

NAVAJO COUNTY AGENDA ITEM REQUEST FORM

Meeting Date: 1-13	Time Needed: CONSENT
Requesting Department: Sheriff's Office	Presenter(s) Name: N/A
Motion before the Board: Consideration and approval of Cooperative Law Enforcement Agreement with USDA Forest Service contract #12-LE-11030121-02 Operating and Financial Plan for \$7,920 for law enforcement cooperative efforts for FY15	
Recommendation: (who, what, where, when, how, etc.) Approval of Cooperative Law Enforcement Agreement with USDA Forest Service contract #12-LE-11030121-02 Operating and Financial Plan for \$7,920 for law enforcement cooperative efforts for FY15	
<p>Background: (why should it be done, what will happen if not approved, etc. include resolution)</p> <p>The Sheriff's Office has partnered with the USDA Forest Service, Apache Sitgreaves National Forests for cooperative law enforcement efforts on national forest lands for many years. The law enforcement agreement is effective for a five year period (October 1, 2011 thru September 30, 2016). The associated Operating and Financial Plan is valid for the estimated period of January 1, 2015 thru December 31, 2015 for a total award of \$7,920.</p> <p>The 2013 Operating and Financial Plan will authorize payment of \$1,226.96 for services rendered (patrol activities) and \$6,693.04 for equipment (3 radar devices). Reimbursement is made upon receipt of the invoice and back up documentation.</p>	
<p>Fiscal Impact: (what will it cost, where funds will come from, is it budgeted, etc.) No cost to county. Revenue is placed into the general fund.</p>	
<p>Reviewed and approved by: County Manager _____ County Attorney _____ Human Resources _____ Finance _____ IT _____</p>	
<p>Board Action Taken: Approved <input type="checkbox"/> Denied <input type="checkbox"/> No Action <input type="checkbox"/> Continued <input type="checkbox"/> Continued to: Approved with changes as follows <input type="checkbox"/></p>	
<p>Clerk's Notes:</p> <p>Date: _____ Initial: _____</p>	

REMINDER: Email this coversheet and all backup documentation to **BOS.Clerk** by **4:00 p.m. the Thursday prior to the Managers' meeting. Please be present at the Agenda Meeting to ensure placement on the agenda.**



FS Agreement No. 12-LE-11030121-002
Cooperator Agreement No. _____

EXHIBIT A

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

**Between The
NAVAJO COUNTY SHERIFF'S OFFICE
And the
USDA, FOREST SERVICE
APACHE_SITGREAVES NATIONAL FORESTS**

2015 ANNUAL OPERATING AND FINANCIAL PLAN

This Annual Financial and Operating Plan (Annual Operating Plan), is hereby made and entered into by and between the Navajo County Sheriff's Office, hereinafter referred to as "the Cooperator," and the USDA, Forest Service, Apache-Sitgreaves National Forests, hereinafter referred to as the "U.S. Forest Service," under the provisions of Cooperative Law Enforcement Agreement #12-LE-11030121-002 executed on October 1, 2011. This Annual Operating Plan is made and agreed to as of the last date signed below and is for the estimated period beginning January 1, 2015 and ending December 31, 2015.

Previous Year Carry-over: \$ 0.00
Current Fiscal Year Obligation: \$7,920.00
FY2013 Total Annual Operating Plan: \$7,920.00

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.

Principle Cooperator Contacts:

Cooperator Program Contact	Cooperator Administrative Contact
Kelly (KC) Clark, Sheriff Navajo County Sheriff's Office PO B0x 668 Holbrook, AZ 86025 Phone: 928-524-4300 Email: kclark@co.navajo.az.us	Cheryl Powell, Division Cmdr. Navajo County Sheriff's Office PO Box 668 Holbrook, AZ 86025 Phone: 928-524-4300 Email: cheryl.powell@co.navajo.az.us



Principle U.S. Forest Service Contacts:

U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact
Aaron Dobson, Patrol Captain Apache-Sitgreaves National Forests PO Box 640 Springerville, AZ 85938 Phone: 928-333-6327 FAX: 928-333-5966 Email: adobson@fs.fed.us	Larisa Bogardus, Grants Mgt. Specialist Apache-Sitgreaves National Forests PO Box 640 Springerville, AZ 85938 Phone: 928-333-6342 Fax; 928-333-5966 Email: lbogardus@fs.fed.us

B. Reimbursement for all types of enforcement activities shall be at the following rates unless specifically stated otherwise:

- \$0.445/mile patrolled
- Per diem rate is N/A
- Actual wages not to exceed \$20.94/hour with fringe benefits to be paid by Navajo County.

II. PATROL ACTIVITIES:

A. Time schedules for patrols will be flexible to allow for emergencies, other priorities, and day-to-day needs of both the 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:

Patrol all areas of the **Black Mesa and Lakeside Range Districts** within NFS lands within Navajo County, with primary emphasis on the Black Mesa Ranger District and Heliport, Scott Reservoir, Black Canyon Lake, Gentry, Deer Springs, Juniper Ridge and Lake Mountain Lookout, Pinedale Work Center and Porter Mountain Electronic Site.

