



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: March 14, 2017

DATE: Tuesday, February 14, 2017

TO: Board of County Commissioners

FROM: Pat Lee, Investigations/SOD Division Captain
(775) 321-4912, plee@washoecounty.us

THROUGH: Chuck Allen, Sheriff

Susan Schilling

SUBJECT: Approve funding [\$13,000.00, no match required] from the USDA Forest Service Humboldt-Toiyabe National Forest for reimbursement of overtime costs incurred while involved in the Cooperative Law Enforcement Agreement #16-LE-11041701-008 for the retroactive period of 10/01/2016 – 09/30/2017; and if approved, authorize Comptroller's Office to make the necessary budget amendments. (All Commission Districts).

SUMMARY

These funds from the USDA Forest Service Humboldt-Toiyabe National Forest will be used to reimburse Washoe County Sheriff's Office for overtime costs incurred while involved in the Cooperative Law Enforcement Agreement #16-LE-11041701-008.

Washoe County Strategic Objective supported by this item: Safe, Secure and healthy communities.

PREVIOUS ACTION

The Board previously approved this item on 7/12/16.

BACKGROUND

The Washoe County Sheriff's Office is a cooperator with the USDA, Forest Service, Humboldt-Toiyabe National Forest. Funds are allocated to cover overtime costs incurred while involved in the Cooperative Law Enforcement Agreement #16-LE-11041701-008. During peak season of Memorial Day to Labor Day, Washoe County Sheriff's deputies patrol forest service campgrounds periodically. Time associated with these patrols will be reimbursed. Reason for retroactive approval: item was submitted to first available BCC meeting once all applicable paperwork was received and processed.

AGENDA ITEM # 5.C

GRANT AWARD SUMMARY**Project/Program Name:** *Cooperative Law Enforcement Agreement***Scope of the Project:** *Patrol on US Forest roads and campgrounds as well as assist with special enforcement situations.***Benefit to Washoe County Residents:** *Increase protection and surveillance of National Forest Areas within and surrounding Washoe County.***On-Going Program Support:** *N/A***Award Amount:** *\$13,000.00***Grant Period:** *10/01/16 – 9/30/17***Funding Source:** *USDA Forest Service Humboldt-Toiyabe National Forest***Pass Through Entity:** *None***CFDA Number:** *10.000***Grant ID Number:** *16-LE-11041701-008***Match Amount and Type:** *No match.***Sub-Awards and Contracts:** *No sub awards/contracts.***FISCAL IMPACT**

Should the board accept this reimbursement contract and approve these amendments, the FY17 adopted budget will be increased by \$13,000.00 in both revenues and expenditures in the following accounts:

Increase RevenuesTBD-485100 [Sheriff OT US Forest Services -Reimbursements] \$13,000.00**Increase Expenditures**TBD-701300 [Overtime] \$13,000.00

This grant is on a reimbursement basis.

- *No match required*
- *Grant funds will be drawn as reimbursement*
 - *Source of the upfront cash is General Fund.*
- *No indirect costs were included in the grant budget*

RECOMMENDATION

It is recommended that the Board of County Commissioners approve funding [\$13,000.00, no match required] from the USDA Forest Service Humboldt-Toiyabe National Forest for reimbursement of overtime costs incurred while involved in the Cooperative Law Enforcement Agreement #16-LE-11041701-008 for the retroactive period of 10/01/2016 – 09/30/2017; and if approved, authorize Comptroller's Office to make the necessary budget amendments.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be: Move to approve funding [\$13,000.00, no match required] from the USDA Forest Service Humboldt-Toiyabe National Forest for reimbursement of overtime costs incurred while involved in the Cooperative Law Enforcement Agreement #16-LE-11041701-008 for the retroactive period of 10/01/2016 – 09/30/2017; and if approved, authorize Comptroller's Office to make the necessary budget amendments.



