



RESOLUTION No. 17-094

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION AUTHORIZING EXECUTION OF A RENEWAL AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF BOATING AND WATERWAYS FOR REIMBURSEMENT OF BOATING SAFETY ENFORCEMENT COSTS FOR FISCAL YEAR 2017/2018

WHEREAS, the Nevada County Sheriff's Office received authorization from the Board of Supervisors, per Resolution 16-564, to submit an application to the California Department of Boating and Waterways for a grant to partially reimburse boating safety enforcements costs associated with Boat Patrol; and

WHEREAS, the Nevada County Sheriff's Office has received notice that said application was approved, contingent on approval by the Nevada County Board of Supervisors.

NOW THEREFORE, BE IT RESOLVED that the Chair of the Nevada County Board of Supervisors, on behalf of the County of Nevada, be and is hereby authorized to execute that certain renewal Agreement with the California Department of Boating and Waterways pertaining to reimbursement of boating safety enforcement costs in an amount not to exceed \$96,674.00, for the period July 1, 2017 to June 30, 2018.

Funds to be deposited into revenue account 0101 20201 152 1000 444770

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 28th day of February, 2017, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 


Hank Weston, Chair

2/28/2017 cc: Sheriff (2)
AC* (Hold)

5/15/2017 cc: Sheriff*
AC* (Release)



Boating Safety and Enforcement Financial Aid Program Agreement

This agreement entered into this *1ST day of July, 2017*, by and between the CALIFORNIA DEPARTMENT OF PARKS AND RECREATION, DIVISION OF BOATING AND WATERWAYS, hereinafter called "Department," and the *COUNTY OF NEVADA*, hereinafter called "Agency";

WITNESSETH

WHEREAS, Contingent on approval of the Fiscal Year 2017-2018 budget, the Department intends to agree with Agency for the purpose of performing boating safety and enforcement activities as described in Title 14, California Code of Regulations Section 6593.3; and

WHEREAS, Agency is equipped, staffed and prepared to provide such services on the terms and conditions set forth in this agreement and in accordance with Title 14, California Code of Regulations Section 6593 et seq.; and

WHEREAS, pursuant to Title 14, California Code of Regulations Section 6593.6, Department shall enter into an annual agreement with each participating agency;

NOW, THEREFORE, it is mutually agreed as follows:

I. Applicable Law

Agency shall observe and comply with all applicable federal, state, and county statutes, ordinances, regulations, directives, and laws, including, but not limited to, Harbors and Navigation Code Section 663.7 and Section 6593 et seq. of Title 14, California Code of Regulations. Agreement shall be deemed to be executed within the State of California and construed and governed by the laws of the State of California.

II. Description of Services

Agency shall conduct boating safety and enforcement activities in the jurisdiction of the Agency in consideration of the payments hereinafter set forth.

III. Payments

- A. Maximum Amount. The amount the Department shall be obligated to pay for services rendered under this agreement shall not exceed \$96,674.00 for the agreement term in full consideration of Agency's performance of the services described in this agreement.
- B. Rate of Payment. The Department shall reimburse Agency in accordance with the reimbursement procedures set forth in Title 14, California Code of Regulations Section 6593.9.

- C. Submission of Claims. Agency shall submit claims for reimbursement to the Department contact person identified in paragraph V of this contract on a ___ monthly **OR** quarterly basis. (Please check one)
- D. Failure to Submit Claims. Claims for reimbursement shall be submitted within 60 days following the last day of the reporting period. Pursuant to Title 14, California Code of Regulations 6593.9 (i), the Department may reduce an Agency's allocation by five percent if the Agency exceeds the sixty-day billing period and an additional five percent for every thirty-day period thereafter that the Agency is late in filing a claim.

IV. Records

Agency shall maintain records pursuant to Section 6593.10 of Title 14, California Code of Regulations.

V. Notice

Notice shall be in writing and shall be deemed to have been served when it is deposited in the United States mail, first class postage prepaid, and addressed as follows:

TO DEPARTMENT

Ms. Joanna Andrade
Department of Parks and Recreation
Division of Boating and Waterways
One Capitol Mall, Suite 500
Sacramento, CA 95814

TO AGENCY

Nevada County Sheriff
950 Maidu Avenue
Nevada City, CA 95959

Either party may change the address to which subsequent notice and/or other communication can be sent by giving written notice designating a change of address to the other party.

VI. Term

This agreement shall be for the term beginning **July 1, 2017**, and ending **June 30, 2018**.

VII. Prior Agreements

All prior agreements regarding this subject matter between Department and Agency are hereby terminated effective June 30 prior to the term beginning date of this agreement.

