



COUNTY OF HUMBOLDT

For the meeting of: 9/29/2020

File #: 20-1132

To: Board of Supervisors

From: Sheriff

Agenda Section: Consent

SUBJECT:

Humboldt County Drug Task Force (HCDTF) Memorandum of Understanding and Authorization for Sheriff Honsal and District Attorney (DA) Fleming to Execute HCDTF Agreements

RECOMMENDATION(S):

That the Board of Supervisors:

1. Retroactively approve the attached HCDTF Memorandum of Understanding (MOU); and
2. Authorize Sheriff William Honsal and DA Maggie Fleming to execute any and all agreements for the benefit of HCDTF provided that County Counsel and County Risk have reviewed and approved in advance. This authorization shall remain in effect during the term of office and any subsequent terms of office for Sheriff William Honsal and DA Maggie Fleming. Excluded from this authorization is the HCDTF MOU and any subsequent renewals, amendments, extensions, or addendums to the HCDTF MOU since it is a Joint Powers Agreement.

SOURCE OF FUNDING:

State and Federal Asset Forfeiture Funds

DISCUSSION:

The HCDTF was originally established in 1983 in conjunction with the California Department of Justice, Bureau of Narcotic Enforcement (BNE) and local law enforcement agencies. The BNE initially provided management of the task force under the direction of an executive board consisting of the Sheriff, chiefs of local law enforcement agencies, the DA and California Highway Patrol Commander.

With legislative changes, it became necessary to change the structure of the task force. The executive board members agreed to provide resources to continue HCDTF and in May 2013 your Board approved the first Memorandum of Understanding (MOU) that officially designated HCDTF under the management of the Humboldt County Sheriff's Office (HCSO). Participating agencies are responsible for the expenses related to the salary, benefits, basic training and equipment of the deputies and staff assigned to the task force. Operating expenses for HCDTF are provided through state and federal asset forfeiture revenues and occasionally grant revenue. These revenues are maintained by the county and administered by HCSO.

Participating agencies include:

- City of Arcata Police Department (APD)
- City of Eureka Police Department (EPD)
- City of Fortuna Police Department (FPD)
- California Highway Patrol (CHP)
- Humboldt County District Attorney's Office (DA)
- Humboldt County Sheriff's Office (HCSO)

The HCDTF MOU has been brought to your Board annually for approval and outlines the roles and responsibilities of HCSO, as well as the participating agencies. Included in the MOU is the delegation of an Executive Board, resources by each agency, the responsibilities of HCSO, and a formula for equitable sharing of seized assets. The fiscal year (FY 2018-19) MOU expired on June 30, 2019. A renewal agreement was developed for a three-year term from July 1, 2019 through June 30, 2022 and circulated to each participating agency for approval and signatures. It was recently identified that the new MOU was not brought before your Board for approval and therefore this request is for retroactive approval.

Given the long standing relationship of the Sheriff's Department and District Attorney's Department in co-managing the affairs of HCDTF with the other agencies, the Sheriff and DA are requesting delegation of authority to sign any and all agreements for the benefit of HCDTF provided that County Counsel and County Risk have reviewed and approved the agreements, with the exception of the HCDTF MOU as detailed in the recommendations. Since the operations of HCDTF are solely funded by grant and asset forfeiture funds and do not receive direct contribution from the county General Fund, the Sheriff and DA are seeking this delegation of authority in order to prevent any delays in conducting HCDTF business.

FINANCIAL IMPACT:

Each participating agency bears the costs of deputies and staff assigned to HCDTF. The daily operational costs of the HCDTF are paid from asset forfeiture proceeds derived from task force activities and occasionally offset by grant revenue. The Sheriff's Office manages the HCDTF operational costs in the approved annual budget in fund 3644, budget unit 265. No additional funding is requested to support these recommendations.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by building interjurisdictional and regional cooperation, and enforcing laws and regulations to protect residents

OTHER AGENCY INVOLVEMENT:

- City of Arcata Police Department
- City of Eureka Police Department
- City of Fortuna Police Department
- California Highway Patrol

Humboldt County District Attorney's Office

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board of Supervisors may choose not to approve the recommendations; however, this is not recommended since it would leave the HCDTF without a governing agreement, and would delay the HCDTF in managing its operations timely.

ATTACHMENTS:

1. Drug Task Force MOU

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

Meeting of: January 8, 2019

File No.: 19-30