FS Agreement No. 16-LE-11041701-008
Modification 002

EXHIBIT A

**COOPERATIVE LAW ENFORCEMENT ANNUAL OPERATING PLAN &
FINANCIAL PLAN**

**Between The
WASHOE COUNTY SHERIFF'S DEPARTMENT
And the
USDA, FOREST SERVICE
Humboldt-Toiyabe National Forest**

FY17 ANNUAL OPERATING AND FINANCIAL PLAN

This Annual Financial and Operating Plan (Annual Operating Plan), is hereby made and entered into by and between the Washoe County Sheriff's Department, hereinafter referred to as "Cooperator," and the USDA, Forest Service, Humboldt-Toiyabe National Forest, hereinafter referred to as the "U.S. Forest Service," under the provisions of Cooperative Law Enforcement Agreement #16-LE-11041701-008 executed on 01/29/2016. This Annual Operating Plan is made and agreed to as of the last date signed below and is for the period beginning October 1, 2016 and ending September 30, 2017.

Previous Year Carry-over: \$306.03
Current Fiscal Year Obligation: \$12,693.97
FY2017 Total Annual Operating Plan: \$13,000.00

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
Chuck Allen, Sheriff Washoe County Sheriff's Department 911 Parr Blvd. Reno, NV 89512 Telephone: (775) 328-3010 FAX: (775) 325-6461 Email: callen@washoecounty.us	Jeff Masten, Deputy Washoe County Sheriff's Department 911 Parr Blvd. Reno, NV 89512 Telephone: (775) 328-3010 FAX: (775) 325-6461 Email: jmasten@washoecounty.us



Principal U.S. Forest Service Contacts:

U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact
Donald Harris, Law Enforcement Patrol Captain Humboldt-Toiyabe National Forest 1200 Franklin Way Sparks, NV 89431 Telephone: (775) 355-5327 FAX: (775) 355-5399 Email: deharris@fs.fed.us	Jon Knudson, Law Enforcement Officer Humboldt-Toiyabe National Forest 1536 S Carson St Carson City, NV 89701 Telephone: (775) 884-8113 FAX: (775) 884-8199 Email: jknudson@fs.fed.us
U.S. Forest Service Administrative Contact	
Byron Keely, Grants Management Specialist Southwest ID & NV Acquisition Center 1249 S Vinnell Way, Suite 200 Boise, ID 83709 Telephone: (208) 373-4266 FAX: (208) 373-4294 Email: byrondkeely@fs.fed.us	

- B. Reimbursement for all types of enforcement activities shall be at the following rates unless specifically stated otherwise:
- Vehicle cost at \$10.00/hour patrolled
 - Wages at the prevailing rate of \$68.00/hour
 - Overtime wages for an individual officer at the prevailing rate of \$82.00/hour

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:
 - a. Forest System roads in the Caughlin Ranch area accessing Hunter Lake, Alum Creek, and Dutch Louie Flat.
 - b. Bull Ranch Road.
 2. Patrol in the following campgrounds, developed sites, or dispersed areas:
 - a. Galena Creek area: North of Washoe County Park on the west side of SR 431 and north of the Joy Lake Road Area on the east side of SR 431.
 - b. Peavine Mountain; including Keystone Canyon Area, areas accessed for Poeville, Hoge Roads, Horizon Hills, the Seventh Street Pit, Mogul Road, Kings Row and the area southwest of Border Town.



- c. Peavine Mountain with emphasis on Kings Row and West Keystone Trail Heads. Raleigh Heights and Red Metal areas, Thomas Creek Canyon dispersed campsites along the canyon road and the two former campsites (day use only as of July 2003) on the north side of Thomas Creek, east of Timberline Road. Whites Creek Canyon Road and trailhead newly constructed day use only area, especially in the late evening hours after the gate is closed to ensure no one has breached the tire shredder.
- d. The Hunter Creek Trailhead, accessed of Woodchuck Circle.

Total reimbursement for this category shall not exceed the amount of: \$13,000.00. Unused dispatch funds may be used for patrol activities, in which case the maximum reimbursement may not exceed the amount of: \$0.00.

