

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Stanley L. Sniff Jr., Sheriff-Coroner-PA

SUBMITTAL DATE:
03/24/10

SUBJECT: Approval of the FY 2009-10 Financial and Operating Plan with the U.S. Department of Agriculture, Forest Service and Modification to the Plan

RECOMMENDED MOTION: Move that the Board of Supervisors:

1. Approve the FY 2009-10 Financial and Operating Plan, Exhibit B for Controlled Substance Operations, pursuant to the Cooperative Law Enforcement Agreement with the U.S. Department of Agriculture, Forest Service and authorize the Chairperson and Sheriff to sign all copies of the document.
2. Approve Modification No. 009 amending the Plan, and authorize the Chairperson and Sheriff to sign all copies of the document.
3. Approve and direct the Auditor-Controller to make the budget adjustments on the attached Schedule A.

BACKGROUND: On April 11, 2006 (3.21), the Forest Service and the Sheriff's Department renewed their Cooperative Agreement with a term extending until September 30, 2010. The Agreement provides for law enforcement patrols in the Cleveland and San Bernardino National Forest. Each year, the Sheriff and the Forest Service execute Financial and Operating Plans pursuant to this Agreement.

(Continued on Page 2) BR 10-084

Will Taylor

Stanley L. Sniff Jr., Sheriff-Coroner-PA
Will Taylor, Director of Administration

FINANCIAL DATA	Current F.Y. Total Cost:	\$18,000	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$0	Budget Adjustment:	Yes
	Annual Net County Cost:	\$0	For Fiscal Year:	FY 2009-10

SOURCE OF FUNDS: Federal funds	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input checked="" type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY: *Robert Tremaine*

Robert Tremaine

County Executive Office Signature

FISCAL PROCEDURES APPROVED
 ROBERT E. BYRD, AUDITOR-CONTROLLER
 BY: *Samuel Wong* 3/25/10
 SAMUEL WONG
 Departmental Conference
 FORM APPROVED COUNTY COUNSEL
 BY: *Neal R. Kipnis* 3/24/10
 NEAL R. KIPNIS DATE
 Dept's Recomm.: Consent Policy
 Per Exec. Ofc.: Consent Policy

The FY 2009-10 Financial and Operating Plan, Exhibit B for Controlled Substance Operations, reimburses the Sheriff's Department up to \$4,000 for detection and investigation of persons manufacturing, cultivating or trafficking controlled substances on National Forest System lands.

Modification No. 009 adds \$36,206.68 to the \$4,000 for a total reimbursement to the Sheriff's Department of \$40,206.68 in Federal FY 2010. The Sheriff's Department estimates that it will be able to claim \$18,000 for reimbursable work hours before June 30th.

All patrols provided pursuant to this Plan and Modification are conducted on Overtime. All costs for the service are recovered at Board-approved rates. The term of this Plan is from October 1, 2009 to September 30, 2010. County Counsel has approved the Financial and Operating Plan and Modification as to form.

Schedule A

Increase Appropriations:

10000-2500300000-510420	Overtime	\$16,072
10000-2500300000-518080	Other Budgeted Benefits	<u>1,928</u>
	Total	\$18,000

Increase Estimated Revenues:

10000-2500300000-767120	Federal-Destruction-Marijuana	\$18,000
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EXHIBIT B
FY-2010, FINANCIAL AND OPERATING PLAN for Controlled Substance Operations
USFS, San Bernardino/Cleveland National Forest – Sheriff, Riverside County

FY-2010 Total Allocation: \$4,000.00

Riverside County Fed Tax ID: 95-6000930A

This Annual Operating and Financial Plan is made and entered into as of the last date signed below and is for the period beginning October 01, 2009 and ending September 30, 2010.

Pursuant to IV. I of the Cooperative Law Enforcement Agreement between Riverside County Sheriff's Department (Cooperator) and the U.S. Department of Agriculture, Forest Service (Forest Service), Agreement No. 06-LE-11051360-029, the following is in support of operations to suppress manufacturing and trafficking of controlled substances on or affecting the administration of National Forest System lands, with an emphasis on identification, apprehension and prosecution of suspects engaged in these activities:

A. *The Forest Service* agrees:

1. To reimburse the Cooperator for expenditures associated with the detection of locations and activities related to illegal production and trafficking of controlled substances, including:
 - a. Ground reconnaissance to identify and inventory locations and activities associated with producing or trafficking controlled substances.
 - b. Aerial reconnaissance to identify and inventory locations and activities associated with producing or trafficking controlled substances. Reconnaissance shall be performed using a Forest Service approved aircraft with a minimum of one Forest Service observer on board, unless waived by the Forest Service.
2. To reimburse the Cooperator for certain expenses resulting from investigative activities associated with investigating cases involving the illegal production or trafficking of controlled substances on or affecting the administration of National Forest system lands, including:
 - a. Surveillance operations to identify persons illegally producing or trafficking controlled substances.
 - b. Apprehension of persons suspected of producing or trafficking controlled substances.
 - c. Collection of evidence to support prosecution of persons suspected of illegally producing or trafficking controlled substances.
 - d. Prosecution of persons suspected of producing or trafficking controlled substances.

