



CLACKAMAS COUNTY SHERIFF

Sheriff Angela Brandenburg

Jesse Ashby, Undersheriff

Michael Copenhaver, Undersheriff

Jenna Morrison, Undersheriff

September 25, 2024

BCC Agenda Date/Item: _____

Board of County Commissioners
Clackamas County

**Approval of Amendment #2 to the Annual Operating Plan with the United States Forest Service.
Amendment Value is \$69,212.00 for 1 year. Total agreement value is \$134,185.08 for 4 years.
Funding is through the Forest Service. No County General Funds are involved.**

Previous Board Action/Review	Cooperative Law Enforcement Agreement signed on April 11, 2024 by Chair Tootie Smith (20240411 II.A.2). Briefed at Issues 9/24/2024		
Performance Clackamas	Ensure safe, healthy and secure communities.		
Counsel Review	Yes	Procurement Review	No
Contact Person	Nancy Artmann	Contact Phone	503-785-5012

EXECUTIVE SUMMARY: This modification extends performance period, and thus expiration date to 6/29/2028. This modification also adds funds in the amount of \$69,212.00 to the CY24 operating funds. These funds may be utilized for patrols, and as needed on approved "Special Enforcement Situations" such as fire incidences. All remaining funds from prior years have been carried forward and remain available to spend throughout the term of the Cooperative Law Enforcement Agreement, or until deobligated by the request of the U.S. Forest Service. All funds must be spent in accordance with the original Cooperative Law Enforcement Agreement and its most recent Operating and Financial Plan.

RECOMMENDATION: Staff recommends approval of this modification to the operating plan.

Respectfully submitted,

Sheriff Angela Brandenburg

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A Tradition of Service Since 1845

Office: 9101 SE Sunnybook Boulevard, Clackamas, Oregon 97015

Mailing: 2223 Kaen Road, Oregon City, Oregon 97045

Phone: 503-785-5000 **Fax:** 503-785-5190 **www.ClackCoSheriff.us**



MODIFICATION OF GRANT OR AGREEMENT

PAGE	OF PAGES
1	2

1. U.S. FOREST SERVICE GRANT/AGREEMENT NUMBER: 23-LE-11060600-006; Law Enforcement Activities Within Clackamas County	2. RECIPIENT/COOPERATOR GRANT or AGREEMENT NUMBER, IF ANY: N/A	3. MODIFICATION NUMBER: 002
4. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING GRANT/AGREEMENT (unit name, street, city, state, and zip + 4): Mt. Hood National Forest 16000 Champion Way Sandy, OR 97055	5. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING PROJECT/ACTIVITY (unit name, street, city, state, and zip + 4): Mt. Hood National Forest 16000 Champion Way Sandy, OR 97055	
6. NAME/ADDRESS OF RECIPIENT/COOPERATOR (street, city, state, and zip + 4, county): County of Clackamas 2051 Kaen RD Oregon City, Oregon 97045-4035	7. RECIPIENT/COOPERATOR'S HHS SUB ACCOUNT NUMBER (For HHS payment use only): N/A	

8. PURPOSE OF MODIFICATION

CHECK ALL THAT APPLY:	This modification is issued pursuant to the modification provision in the grant/agreement referenced in item no. 1, above.
<input checked="" type="checkbox"/>	CHANGE IN PERFORMANCE PERIOD: Extend performance period and expiration date to 6/29/2028
<input checked="" type="checkbox"/>	CHANGE IN FUNDING: Add U.S. Forest Service funding in the amount of \$69,212.00
<input checked="" type="checkbox"/>	ADMINISTRATIVE CHANGES: See box 9
<input checked="" type="checkbox"/>	OTHER (Specify type of modification): Incorporates 2024 Operating & Financial Plan (Exhibit A), and Addendum A

Except as provided herein, all terms and conditions of the Grant/Agreement referenced in 1, above, remain unchanged and in full force and effect.