VIII. Amendment

No amendment or variation of the terms of this agreement shall be valid unless made in writing and signed by the parties hereto.

IX. Termination

Agency may terminate this agreement without cause in writing at any time. Department may terminate this agreement without cause upon a sixty (60) days written notice served upon the Agency.

X. Special Provisions

- A. Agency hereby certifies that the obligations created by this agreement do not violate the provisions of Sections 1090 to 1096 of the Government Code.
- B. This agreement shall have no force or effect until signed by the Department, Agency, and approved by the Department of General Services Legal Department, if required.
- C. Agency shall continue with the responsibilities of this agreement during any dispute.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the day and year first above written.

CALIFORNIA DEPARTMENT OF PARKS AND RECREATION, DIVISION OF BOATING AND WATERWAYS

By: Ramona Fernandez
*California Department of Parks and Recreation,
Division of Boating and Waterways*

Date: 7/5/17
"Department"

COUNTY OF NEVADA

By: Hank Weston
Title: Chair

Date: 2/20/2017
"Agency"





RESOLUTION No. 16-564

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION AUTHORIZING THE NEVADA COUNTY SHERIFF TO SUBMIT AN APPLICATION TO THE CALIFORNIA DEPARTMENT OF BOATING AND WATERWAYS FOR REIMBURSEMENT OF BOATING SAFETY ENFORCEMENT COSTS, FOR THE PERIOD JULY 1, 2017 TO JUNE 30, 2018, IN THE AMOUNT OF \$245,987.07

WHEREAS, the County of Nevada wishes to support law enforcement patrol on waterways within Nevada County; and

WHEREAS, the Nevada County Sheriff's Office wishes to submit an application to the California Department of Boating and Waterways for financial aid to partially reimburse boating safety enforcement costs associated with their Boating Safety and Enforcement Program; and

WHEREAS, the Nevada County Sheriff's Office will request approval from the Nevada County Board of Supervisors if the monies are awarded.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Nevada County, to authorize the Sheriff to submit an application to the California Department of Boating and Waterways for financial aid in the amount of \$245,987.07, pertaining to reimbursement of Boat Patrol operations, for the period July 1, 2017 to June 30, 2018.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 13th day of December, 2016, by the following vote of said Board:

Ayes: Supervisors Nathan H. Beason, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 


Dan Miller, Chair

12/13/2016 cc: Sheriff*
AC*



Application for Financial Aid -- 801 Fiscal Year 2017/2018

Agency Nevada County Sheriff's Office

County Nevada

Address 950 Maidu Ave, Nevada City, CA 95959

General Description of Boating Safety and Enforcement Programs:

(Give a comprehensive description of all programs in the County. If more space is needed, please attach a separate sheet).

See attached.

Waterways to be Patrolled					Estimated Density by Quarter ^{a/}			
Lakes, Open Ocean	Area in Square Miles	Primary Usage ^{b/}	Type(s) of Patrols ^{c/}	FT or PT ^{d/}	1st	2nd	3rd	4th
1. Donner Lake	3	B	On Water	FT	175	75	15	170
2. Boca Reservoir	2.6	B	On Water	FT	80	45	25	95
3. Prosser Reservoir	1.2	B	On Water	FT	25	10	2	25
4. Jackson Meadows Reservoir	2	B	On Water	FT	95	5	2	70
5. Lower Scotts Flat Reservoir	0.5	B	On Water	FT	10	5	2	10
6. Upper Scotts Flat Reservoir	1.5	B	On Water	FT	145	20	15	150
7. Bowman Reservoir	2	B	On Water	FT	25	15	2	35
8. Lake Wildwood Reservoir	1	B	On Water	FT	250	125	100	250
9. Lake of the Pines reservoir	1	B	On Water	FT	250	125	100	250
10. Camp Far West Reservoir	1.9	B	On Water	FT	200	50	25	225
11. Rollins Reservoir	2	B	On Water	FT	400	250	100	400
12. Englebright Reservoir	2.6	B	On Water	FT	400	200	150	400
13. Spaulding Reservoir	1.5	B	On Water	FT	65	10	2	65
14. Comble Reservoir	0.8	B	On Water	FT	195	120	120	175
Rivers	Length in Miles	Primary Usage ^{b/}	Type(s) of Patrols ^{c/}	FT or PT ^{d/}	1st	2nd	3rd	4th
1. South Fork Yuba River	25	B	Foot/Veh	PT	15	10	5	25
2. Middle Fork Yuba River	35	B	Foot/Veh	PT	15	10	5	10
3. Truckee River	25	B	Foot/Veh	PT	40	5	5	40
4. Squirrel Creek	10	A	Foot	PT	5	None	None	5
5.								
6.								
7.								
8.								
9. *Approximately 21+ lakes not listed above (Fishing Lakes) patrolled by truck, on foot and on the water, PT*								
10.								

a/ Enter the highest number of boats on the waterway at any one time on any one day in each quarter, excluding holidays and holiday weekends.

b/ A = Fishing; B = Combined recreational boating activities (fishing, water skiing, pleasure boating, etc.)

c/ On-water, foot, truck/vehicle, and/or air

d/ FT = Full-time; PT = Part-time. If less than full-time, specify patrol schedule on a separate sheet.



