

THE INFORMATION IN THIS BOX IS NOT A PART OF THE CONTRACT AND IS FOR COUNTY USE ONLY



Contract Number
20-248 A5

SAP Number
N/A

Sheriff/Coroner/Public Administrator

Department Contract Representative	Kelly Welty, Chief Deputy Director of Sheriff's Administration
Telephone Number	909-387-0640
Contractor	U.S. Department of Agriculture, Forest Service
Contractor Representative	Michael Duffy, Program Support Admin
Telephone Number	909-915-4471
Contract Term	10/01/2021 – 09/30/2022
Original Contract Amount	\$44,000.00
Amendment Amount	\$15,064.61
Total Contract Amount	\$59,064.61
Cost Center	4438001000

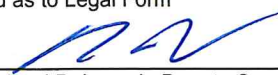
Briefly describe the general nature of the contract:

Amendment No. 5

Accept Amendment No. 5 to the Forest Service Agreement No. 20-LE-11051360-031 (Modification No. 5) with USFS to approve the 2022 Annual Operating and Financial Plan for the reimbursement by USFS for Sheriff's patrol activities provided on National Forest System lands in the amount of \$15,064.61, added to the prior year's carry-over of \$6,935.39, for a total of \$22,000.00 for the period of October 1, 2021 through September 30, 2022.

FOR COUNTY USE ONLY

Approved as to Legal Form

▶ 

Richard D. Luczak, Deputy County Counsel


Date 3/7/2022

Reviewed for Contract Compliance

▶ _____

Date _____

Reviewed/Approved by Department

▶ 

Kelly Welty, Chief Deputy Director of Sheriff's Administration

Date 3/7/22



FS Agreement No. 20-LE-11051360-031
Cooperator Agreement No. MOD 005

EXHIBIT A

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

**Between The
SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT
And the
USDA, FOREST SERVICE
SAN BERNARDINO NATIONAL FOREST**

2022 ANNUAL OPERATING AND FINANCIAL PLAN

This Annual Financial and Operating Plan (Annual Operating Plan), is hereby made and entered into by and between the San Bernardino County Sheriff's Department, hereinafter referred to as "Cooperator," and the USDA, Forest Service, San Bernardino National Forest, hereinafter referred to as the "USDA Forest Service," under the provisions of Cooperative Law Enforcement Agreement #20-LE-11051360-031 executed on May 20, 2020. This Annual Operating Plan is made and agreed to as of the last date signed below and is for the estimated period beginning October 1, 2021 and ending September 30, 2022.

Previous Year Carry-over: \$6,935.39
FY 2022 Year Obligation: \$15,064.61
FY 2022 Total Annual Operating Plan: \$22,000.00

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
Paul Jacome, Sgt. 34282 Yucaipa Blvd. Yucaipa, CA 92399 909-918-2305 Office pjacome@sbcasd.org	Nancy Perez, Staff Analyst 655 E. Third St. San Bernardino, CA 92415 909-387-0362 Office 909-387-3444 Fax nperez@sbcasd.org



Principal USDA Forest Service Contacts:

USDA Forest Service Program Manager Contact	USDA Forest Service Administrative Contact
<p>Sonny St. John, Patrol Captain 602 S. Tippecanoe Avenue San Bernardino, CA 92408 909-382-2698 Office 909-382-0705 Fax <u>sonny.stjohn@usda.gov</u></p>	<p>Michael Duffy, Program Support Admin 602 S. Tippecanoe Avenue San Bernardino, CA 92408 909-915-4471 Cell 909-382-0705 Fax <u>michael.duffy@usda.gov</u></p>

USDA Forest Service Program Coordinator Contact	USDA Forest Service Grants & Agreements Contact
<p>Don Hoang, Special Agent in Charge 1323 Club Drive Vallejo, CA 94592 707-562-8647 Office 707-562-9031 Fax <u>don.hoang@usda.gov</u></p>	<p>Darius Parks, Grants Management Specialist 1323 Club Drive Vallejo, CA 94592 <u>darius.parks@usda.gov</u></p>

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

Wages at the prevailing rate of:
 Reserve Deputy: \$33.97 per hour Base Rate
 Deputy: \$50.86 x 1.5 = \$76.29 per hour
 Detective: \$52.23 x 1.5 = \$78.35 per hour
 Sergeant: \$66.50 x 1.5 = \$99.75 per 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 USDA 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 USDA Forest Service roads:

The Patrol Captain will determine designated patrol activities and locations. The captain or his designee will request patrol services and personnel resources from the county as needed. Personnel assigned to these details shall be deputies, reserve deputies or sergeants regularly assigned to the patrol division.