9. ADDITIONAL SPACE FOR DESCRIPTION OF MODIFICATION (add additional pages as needed):
This modification extends performance period, and thus expiration date to 6/29/2028.

This modification also adds funds in the amount of \$69,212.00 to the CY24 operating funds. These funds may be utilized for patrols, and as needed on approved "Special Enforcement Situations" such as fire incidences. All remaining funds from prior years have been carried forward and remain available to spend throughout the term of the Cooperative Law Enforcement Agreement, or until de-obligated at the request of the U.S. Forest Service. All funds must be spent in accordance with the original Cooperative Law Enforcement Agreement and its most recent Operating and Financial Plan.

Change US Forest Service Shall Statement III.B., payment/invoicing address (postal mailing address only) to:

USDA, Forest Service
Budget & Finance - Grants & Agreements
4000 Masthead St, NE
Albuquerque, NM 87109

Changes provision IV.B., Principle U.S. Forest Service Administrative Contact to:

Lori Gorton
R6/PNW Grants & Agreements
Email: lori.gorton@usda.gov

10. ATTACHED DOCUMENTATION (Check all that apply):

<input type="checkbox"/>	Revised Scope of Work
<input type="checkbox"/>	Revised Financial Plan
<input checked="" type="checkbox"/>	Other: "CY24 Cooperative Law Enforcement Operating & Financial Plan" (Exhibit A), <input type="checkbox"/> "U.S. Forest Service Fire Emergency Language & Billing Protocol" (Addendum A)



11. SIGNATURES

AUTHORIZED REPRESENTATIVE: BY SIGNATURE BELOW, THE SIGNING PARTIES CERTIFY THAT THEY ARE THE OFFICIAL REPRESENTATIVES OF THEIR RESPECTIVE PARTIES AND AUTHORIZED TO ACT IN THEIR RESPECTIVE AREAS FOR MATTERS RELATED TO THE ABOVE-REFERENCED GRANT/AGREEMENT.

11.A. COUNTY OF CLACKAMAS SIGNATURE Angela Brandenburg <small>Digitally signed by Angela Brandenburg Date: 2024.09.11 10:15:54 -07'00'</small> (Signature of Signatory Official)	11.B. DATE SIGNED	11.C. U.S. FOREST SERVICE SIGNATURE (Signature of Signatory Official)	11.D. DATE SIGNED
11.E. NAME (type or print): ANGELA BRANDENBURG		11.F. NAME (type or print): ANDY CORIELL	
11.G. TITLE (type or print): Sheriff, County of Clackamas		11.H. TITLE (type or print): Special Agent in Charge, U.S. Forest Service, Pacific Northwest Law Enforcement and Investigations	

AUTHORIZED REPRESENTATIVE: BY SIGNATURE BELOW, THE SIGNING PARTIES CERTIFY THAT THEY ARE THE OFFICIAL REPRESENTATIVES OF THEIR RESPECTIVE PARTIES AND AUTHORIZED TO ACT IN THEIR RESPECTIVE AREAS FOR MATTERS RELATED TO THE ABOVE-REFERENCED GRANT/AGREEMENT.

11.A. COUNTY OF CLACKAMAS SIGNATURE (Signature of Signatory Official)	11.B. DATE SIGNED	11.C. U.S. FOREST SERVICE SIGNATURE (Signature of Signatory Official)	11.D. DATE SIGNED
11.E. NAME (type or print): TOOTIE SMITH		11.F. NAME (type or print): META LOFTSGAARDEN	
11.G. TITLE (type or print): Commissioner Chair, Clackamas County		11.H. TITLE (type or print): Forest Supervisor, Mt. Hood National Forest	

12. G&A REVIEW

12.A. The authority and format of this modification have been reviewed and approved for signature by: _____ LORI GORTON (23-LE-11060600-006, Mod 002) U.S. Forest Service Grants & Agreements Specialist	12.B. DATE SIGNED
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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 30 minutes 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. 23-LE-11060600-006