**Boating Safety and Enforcement Aid Program
Proposed Program Costs -- 801.1
Fiscal Year 2017/2018**

Agency Nevada County Sheriff's Office
 Address 950 Maidu Ave, Nevada City, CA 95959 County Nevada

Proposed Program Costs

1. Personnel (Form 801.2)	\$179,713.78
2. Operations, Maintenance and Equipment (Form 801.3) ^{a/}	\$103,850.00
3. Total direct BS&E proposed program cost (2+3)	\$283,563.78
4. Administrative costs ^{b/}	\$1,500.00
5. Total BS&E proposed program costs (3+4)	\$285,063.78
6. Less: Boat Taxes (Form 801.4)	\$39,076.71
7. Total Net Proposed Program Cost (5-6)	\$245,987.07

a/ New applicant agencies should use 30% of personnel costs to estimate operations, maintenance and equipment costs in lieu of form 801.3.

b/ Administrative costs cannot exceed five percent of direct BS&E proposed program cost (line 3).

County Authorized Representative:

SIGNATURE

October 28, 2016
DATE

Rolf Kleinhans
TYPED NAME

530-265-1471
TELEPHONE



**Boating Safety and Enforcement Aid Program
Proposed Personnel Costs -- 801.2
Fiscal Year 2017/2018**

Agency Nevada County Sheriff's Office County Nevada

Proposed Personnel Costs

Employee Compensation

	Title	Grade	No. Hours or Months	Pay per Hour or Month	Total Compensation
1.	Deputy Sheriff II	Deputy II	2,080.00	\$36.13	\$75,150.40
2.	Reserve Deputy Sheriff	Reserve	640.00	\$26.79	\$17,145.60
3.	Deputy Sheriff II	Deputy II/ OT	700.00	\$54.20	\$37,940.00
4.	Deputy Sergeant	Sergeant/ OT	200.00	\$66.26	\$13,252.00
5.	Acct. Assistant	N/A	50.00	\$23.25	\$1,162.50
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					
15.					
16.					
17.					
18.					
19.					
20.					
21.	Total		3,670.00		\$144,650.50

22. Average Customary Fringe Benefit Percent 24.24%

23. Total Proposed Personnel Costs \$179,713.78



**Boating Safety and Enforcement Aid Program
Proposed Operations, Maintenance and Equipment Costs -- 801.3
Fiscal Year 2017/2018**

	Agency /ada County Sheriff's Of	County	<u>Nevada</u>
<i>Patrol Vessels:</i>	Fuel <u>\$7,500.00</u> + Repair <u>\$9,000.00</u> + Storage <u>\$25,000.00</u> = \$		<u>41,500</u>
<i>Vehicles:</i>	Miles <u>25,000</u>	Mileage Allowance <u>0.54</u> =	<u>13,500.00</u>

LIST OTHER O&M AND EQUIPMENT

1. Uniform Clothing Summer/Winter (Shirts, Jackets, Hats, Shorts, Shoes/Boots, Eye Protection, etc.)	\$	<u>3,000.00</u>
2. Cell Phone Expense	\$	<u>800.00</u>
3. Household Expense	\$	<u>1,000.00</u>
4. Watercraft Insurance	\$	<u>1,500.00</u>
5. Memberships (CBSOA)	\$	<u>50.00</u>
6. Medical Supplies	\$	<u>1,500.00</u>
7. Office Expense	\$	<u>3,500.00</u>
8. Office Utilities	\$	<u>2,000.00</u>
9. Miscellaneous Boating Equipment (Small Tools & Instruments and Maintenance)	\$	<u>5,000.00</u>
10. Dive Equipment	\$	<u>10,000.00</u>
11. Training (Tuition, Travel, Lodging and Materials)	\$	<u>4,500.00</u>
12. Vehicle Lease Expense	\$	<u>10,000.00</u>
13. Swift Water Equipment Kokatat dry suit, helmet, gloves, harness, boots, PFD, etc...	\$	<u>1,000.00</u>
14. Water Safety Education Supplies	\$	<u>2,500.00</u>
15. Aids to Navigation Supplies and Accessories	\$	<u>1,500.00</u>
16. Life Jackets	\$	<u>1,000.00</u>
17.	\$	<u> </u>
18.	\$	<u> </u>
19.	\$	<u> </u>
20.	\$	<u> </u>
21.	\$	<u> </u>
22.	\$	<u> </u>
23.	\$	<u> </u>
24.	\$	<u> </u>
25.	\$	<u> </u>
Total	\$	<u>103,850.00</u>