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

Patrol Captain will determine designated patrol activities and locations. The Captain or his designee will request patrol services and personnel resources from the county as needed.

	Patrol	Total
Rancho Cucamonga	\$4,000.00	\$4,000.00
Fontana	\$5,800.00	\$5,800.00
Yucaipa	\$10,000.00	\$10,000.00
Equipment	\$2,200.00	\$2,200.00
TOTAL:	\$22,000.00	\$22,000.00

Total reimbursement for this category shall not exceed the amount of: 10%. Unused dispatch funds may be used for patrol activities, in which case the maximum reimbursement may not exceed the amount of: 10%.

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% of the total Agreement and shall be approved by the Forest Service (Designated Representative or Alternate Representative).

Total reimbursement for this category shall not exceed the amount of: 0%.

IV. EQUIPMENT:

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

(If purchase is determined necessary, document the need for such a determination and make the documentation part of the Cooperative Law Enforcement Agreements' official file)

Total reimbursement for this category shall not exceed the amount of: 10% of the total Agreement, or by authorization of the Forest Service (Designated Representative or Alternate Representative) if greater expenditures are necessary. All expenditures in this category shall be approved by the Forest Service (Designated Representative or Alternate Representative). The estimated useful life of the equipment under the law enforcement agreement provisions IV-J and IV-D (5) shall be provided at the time the documents are filed.

Total reimbursement for this category shall not exceed the amount of: 10%.

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 USDA Forest Service designated representative listed in Item I-A of this Annual Operating Plan. The designated representative will then notify the 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 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 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.
 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.

VI. BILLING FREQUENCY:

See Cooperative Law Enforcement Agreement Provisions II-H and III-B for additional information.

The Cooperator will furnish the Forest Service with itemized monthly statements for expenditures. The statement shall be in sufficient detail to allow the Forest Service to tie these expenditures back to reimbursable expenses and the rate schedule and shall be certified by the County of San Bernardino as being current and proper. These statements



must be accompanied by a Law Enforcement Activity Report, form FS-5300-5, filled out as required by Provision 11-G of the Cooperative Law Enforcement Agreement 20-LE-11051360-031.

A. Mail copies of itemized billing statements to:

Sonny St. John, Patrol Captain
USFS Law Enforcement
602 S. Tippecanoe Avenue
San Bernardino, CA 9 2408

Send hard copy invoices to:

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

Or fax to: 877-687-4984

Or e-mail scanned invoice to: sm.fs.asc_ga@usda.gov

Final billings for reimbursement must be received by the Forest Service before October 30, 2022 in order to receive payment. Please see agreement provision IV-V regarding use of funding in succeeding years.

Annually update the registration of the County Sheriff’s DUNS# on the System for Award Management (SAM) website at www.sam.gov for the verification of the EFT (Electronic Funds Transfer) banking information.

B. The following is a breakdown of the total estimated costs associated with this Annual Operating Plan.

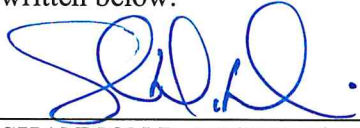
Category	Estimated Costs	Not to Exceed by %
Patrol Activities	\$19,800.00	10%
Training	N/A	N/A
Equipment	\$2,200.00	10%
Special Enforcement Situations	N/A	N/A
Total	\$22,000.00	10%

C. Any remaining funding in this Annual Operating Plan may be carried forward to the next FY2022 fiscal year and will be available to spend through the term of the Cooperative Law Enforcement Agreement, or de-obligated at the request of the USDA Forest Service. See Cooperative Law Enforcement Agreement Provision IV-C.



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 as of the last date written below.



SHANNON D. DICUS, Sheriff-Coroner
San Bernardino County
Date 3/11/22



Curt Hagman
Chair, Board of Supervisors
San Bernardino County
Date MAR 15 2022

DANELLE HARRISON
Digitally signed by DANELLE HARRISON
Date: 2022.01.25 15:23:32 -08'00'

DANELLE D. HARRISON, Acting Forest
Supervisor, USDA Forest Service, San Bernardino
National Forest
Date _____



DON HOANG
Special Agent in Charge, Pacific Southwest Region
Date _____

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

CONSTANCE ZIPPERER
Digitally signed by CONSTANCE ZIPPERER
Date: 2022.01.22 12:55:50 -08'00'

CONSTANCE ZIPPERER
Supervisory Grants Management Specialist
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.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

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.



FS Agreement No. 20-LE-11051360-031
Cooperator Agreement No. MOD 005

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USDA, Forest Service

OMB 0596-0217
FS-1500-3A