III. TRAINING:

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

Total reimbursement for this category shall not exceed the amount of: \$0.00

IV. EQUIPMENT:

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

Total reimbursement for this category shall not exceed the amount of: \$0.00

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 the resource order. 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.

The below information provides the specific information on the procedures and requirements for requesting Fire Reimbursements from the U.S. Forest Service. Any questions or clarifications necessary concerning incident/fire emergencies should be directed to the contacts listed below:

During fire emergencies, the Forest Service will reimburse the Cooperator for actual costs incurred for providing assistance requested by either the Agency Administrator or Incident Commander.

Reimbursement for personnel wages and services are based upon the information in the resource order and must identify the number of road blocks, number of personnel required, hours and time frame required and must be ordered by the Incident Commander or Agency Administrator. A copy of the resource order generated for the request for assistance will be provided by FS dispatch to the County. It is critically important that the IMT, Agency Administrator, and the Sheriff /County Official agree to what emergency services are needed and listed in the Resource Order and Incident Action Plans for each day until this resource is no longer required.

Upon request of the Agency Administrator or Incident Commander, a County designated Liaison(s) to the fire incident(s) may be established. The liaison will be requested via an incident resource order. The Liaison(s) primary duties, on behalf of the County Sheriff, will be to attend public meetings, planning and IC meetings. Eligible costs for reimbursement will include personnel time and mileage when fulfilling the liaison duties.

If meals and lodging are required for county officials, authorization must be documented using the standard fire meals and lodging authorization forms provided by the host fire unit.

Administrative support (e.g. posting incident time, delivering meals, bill preparation, etc.) will be reimbursed on an actual cost basis. The Cooperator will prepare and submit an itemized accounting of actual cost as part of the reimbursement request.

What is not eligible for reimbursement?

1. Law enforcement duties that are within the normal jurisdictional responsibilities such as enforcement, patrols, evacuation.
2. Automotive repairs, tires, and services are covered in the mileage rate.

**Billing Protocol:**

Documentation required to be submitted by the Cooperator to the FS for payment processing:

- Resource Order. Resource order will state what kind of assistance is ordered, how many people requested, and the time period for the services as ordered by the IC or Agency Administrator.
- Copy of Law Enforcement Agreement and annual Operating and Financial Plan.
- DUNS number.
- Tax ID number.
- Breakout of actual costs:
 - Salary – Daily Crew Time Reports, Payroll summary by hours per day or timesheets of personnel.
 - Supplies – Copies of receipts with date and description of items purchased and FS authorization (S# or FS Signature) for purchase.
 - Mileage – Summary by day by vehicle and personnel using the vehicle

For questions concerning incident/fire emergencies, please contact:

Russell Bird, Forest Fire Management Officer
Humboldt-Toiyabe National Forest
1200 Franklin Way
Sparks, NV 89431
Telephone: 775-355-5315
Email: russellbird@fs.fed.us

Bills will be submitted to:

Irene Burkholder, Incident Business Specialist
Humboldt-Toiyabe National Forest
1200 Franklin Way
Sparks, NV 89431
Telephone: 775-355-5364
Email: imburkholder@fs.fed.us

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.

- A. The Cooperator shall bill the U.S. Forest Service on a quarterly basis.
- 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	\$13,000.00	
Training	0.00	
Equipment	0.00	
Special Enforcement Situations	0.00	
Total	\$13,000.00	

- C. Any remaining funding in this Annual Operating Plan may be carried forward to the next 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.

In witness whereof, the parties hereto have executed this Annual Operating Plan [16-LE-11041701-008 AOP mod002] as of the last date written below.

CHUCK ALLEN, Sheriff
Washoe County Sheriff's Department

2/13/17
Date

WILLIAM A. DUNKELBERGER, Forest Supervisor
U.S. Forest Service, Humboldt-Toiyabe National Forest

Date

SCOTT HARRIS, Special Agent in Charge
U.S. Forest Service, Region 4

Date



The authority and format of this agreement [16-LE-11041701-008 AOP mod002] , have been reviewed and approved for signature.


BYRON KEELY
U.S. Forest Service Grants Management Specialist

2/9/2017
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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