Documentation of Estimated Boat Tax Revenues -- 801.4 Fiscal Year 2017/18

Agency Nevada County Sheriff
County Nevada

Total estimated costs are offset by the estimated prior year vessel taxes received by the county to determine the maximum amount of financial aid you are eligible for. Vessel taxes received by the county represent 100% of the amount received by the county from the share of personal property taxes on vessels allocated to the County General Fund for boating safety and enforcement activities. Report on line 1 the estimated amount of prior year vessel taxes you anticipate you will receive.

1. Estimated boat tax revenues from prior fiscal year

\$ 39,076.71

Certification

I attest that I am a duly authorized representative of the auditor's office of

Nevada county/city;

and that this calculation results in the best estimate of boat tax revenues for the fiscal year noted.

Suzanne Jewett
SIGNATURE

10/5/16
DATE

Suzanne Jewett, Accountant
TYPED NAME AND TITLE
Auditor 1

(530) 265-7136
TELEPHONE

**NEVADA COUNTY
SHERIFF'S OFFICE**



KEITH ROYAL
SHERIFF/CORONER
PUBLIC ADMINISTRATOR

General description of Boating Safety and Enforcement Programs;

The Marine Patrol Unit has a Deputy Sheriff assigned to the unit as the day-to-day operator of the unit. The Deputy Sheriff is the primary operator of the vessels for patrol and enforcement, as well as maintaining and repairing the vessels and other boating related equipment. During the summer months, when the use of the waterways in Nevada County are at their peaks, the Sheriff's Office supplements the Marine Patrol Unit with Deputy Sheriffs who work marine patrol on an overtime/as needed basis.

The Marine Patrol Unit has three 20'-22' aluminum haul jet boats that are used for the primary patrol and enforcement on our waterways that regularly get pleasure and ski boat use during the summer months. During the winter the weather is usually cold and reduces the amount of boat traffic and use of the waterway to primarily fishing related activities. During the winter months the Marine Patrol Unit still patrols on days when it appears there is going to be vessels on the water recreating.

At one time, the Marine Patrol Unit had a Reserve Deputy Sheriff who was scheduled 40 hours per week from Memorial Day until Labor Day. This Reserve Deputy covered the eastern side of Nevada County (Truckee area). Due to budget cuts the Sheriff's Office has not been able to staff this position for several years but is still requesting the funding for the position in hopes it will once again be staffed.

The Marine Patrol Unit also has a Sheriff's Sergeant assigned as the supervisor. This Sergeant has other primary duties so they are available to patrol during the summer months as needed.

The only other marine safety and enforcement unit in Nevada County is operated by the Town of Truckee Police Department on Donner Lake. They have a patrol boat that is staffed on an as needed part-time basis. All other lake and waterways in Nevada County are under the jurisdiction of the Sheriff's Office.

**NEVADA COUNTY
SHERIFF'S OFFICE**



KEITH ROYAL
SHERIFF/CORONER
PUBLIC ADMINISTRATOR

Personnel Costs for Boating Safety and Enforcement Programs:

1. Deputy Sheriff II for 2080 hours. The Deputy Sheriff assigned to this position is the primary operator of the Marine Patrol Unit and is assigned to the position year-round. This Deputy is responsible for patrol enforcement as well as maintaining the equipment for the unit.
2. Accountant Assistant for 50 hours. They handle the quarterly billing and statistical data for the Marine Patrol Unit.
3. Deputy Sheriff II on overtime for 700 hours. This is the approximate number of overtime hours needed by the primary boating operator and part-time operators to adequately staff the waterways during the summer months.
4. Sheriff's Sergeant on Overtime for 200 hours. This is the approximate number of overtime hours needed to supervise the program and patrol the waterways.
5. Reserve Deputy Sheriff for 640 hours. In the past, the Marine Patrol Unit had a Reserve Deputy Sheriff who was scheduled 40 hours per week from Memorial Day until Labor Day. This Reserve Deputy covered the eastern side of Nevada County (Truckee area). Due to budget cuts the Sheriff's Office has not been able to staff this position for several years but is still requesting the funding for the position in hopes it will once again be staffed.