2. Patrol in the following campgrounds, developed sites, or dispersed areas:

Black Canyon Lake, Brookbank, Gentry, Lewis Canyon, Fool Hollow, Lakeside and the Brown Creek camp and picnic areas.

Patrol recreation areas and dispersed areas on weekends, with special emphasis on the Memorial Day, Independence Day and Labor Day holiday weekends. Patrol emphasis should be from 1300 to 2200 hours.

Total reimbursement for this category shall not exceed the amount of: \$1,226.96.

III. TRAINING:



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

Training is not provided for under this plan.

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.

Three (3) radar devices at \$2,054.34 each (total of \$6,163.02) and sales tax of \$530.04.

Total reimbursement for this category shall not exceed the amount of: \$6,693.04

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 the Sheriff 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 Section I-B. 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 and fire severity 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 U.S. 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.



All requests to provide additional law enforcement support on National Forest System lands during extreme fire conditions will become effective and reimbursable only when the Forest Service specifically requests assistance through the Forest Dispatch or Expanded Dispatch Office, a Resource Order Number is provided, and the County Dispatch Office is notified of the request. Initial attack responses without a Resource Order by the Forest Service are not reimbursable.

Upon request and concurrence by the Sheriff's Department,

The Sheriff's Department shall:

- a. Provide to the Forest Service, fully equipped Sheriff's Deputies who meet the standards of training as listed in the Cooperative Law Enforcement Agreement, Provisions II-B, including appropriate vehicles(s), in numbers requested by the Forest Service to provide law enforcement for fire severity or fire suppression situations. These duties are above and beyond the customary duties that are routinely provided by the Sheriff's Office and will be covered under Special Enforcement Situations. The Sheriff's Deputies will continue to work under the direction of the Sheriff's Department. The Sheriff's Deputies will coordinate their patrol activities with the U.S. Forest Service Patrol Captain, or their designee, while assigned to each specific fire severity or fire suppression patrol area, and coordinate their activities with the Incident Commander while assigned to each specific wildland fire severity or fire suppression situation. All Deputies assigned to a wildland fire severity or fire suppression situation are required to follow Check-in and Demobilization procedures.
- b. Assign Sheriff's Deputies requested by the Forest Service for fire severity or fire suppression situation patrols and law enforcement.
- c. Furnish itemized statements of expenditures to the Forest Service for the fire severity or fire suppression situation services requested by the Forest Service, at the address below:

Aaron Dobson, Patrol Captain
Apache-Sitgreaves National Forests
PO Box 640
Springerville, AZ 85938
Email: adobson@fs.fed.us

The Patrol Captain will review and approve the invoice, and forward the invoice and support documentation to Incident Finance for payment.

Billing requests will include the following information:



Cooperator Name, address, phone number and agency financial contact
Invoice or Bill number;
Resource Order number(s);
Appropriate incident number (State code or Forest Service P-code and
override);
Cooperative Law Enforcement Agreement number;
Dates of the incident covered by the billing; and
Location and jurisdictional unit of the incident.

Summary cost data for the amount being billed:

Use incident-generated cost reports generated by the Agency to support the billing whenever possible. Summary cost data may include, but not limited to, a list of personnel expenses including base, overtime and travel and a listing by vendor name and amount spent for supplies and services procured.

The Forest Service shall:

- a. Relay requests to the Sheriff's Department to provide fully equipped Sheriff's Deputies, including vehicles, through Forest Service Dispatch or Expanded Dispatch Office to the County Dispatch Office, including specific information on numbers of Deputies needed, tour, location, expected length of duty, authorization for overtime expenditures, and fire severity (S-code) or fire suppression (P-code) for billing. A resource order number must be issued by the Forest Service to support each request. The resource order number will be provided to the Sheriff's Office by the Forest Dispatcher.
 - b. Post each Deputy's time and vehicle mileage to a Fire Time Report (Optional Form 288) to provide documentation to support payment of each itemized statement of expenditures provided by the Sheriff's Department.
 - c. Reimburse the Sheriff's Department for requested fire severity or fire suppression special enforcement situation services that are provided and covered under this Section, at the prevailing rates as per Section I, Paragraph B above.
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. Quarterly billing for reimbursement to the Cooperator for items listed under Section II and III shall not exceed \$5,000.00.
- 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	\$1,226.96	47% %
Training	\$0.00	N/A
Equipment	\$6,693.04	53%
Special Enforcement Situations	\$0.00	N/A
Total	\$7,920.00	100%

- 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.*

In witness whereof, the parties hereto have executed this Annual Operating Plan as of the last date written below.

KELLY CLARK, Sheriff Date
Navajo County Sheriff's Office

JAMES E. ZORNES, Forest Supervisor Date
U.S. Forest Service, Apache-Sitgreaves National Forests

DAVID TENNEY, Chair Date
Navajo County Board of Supervisors



ROBIN L. POAGUE
Special Agent in Charge, Southwestern Region

Date

ATTEST:

CLERK Date

APPROVED AS TO FORM:

COUNTY ATTORNEY Date

The authority and format of this agreement have been reviewed and approved for signature.

LARISA BOGARDUS
U.S. Forest Service Grants Manager

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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To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.