FS Agreement No.	06-LE-11051360-029
Amendment No.	009
Cooperator Tax ID No.	95-6000930 A
Cooperator DUNS No.	602410888
Cooperator Agreement No.	

3. To reimburse the Cooperator for expenses resulting from the removal of cannabis plants from National Forest System lands. When circumstances indicate that removal of the cannabis plants is required before an investigation to determine the person(s) responsible can be completed, eradication operations must be approved by the Forest Service prior to taking place.

Note: The Cooperator retains the authority to eradicate cannabis plants from National Forest System lands without reimbursement from the Forest Service at its discretion.

4. To reimburse the Cooperator for the costs of purchasing supplies and equipment used exclusively for activities described in items A.1, A.2 and A.3 of this Plan. Purchases must be agreed to and approved by the Forest Service. Purchases may not exceed 10% of the total allocation without prior approval by the Forest Service Designated Representative.

B. The Cooperator agrees:

1. Within its capability, to perform the following activities on National Forest System lands:
 - a. Detect and inventory locations associated with illegal production or trafficking of controlled substances, and notify the Forest Service of such locations as soon as possible.
 - b. Investigations to determine the person(s) responsible for manufacturing or trafficking controlled substances.
 - c. Upon request and prior approval of the Forest Service, remove cannabis plants from National Forest System lands.
2. To furnish all activity reports, crime reports, investigation reports, and other reports or records, resulting from activities identified in Section A of this Operating and Financial Plan to the effected Forests for review and forwarding to the Regional Office for processing.
3. To furnish monthly itemized statements of expenses to the Forest Service for expenditures that may be reimbursed as identified in items A.1, A.2, A.3, and A.4 of this Plan.
 - a. Mail copies of itemized billing statements to:

Gerri Bordash, LEA
Pacific Southwest Regional Office
LEI, R-5
1323 Club Drive
Vallejo, CA 94592

Send photo copy to:
Greg Meese, Special Agent
Cleveland National Forest
10845 Rancho Bernardo Road, # 200
San Diego, CA 92127-2107

FS Agreement No.	06-LE-11051360-029
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b. Send hard copy invoices to:

US Forest Service
 Albuquerque Service Center
 Payments – Grants & Agreements
 1001 B Sun Ave NE
 Albuquerque, NM 87109

Or fax to:
 (877) 687-4894

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

c. Final billings for reimbursement must be received by the Forest Service before January 31, 2011 in order to received payment.

d. **Annually update the CCR registration of the County Sheriff's DUNS# on the Central Contractors Registration (CCR) website at www.ccr.gov for the verification of the EFT (Electronic Funds Transfer) banking information.**

C. The *Forest Service* and the *Cooperator* mutually agree to the following:

1. The following rate schedule will apply to all expenditures that may be reimbursed to the cooperator under this agreement;

Salary (base)	87.93 ^{R50}
Salary (overtime)	\$78.76 per hour,
Per diem costs	\$ base + 1/2 per hour
Travel (mileage and fares)	\$34/M&IE + 55/lodging.
Helicopter flight time	71 per mile ^{.88 R50}
Supplies or equipment	Actual documented costs,
	Actual documented costs

2. The total expenditures of the Cooperator that may be reimbursed may not exceed \$4,000. The total expenditures for item A.4 may not exceed 10% of the total allocation.

FS Agreement No. 06-LE-11051360-029
Amendment No. 009
Cooperator Tax ID No. 95-6000930 A
Cooperator DUNS No. 602410888
Cooperator Agreement No. _____

3. The following persons are designated as representatives of each party;

Cooperator:

Stanley Sniff
Sheriff, Riverside County
Voice: 909-955-2400

Forest Service

Greg Meese, Special Agent
Cleveland National Forest
10845 Rancho Bernardo Road, Suite 200
San Diego, CA 92127-2107

Voice: 858-674-2986
Fax: 858-673-6193
E-Mail: gmeese@fs.fed.us

Alternate Representatives:

Narcotics Unit Representative
Riverside County
Voice: 760-323-8148

Acting Assistant Special Agent in Charge
Pacific Southwest Regional Office, R5
Law Enforcement and Investigations
1323 Club drive
Vallejo, CA 94592

Voice: 707-562-8649
Fax: 707-562-9031

Administrative Contact:

Gerri Bordash
Voice: 707-562-8666
E-Mail: gbordash@fs.fed.us

Prior Year Funding Availability:

Prior Year, Confirmed, Unexpended Controlled Substance Operational funds are available for expenditure for the remainder of the Master Agreement under the same operating procedures of the current year Financial and Operating Plan, section A, items 1-4. In Addition, Confirmed, Unexpended, Prior Year Controlled Substance Operational funds may be De-obligated at the discretion of the US Forest Service by mutual consent with the cooperator as stated in the Master Agreement under the terms of the Modifications paragraph.

