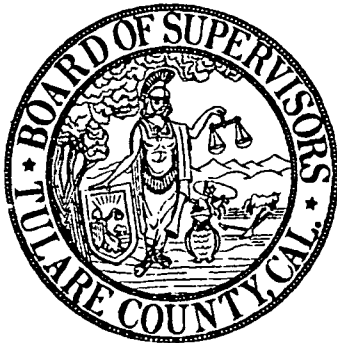


**BEFORE THE BOARD OF SUPERVISORS  
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF APPROVE A )  
MEMORANDUM OF UNDERSTANDING ) Resolution No. 2018-0607  
WITH FRESNO COUNTY SHERIFF'S ) Agreement No. 28750  
OFFICE )

UPON MOTION OF SUPERVISOR SHUKLIAN, SECONDED BY SUPERVISOR ENNIS, THE FOLLOWING WAS ADOPTED BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD JULY 17, 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: Hilary Ronello  
Deputy Clerk

\*\*\*\*\*

1. Approved a Memorandum of Understanding (MOU) between the Tulare County Sheriff's Office and Fresno County Sheriff's Office for the County to receive Central Valley High Intensity Drug Trafficking Area reimbursement funds in an amount not to exceed \$287,055, retroactive from January 1, 2018 through December 31, 2019. The MOU is retroactive due to delays in receiving the MOU to process and submit before the effective date.
2. Found that the Board had authority to enter into the proposed MOU as of January 1, 2018, and that it was in the County's best interest to enter into the MOU on that date.
3. Authorized the Chairman to sign three copies of the Memorandum of Understanding.



**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:** July 17, 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 checked="" type="checkbox"/>	N/A	<input 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 a Memorandum of Understanding with Fresno County Sheriff's Office.

**REQUEST(S):**  
That the Board of Supervisors:

1. Approve a Memorandum of Understanding (MOU) between the Tulare County Sheriff's Office and Fresno County Sheriff's Office for the County to receive Central Valley High Intensity Drug Trafficking Area reimbursement funds in an amount not to exceed \$287,055, retroactive from January 1, 2018 through December 31, 2019. The MOU is retroactive due to delays in receiving the MOU to process and submit before the effective date.
2. Find that the Board had authority to enter into the proposed MOU as of January 1, 2018, and that it was in the County's best interest to enter into the MOU on that date.
3. Authorize the Chairman to sign three copies of the Memorandum of Understanding.

**SUMMARY:**  
The High Intensity Drug Trafficking Areas (HIDTA) program, created by Congress with the Anti-Drug Abuse Act of 1988, provides assistance through grant funding to federal, state, local, and tribal law enforcement agencies operating in areas determined to be critical drug-trafficking regions of the United States. Each HIDTA participating agency assesses the drug trafficking threat in its defined area for the upcoming year, develops a strategy to address the threat, designs initiatives to

**SUBJECT:** Approve a Memorandum of Understanding with Fresno County Sheriff's Office.

**DATE:** July 17, 2018 – **REVISED**

implement the strategy, proposes funding needed to carry out the initiatives, and prepares an annual report describing its performance from the previous year.

HIDTA activities include gathering and reporting intelligence data related to drug trafficking threats, conducting investigations, and reporting instances involving the trafficking of controlled substances located within Tulare County. This grant program is administered by the Office of National Drug Control Policy (ONDCP). Requests for reimbursements shall be in accordance with ONDCP rules and regulations.

A central feature of the HIDTA program is the discretion granted to the Executive Boards to design and implement initiatives that confront drug trafficking threats in each HIDTA. Fresno County Sheriff's Office (FCSO) is the Fiduciary Facilitator for the Central Valley HIDTA grant. This Memorandum of Understanding (MOU) is between the Tulare County Sheriff's Office (TCSO) and the FCSO, to facilitate the transfer of funds for the HIDTA program.

HIDTA grants allow a two-year spending period, however FCSO receives a new grant every year and grant spending periods always overlap each other. Task Force activities will first be reimbursed with remaining 2017 funds through the Fresno County Sheriff's Office. Once 2017 funds are expended, the Fresno County Sheriff's Office will continue to act as fiduciary for 2018 HIDTA funds.

On February 27, 2018, your Board approved the prior HIDTA MOU, Agreement No. 28488, for the 2017 award year. Award documents for the 2018 award year were delayed and received five months after the effective date. Approval of this MOU will allow TCSO to continue to partner with the other members of law enforcement involved in HIDTA and will allow TCSO to receive funds for the new 2018 grant period.

This MOU has been approved as to form by County Counsel. The MOU includes the following substantive deviations from the standard County boilerplate: 1) FCSO may terminate for cause or due to loss of funds with 30 days' advance written notice; 2) Either party may terminate without cause with 30 days' advance written notice; 3) MOU includes a mutual indemnification clause; 4) County must allow FCSO, as well as the federal agency awarding the underlying grant for the HIDTA program, access to records relating to this MOU for as long as the records are retained, and 5) the County signs first.

**FISCAL IMPACT/FINANCING:**

HIDTA will provide funding for expenditures and overtime for TCSO staff participating in the HIDTA Task Force related to drug trafficking threats, investigations and suppression.

The total amount of HIDTA funds available for use during the period of January 1, 2018 to December 31, 2019 is \$287,055. This budget allocation is available on a

**SUBJECT:** Approve a Memorandum of Understanding with Fresno County Sheriff's Office.

**DATE:** July 17, 2018 – **REVISED**

first come first serve basis for use by multiple agencies until the funds are fully expended. Of the funds available, the following are projected amounts by Fiscal Year (FY) for the Sheriff's Office:


- \$6,000 is projected for FY 17/18 (January 2018 to June 2018);
- \$18,500 is projected for FY 18/19 (July 2018 to June 2019); and
- \$18,700 is projected for FY 19/20 (July 2019 to December 2019).

The projected amounts fall within the Federal overtime limit of \$18,343 per deputy, which is based per calendar year and not by fiscal year. Funds are included in the Sheriff's Office FY 17/18 budget and, if not fully expended during the fiscal year, the remaining amount will be rolled over to the FY 18/19 and FY 19/20 budgets. There is no net County cost.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

The County's strategic plan includes the Safety and Security Initiative to effectively and fairly investigate, arrest, prosecute and punish individuals who engage in criminal behaviors. The MOU will support this initiative through grants for investigation and prosecution of cases that will contribute to TCSO's ability to locate and prevent drug-trafficking incidents.

**ADMINISTRATIVE SIGN-OFF:**

  
Mike Boudreaux  
Sheriff-Coroner

cc: County Administrative Office

Attachment: MOU with Fresno County Sheriff's Office