Cooperator Agreement No. _____

EXHIBIT A

COOPERATIVE LAW ENFORCEMENT OPERATING & FINANCIAL PLAN

Between

COUNTY OF CLACKAMAS

And the

USDA, FOREST SERVICE

MT. HOOD NATIONAL FOREST

2024 OPERATING AND FINANCIAL PLAN

This Financial and Operating Plan (Operating Plan), is hereby made and entered into by and between County of Clackamas, hereinafter referred to as “Cooperator,” and the United States Department of Agriculture (USDA), Forest Service, Mt. Hood National Forest, hereinafter referred to as the “U.S. Forest Service,” under the provisions of Cooperative Law Enforcement Agreement #23-LE-11060600-006 . This Operating and Financial Plan is made and agreed to as of the last signature date on the Cooperative Law Enforcement Agreement and is in effect through June 29, 2028, unless modified during an annual review.

Previous Year Carry-over: \$64,973.08 (as of 7/25/2024)

Current Calendar Year Obligation: \$69,212.00

CY2024 Total Operating Plan: \$134,185.08

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
Name: Capt. Brad O’Neil Address: 2223 Kaen Road City, State, Zip: Oregon City, OR 97045 Telephone: (503) 785-5071 FAX: (503) 785-5027 Email: bradleyone@clackamas.us	Name: Ke’ala Adolpho Address: 9101 SE Sunnybrook Blvd City, State, Zip: Clackamas, OR 97015 Telephone: (503)785-5012 FAX: (503) 785-5027 Email: kadolpho@clackamas.us



Principal U.S. Forest Service Contacts:

U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact
John Soules 16400 Champion Way Sandy, OR 97055 Telephone: (503) 668-1789 Email: john.soules@usda.gov	Rachele Avery 16400 Champion Way Sandy, OR 97055 Telephone: (503) 668-1625 Email: rachele.avery@usda.gov
U.S Forest Service Agreement Contact	
Lori Gorton R6/PNW Grants & Agreements Email: lori.gorton@usda.gov	

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

Wages at the prevailing rate of \$89.06 per regular hour with an overtime rate of \$101.48 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 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:

Zigzag Ranger District:

National Forest System lands within the Zigzag Ranger District. The patrol will begin near Zigzag, Oregon and will include National Forest lands north and south of State Hwy. 26 and east of the Forest boundary to Timothy Lake.

Clackamas River Ranger District:

National Forest System lands within the Clackamas River Ranger District. The patrol will begin near Estacada, Oregon and will include National Forest lands north and south of Hwy. 224 and east of the Forest boundary, and lands adjacent to U.S. Forest Service Roads 46, 63 and 70.



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

Zigzag Ranger District:

Burnt Lake and Ramona Falls Trailheads, and all dispersed campsites.
Timothy Lake, and all lands and roads adjacent to Timothy Lake.
Trillium Lake, and all lands and roads adjacent to Trillium Lake.
Dispersed recreation along U.S. Forest Service Road 5750 and 5750-220 south of
Gone Creek Campground.

Clackamas River Ranger District:

Timber Lake Job Corps Center
Dispersed recreation areas east of Promontory Park on Hwy. 224
Dispersed recreation areas east of Hwy. 224 via U.S. Forest Service Road 57 and
4630.
Dispersed recreation areas via U.S. Forest Service Roads 46, 63 and 70.
(Bagby Hot Springs Recreational Area)

Total reimbursement for this category shall not exceed the amount of: **\$134,185.08**

III. TRAINING:

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

- A. Reimburse one County of Clackamas officer for 40 hours of work/training, mileage to and from the training site, hotel accommodations, and up to 20 hours overtime associated with said training.

Total reimbursement for this category ***shall not*** exceed the amount of: **\$6,000.00**
(Any funds specified for training not used, may be used for patrol activities.)