FS Agreement No. 06-LE-11051360-029
Amendment No. 009
Cooperator Tax ID No. 95-6000930 A
Cooperator DUNS No. 602410888
Cooperator Agreement No. _____

IN WITNESS WHEREOF, the parties hereto have executed this Annual Operating and Financial Plan as of the last date written below.

Chairman, Board of Supervisors Date
Riverside County

STANLEY SNIFF, Sheriff Date
Riverside County

BRYAN ROEMELING Date
Acting Special Agent in Charge
USDA Forest Service, Region 5

The authority and format of this instrument has been reviewed and approved for signature.

Kellie Hamilton 9/24/09

KELLIE HAMILTON DATE
Grants & Agreements Specialist
R5, RO AQM Operations

Job Code: NFLE05 1360 \$4,000 DRUG

FORM APPROVED COUNTY COUNSEL
BY: *Neal R. Kipnis* 9/24/10

NEAL R. KIPNIS DATE

FS Agreement No. 06-LE-11051360-029
 Amendment No. 009
 Cooperator Tax ID No. 95-6000930 A
 Cooperator DUNS No. 602410888
 Cooperator Agreement No. _____

**Law Enforcement Billing Summary
 Drug Enforcement**

County Federal Tax ID: 95-6000930 A	Agreement #: 06-LE-11051360-029
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USDA Forest Service, NF: San Bernardino/ Cleveland	County: Riverside
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Law Enforcement Billing Summary	Month: _____	Year: _____
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Check appropriate block: _____ Coop Patrol Controlled Substance Ops

A. Total Patrol/Labor Hours:	
B. Rate per Hour:	\$ _____
C. Total Salary Reimbursement: (subtotal 1)	\$ _____
D. Other Allowable Reimbursements: (mileage, dispatch, court, clerical, equipment, etc.)	
1. _____	\$ _____
2. _____	\$ _____
3. _____	\$ _____
4. _____	\$ _____
E. Total of D1 - D4 (subtotal 2)	\$ _____
F. Total Expenditures:	\$ _____
G. Total Invoice Reimbursement per Op Plan:	\$ _____

Certification Statement

County Sheriff		USFS – Special Agent	
I certify this billing/invoice is accurate and complete.		I certify services have been received as stated.	
Sheriff	Date	US Forest Service	Date

06-LE-11051360-029
Modification No. 009

to
COOPERATIVE LAW ENFORCEMENT AGREEMENT
Between the
RIVERSIDE COUNTY SHERIFF'S OFFICE
And the
U.S. FOREST SERVICE
SAN BERNARDINO and CLEVELAND NATIONAL FORESTS

The purpose of this Administrative Modification is to:

1) Make available and utilize the confirmed, unexpended, accumulated prior year funds in the amount of \$10,206.68 for the Controlled Substance Annual Operating and Financial Plans for the length of this Cooperative Law Enforcement Agreement. Any prior year funding not spent in the FY that it was obligated in, and any subsequent additional Controlled Substance activities this allows will be addressed in the new FY Annual Operating and Financial Plan for the current year, see "Exhibit B", which will be mutually agreed upon.

2) Add new Funding in the Amount of \$26,000.00

All changes cited herein are administrative in nature and in accordance with US Forest Service's policy.

Except as cited herein, all other forms and conditions of this Cooperative Agreement between *Riverside* County Sheriff's Office and U.S. Forest Service, remain the same.

Total Available Funding for FY-10: \$40,206.68

Administrative Accounting Info follows:

FY-10 New Funding:

Job Code: NFLE0510 1360
Amount: \$26,000.00

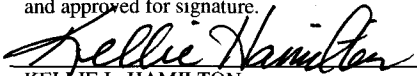
FY-10 Original Funding:

Job Code: NFLE0510 1360
Amount: \$4,000.00

FY-09 Prior Year Funds:

Job Code: NLE0509 1360
Amounts: \$10,206.68

The authority and format of this instrument has been reviewed and approved for signature.

 3/2/10
KELLIE L. HAMILTON DATE
R5, R. O. G&A Specialist

Signature: MARY V. KING
Region 5, U.S. Forest Service, Acting Special Agent-in-Charge

Date

Signature: STANLEY SNIFF
Sheriff, *Riverside* County

Date

Chairman, Board of Supervisors
Riverside County

Date

1 of 1

FORM APPROVED COUNTY COUNSEL
BY:  3/2/10
NEAL R. KIPNIS DATE