



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

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One
PETE VANDER POEL
District Two
PHILLIP A. COX
District Three
J. STEVEN WORTHLEY
District Four
MIKE ENNIS
District Five

AGENDA DATE: June 21, 2011 REVISED

Public Hearing Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Resolution, Ordinance or Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>						
CONTACT PERSON: Terrie Saenz, ASO III PHONE: 636-4635						

SUBJECT: Approve an Agreement with United States Department of Justice, Drug Enforcement Administration (DEA)

REQUEST(S):

That the Board of Supervisors:

1. Approve an Agreement with United States Department of Justice, Drug Enforcement Administration (DEA), retroactive to January 1, 2011, and extending through December 31, 2011, in the amount of \$200,000. The revised agreement was just received; therefore, it must be handled retroactively.
2. Find that the Board had authority to enter into the proposed Agreement as of January 1, 2011, and that it was in the County's best interest to enter into the Agreement on that date.
3. Authorize the Chairman of the Board to sign four copies of the Agreement.

SUMMARY:

On May 3, 2011, your Board approved an agreement with the United States Department of Justice, Drug Enforcement Administration (DEA), which provides \$200,000 in funding for the Tulare County Sheriff's Department to provide staffing for the eradication of illicit marijuana. The DEA has since revised the agreement

SUBJECT: Approve an Agreement with United States Department of Justice, Drug Enforcement Administration (DEA)

DATE: June 21, 2011

that was signed on May 3, 2011. The revisions in the agreement are: 1) changing the words "Tulare County" to "Agency", 2) changing the funding code in the accounting classification/obligation under the heading "DEA Divisional Fiscal Clerk Must Input Into UFMS", and 3) adding the following two sentences "These federal funds shall only be used for the eradication of illicit cannabis as provided in this agreement" and "These federal funds shall not be used to fund any state, county or local program that authorizes cultivating marijuana in support of that program".

The Department would like to note that this agreement deviates from the County's contract protocol in that parties may only terminate this agreement for cause upon thirty (30) days prior written notice to the other party.

FISCAL IMPACT/FINANCING:

DEA funding for cannabis eradication and suppression funds for the 2011 calendar is \$200,000. Funds are included in the Sheriff Department's 2010/2011 budget and will be rolled over to the 2011/2012 budget as well. There is no net County cost.

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. The Agreement will help fulfill this initiative by locating and eradicating illicit cannabis plants and in the investigation and prosecution of cases.

ALTERNATIVES:

The Board could choose not to approve this Agreement, but that is not recommended because without the efforts of the DEA funding, marijuana cultivation would continue to increase causing public and environmental safety hazards.

INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

County Counsel has reviewed and approved the agreement as to form.

SUBJECT: Approve an Agreement with United States Department of Justice, Drug Enforcement Administration (DEA)

DATE: June 21, 2011

ADMINISTRATIVE SIGN-OFF:

Paula Cleet 6-14-11
Bill Wittman
Sheriff-Coroner *Under Sheriff*

Cc: Auditor/Controller
County Counsel
County Administrative Office (2)

Attachment - Agreement with United States Department of Justice, Drug Enforcement Administration (DEA).

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

IN THE MATTER OF Approve)
An Agreement with United)
States Department of Justice)
Drug Enforcement)
Administration (DEA))

RESOLUTION NO. _____
AGREEMENT NO. _____

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JEAN M. ROUSSEAU
INTERIM COUNTY ADMINISTRATIVE
OFFICER
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

1. Approved an Agreement with United States Department of Justice, Drug Enforcement Administration (DEA), retroactive to January 1, 2011, and extending through December 31, 2011, in the amount of \$200,000. The revised agreement was just received; therefore, it must be handled retroactively.
2. Found that the Board had authority to enter into the proposed Agreement as of January 1, 2011, and that it was in the County's best interest to enter into the Agreement on that date.
3. Authorized the Chairman of the Board to sign four copies of the Agreement.