IV. EQUIPMENT/SUPPLIES:

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

- A. The U.S. Forest Service agrees to reimburse the Cooperator for supplies necessary in remote wilderness on U.S. Forest Service lands, in an amount not to exceed **\$1,000.00**. All purchases must be approved by the U.S. Forest Service prior to purchase. Documentation of such purchases shall become part of the Cooperative Law Enforcement Agreements' official file.
- B. The U.S. Forest Service may loan the Cooperator equipment and supplies as needed, when mutually agreed. While in possession of the Cooperator, maintenance of this equipment shall be the responsibility of the Cooperator and shall be returned in same condition as time of transfer.

Total reimbursement for this category ***shall not*** exceed the amount of: **\$1,000.00**
(Any funds specified for supplies not used, may be used for patrol activities.)



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 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 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 their activities with the designated officer in charge of the incident.
 2. Fire Emergency: During emergency fire suppression situations and upon request by the U.S. 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.
 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 U.S. 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.

- A. The Cooperator will submit invoices for reimbursement of services provided under Section II of this agreement monthly or quarterly, at the discretion of the Cooperator, to:



USDA, Forest Service
Budget & Finance – Grants & Agreements
4000 Masthead St, NE
Albuquerque, NM 87109

FAX: (877) 687-4894

E-Mail: SM.FS.asc_ga@usda.gov and rachele.avery@usda.gov

The Cooperator will prepare an itemized statement for each invoice submitted to the Albuquerque Service Center. The statement will be in sufficient detail to allow the U.S. Forest Service to verify expenditures authorized. The itemized statement for reimbursement will also include the following information:

1. Areas patrolled and miles traveled on NFS lands.
2. Person-hours worked in NFS patrol areas.
3. Copies of completed Daily Activity Reports.
4. Copies of invoice submitted.

The statement should be sent to the following address:

USDA Forest Service, Law Enforcement & Investigations
Northern Oregon Zone
ATTN: John Soules, Captain
16400 Champion Way
Sandy, OR 97055

Or to the following e-mail address:

Rachele.avery@usda.gov

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

Category	Estimated Costs	Not to Exceed by %
Patrol Activities	\$134,185.08	N/A
Training	\$6000.00	N/A
Equipment	\$1000.00	N/A
Special Enforcement Situations	TBD	N/A
Total	\$134,185.08	100%

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

Addendum A

U.S. Forest Service Fire Emergency Language & Billing Protocol Coop Law Enforcement Agreements / Operating & Financial Plan

Fire Emergencies:

During fire emergencies, the U.S. Forest Service will reimburse the County for actual costs incurred while the County is 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 roadblocks, 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 the U.S. Forest Service dispatch to the County. It is critically important that the Incident Management Team, 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 Incident Command meetings. Eligible costs for reimbursement will include personnel time.

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. Cooperator personnel directly assigned to the incident by a resource order will be entitled to meals that are provided on the incident.

Administrative support (e.g. posting incident time, delivering meals, bill preparation, etc.) will be reimbursed on an actual cost basis. The County 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 prevailing wage rate as identified in the OP Provision I. B.

Billing Protocol:

Documentation required to be submitted by the County 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 Cooperative Law Enforcement Agreement and Operating & Financial Plan.
- UEI number.
- Active status in System for Award Management (SAM).
- 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.

- Incident Action Plans – copies of plans that document assignment to that incident.
- Map of roadblock locations.

BILLINGS ARE NOT TO BE SUBMITTED TO THE SM.FS.ASC_GA@USDA.GOV UNDER THE OBLIGATION ESTABLISHED THROUGH THE COOPERATIVE LAW ENFORCEMENT AGREEMENT.

Please coordinate remittance of billings to the Albuquerque Service Center, Incident Finance Branch through the local Fire Incident Business Specialist,

Kayann Gardner
Incident Business Specialist - MHF/GPF/CRGNSA
16400 Champion Way, Sandy OR
kayann.gardner@usda.gov
971-201-9859.

Invoices must include the information identified above in the Billing Protocol section in order to be processed in a timely manner.

Burden Statement

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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).

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