Forest Service seven months after the effective date.
4. Authorized the Chairman to sign three copies of Exhibit B to the Agreement.



**Sheriff's Office
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: June 26, 2018 – REVISED

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
County Counsel Sign-Off	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>

CONTACT PERSON: Carina Lemus, Paralegal PHONE: (559) 967-9659

SUBJECT: Approve an Amendment to Agreement No. 28077 to add the Annual Operating and Financial Plans, Exhibits A and B.

REQUEST(S):

That the Board of Supervisors:

1. Approve an Amendment to add the Annual Operating and Financial Plan, identified as Exhibit A, to Agreement No. 28077 with the United States Forest Service for reimbursement to the Sheriff's Office for patrol services on United States Forest Service land in the amount of \$33,000, retroactive to October 1, 2017 through September 30, 2018. The Annual Operating and Financial Plan is retroactive because it was received from the United States Forest Service seven months after the effective date.
2. Authorize the Chairman to sign three copies of Exhibit A to the Agreement.
3. Approve an Amendment to add the Annual Operating and Financial Plan, identified as Exhibit B, to Agreement No. 28077 with the United States Forest Service for reimbursement to the Sheriff's Office for services related to controlled substances on United States Forest Service land in the amount of \$24,000, retroactive to October 1, 2017 through September 30, 2018. The Annual Operating and Financial Plan is retroactive because it was received from the United States Forest Service seven months after the effective date.
4. Authorize the Chairman to sign three copies of Exhibit B to the Agreement.

SUBJECT: Approve the Annual Operating and Financial Plans, Exhibit A and B, to Agreement No. 28077.

DATE: June 26, 2018

SUMMARY:

The purpose of the original Agreement No. 28077 is to document a cooperative effort between the Tulare County Sheriff's Office (Sheriff's Office) and the United States Forest Service (USFS) to enhance state and local law enforcement in connection with activities on USFS lands. This Agreement also serves to provide reimbursement to the Sheriff's Office for patrol services and controlled substance services that will be provided through the Annual Operating Plans (Exhibits A and B) to the Agreement. Reimbursement amounts are based on funding availability as determined by USFS.

Reimbursable services to be provided under the new Exhibit A for the period of October, 2017 through September, 2018 include basic law enforcement patrol services provided by a Sheriff's Deputy in remote mountainous areas of eastern Tulare County; specifically to roads, campgrounds, developed sites or dispersed areas. In addition, the plan includes a provision for reimbursement to the County for deputy services during extraordinary situations such as fire emergencies, drug enforcement incidents, or large group gatherings such as concerts or organization demonstrations.

Reimbursable services to be provided under the new Exhibit B, for controlled substance investigation services for the period of October, 2017 through September, 2018, include the detection of locations and activities related to illegal production and trafficking of controlled substances through ground and aerial reconnaissance; surveillance operations to identify persons illegally producing or trafficking controlled substances; collection of evidence; apprehension and prosecution of suspects; and identification and removal of cannabis plants from USFS lands.

The original Agreement was approved as to form by County Counsel on May 1, 2017 and by your Board on May 16, 2017 for a five year term (Resolution No. 2017-0335). The Annual Operating and Financial Plans, Exhibits A and B, were attached to the Agreement and were also approved on May 16, 2017. The Exhibits A and B shall be reviewed annually throughout the five year term of the Agreement as the annual operating plan amount and rates are subject to change.

The original Exhibits A and B, are identical to the proposed new Exhibits A and B except for the terms. The substantive deviations from the standard County boilerplate identified in the prior agenda item were: 1) an indemnification clause was not included, 2) if the County was ever overpaid for services, USFS may charge interest on the amount owed if not repaid within a reasonable period, and 3) the County signed prior to the Special Agent in Charge, Pacific Southwest Region. The proposed renewal Annual Operating and Financial Plans, Exhibits A and B, do not include any additional deviations from the standard County boilerplate. The only changes are to the effective dates; new effective dates will be retroactive to October 1, 2017 through September 30, 2018. Also, for the first funding year of the Agreement there was a total allocation of \$33,000 for patrol services, and \$24,000

SUBJECT: Approve the Annual Operating and Financial Plans, Exhibit A and B, to Agreement No. 28077.
DATE: June 26, 2018

for controlled substance investigation services. This year the annual reimbursement amounts have not changed and will remain the same.

FISCAL IMPACT/FINANCING:

The United States Forest Service (USFS) will reimburse the Sheriff's Office for expenses incurred from October 1, 2017 through September 30, 2018.

USFS will pay \$33,000 for patrol services on Forest Service land and included an additional \$9,494 from FY 16/17 as a carry-over balance from unspent funds for FY 17/18. The following is a breakdown of budgeted revenues:

- No funds were included in the Sheriff's FY 17/18 operating budget due to the Sheriff's Office not having access to the funds until the agreement is fully executed and finalized.
- The total funds of \$33,000 will be included in the Sheriff's FY 18/19 operating budget.

In addition, USFS will pay \$24,000 for services related to controlled substances on Forest Service land and included an additional \$505 from FY 16/17 as a carry-over balance from unspent funds for FY 17/18. The following is a breakdown of budgeted revenues:

- No funds are included in the Sheriff's FY 17/18 operating budget due to the Sheriff's Office not having access to the funds until the agreement is fully executed and finalized.
- The total funds of \$24,000 will be included in the Sheriff's FY 18/19 operating budget.

The carry-over balance on the new Exhibits A and B, totaling \$10,000, was due to the Sheriff's Office receiving an additional \$10,000 allocation in funds from the previous FY 16/17. The Sheriff's Office was notified of the additional allocation of funds in September 2017 but the contract expired on September 30, 2017, which did not provide the department enough time to expend the funds before the contract expired on September 30, 2017.

All funds from this contract period are included in the Sheriff's FY 18/19 budget, as noted above. Any additional expenditures will be absorbed in the Sheriff's operating budget. There is no additional net County cost associated with this request.

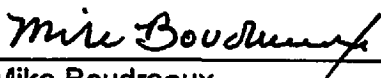
LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year strategic plan includes the Safety and Security Initiative to effectively and fairly investigate, arrest, prosecute and punish individuals who engage in criminal behaviors. This agreement will help fulfill this initiative by providing law enforcement services to developed and undeveloped areas of USFS land.

SUBJECT: Approve the Annual Operating and Financial Plans, Exhibit A and B, to Agreement No. 28077.

DATE: June 26, 2018

ADMINISTRATIVE SIGN-OFF:



Mike Boudreaux
Sheriff-Coroner

cc: County Administrative Office

Attachment A – Exhibit A
Attachment B – Exhibit B

retroactive because it was received from the United States Forest Service seven months after the effective date.

4. Authorized the Chairman to sign three copies of Exhibit B to the Agreement.