



Clackamas County Sheriff's Office

ANGELA BRANDENBURG
Sheriff

Board of County Commissioners
Clackamas County

Members of the Board:

Request by the Clackamas County Sheriff's Office (CCSO) for Approval of Amendment #5
between CCSO and the USDA Forest Service for
Cooperative Law Enforcement Services in the Mt. Hood National Forest

Purpose/Outcome	CCSO will provide patrol services in the Mt. Hood National Forest primarily during the summer months of May through September
Dollar Amount and Fiscal Impact	This amendment carries forward the unused portion of the 2021 operating plan in the amount of \$76,809.30
Funding Source	Federal Funding through the USDA, Forest Service
Safety Impact	Furtheres the Board of County Commissioners' strategic priority of ensuring safe, healthy, and secure communities
Duration	Effective upon signature and terminates on December 31, 2022
Previous Board Action/Review	The Board of County Commissioners has approved this cooperative agreement since Fiscal Year 2013
Counsel Review	1. <i>Date of Counsel review: 3/9/2022</i> 2. <i>Initials of County Counsel performing review: AN</i>
Procurement Review	Not Applicable; the item is a grant amendment
Contact Person	Nancy Artmann Finance Manager Clackamas County Sheriff's Office nartmann@clackamas.us
Contract No.	FS Agreement No. 18-LE-11060600-007 MOD005


BACKGROUND:

The Sheriff's Office provides patrol coverage annually to the U.S. Forest Service for patrols on Forest Service land. The deputy assigned will patrol National Forest System lands within the Zigzag Ranger District and National Forest System lands within the Clackamas River Ranger District. Primary patrol activities will be conducted during the summer months of May through September; and includes the national holidays of May 30, 2022, July 4, 2022, and September 5, 2022.

RECOMMENDATION:

Staff recommends that the Board of County Commissioners approves and sign this Cooperative Agreement between the Clackamas County Sheriff's Office and the USDA, Forest Service.

Respectfully submitted,


Jenna Morrison
Chief Deputy



MODIFICATION OF GRANT OR AGREEMENT	PAGE 1 OF PAGES 2
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1. U.S. FOREST SERVICE GRANT/AGREEMENT NUMBER: 18-LE-11060600-007 Cooperative Law Enforcement	2. RECIPIENT/COOPERATOR GRANT or AGREEMENT NUMBER, IF ANY:	3. MODIFICATION NUMBER: 005
4. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING GRANT/AGREEMENT (unit name, street, city, state, and zip + 4): Mt. Hood National Forest 16400 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 LEI 16400 Champion Way Sandy, OR 97055	
6. NAME/ADDRESS OF RECIPIENT/COOPERATOR (street, city, state, and zip + 4, county): Clackamas, County of 2051 Kaen Rd Oregon City, OR 97045-1819	7. RECIPIENT/COOPERATOR'S HHS SUB ACCOUNT NUMBER (For HHS payment use only):	

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 type="checkbox"/>	CHANGE IN PERFORMANCE PERIOD:
<input type="checkbox"/>	CHANGE IN FUNDING:
<input checked="" type="checkbox"/>	ADMINISTRATIVE CHANGES: See Box 9.
<input type="checkbox"/>	OTHER (Specify type of modification):

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):
 The Cooperator Administrative contact has been updated from Nancy Artmann to:
 Ke'ala Adolpho
 2223 Kaen Rd
 Oregon City, OR 97045
 Telephone: 503.785.5042
 Email: kadolpho@clackamas.us

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: CY 2022 Operating and Financial Plan.

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. CLACKAMAS COUNTY, OF SIGNATURE See attached Annual Operating Plan and Financial Plan for signatures. (Signature of Signatory Official)	11.B. DATE SIGNED	11.C. U.S. FOREST SERVICE SIGNATURE See attached Annual Operating Plan and Financial Plan for signatures. (Signature of Signatory Official)	11.D. DATE SIGNED
11.E. NAME (type or print):		11.F. NAME (type or print):	
11.G. TITLE (type or print):		11.H. TITLE (type or print):	



12. G&A REVIEW

12.A. The authority and format of this modification have been reviewed and approved for signature by:

DAVID BLAIR Digitally signed by DAVID BLAIR
Date: 2022.03.02 09:36:21 -08'00'

**12.B. DATE
SIGNED**

DAVID BLAIR (18-LE-11060600-007 Mod 005)

U.S. Forest Service Grants & Agreements Specialist

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. 18-LE-11060600-007 Mod
005

Cooperator Agreement No. _____

EXHIBIT A

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

Between

Clackamas, County of

and the

USDA, FOREST SERVICE

Mt. Hood 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 Clackamas, County of, hereinafter referred to as “Cooperator,” and the USDA, Forest Service, Mt. Hood National Forest, hereinafter referred to as the “U.S. Forest Service,” under the provisions of Cooperative Law Enforcement Agreement #18-LE-11060600-007 executed on date of last signature. 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, 2022 and ending December 31, 2022

Previous Year Carry-over: \$76,809.30 as of 2/23/2022.

Current Calendar Year Obligation: \$0.00

CY2022 Total Annual Operating Plan: \$76,809.30

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
Capt. Brad O’Neil 2223 Kaen Road Oregon City, OR 97045 Telephone: 503.785.5071 FAX: 503.785.5027 Email: bradleyone@clackamas.us	Ke’ala Adolpho 2223 Kaen Rd Oregon City, OR 97045 Telephone: 503.785.5042 Email: kadolpho@clackamas.us



Principal U.S. Forest Service Contacts:

U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact
Ross Gamboa 16400 Champion Way Sandy, Or 97055 Telephone: 503.668.1789 FAX: 503.668.1738 Email: ross.gamboa@usda.gov	Rachele Avery 16400 Champion Way Sandy, Or 97055 Telephone: 503.668.1625 FAX: 503.668.1771 Email: rachele.avery@usda.gov
U.S. Forest Service Administrative Contact	
Jessica Clark 987 McClellan Rd. Vancouver, WA 98661 Telephone: 360-891-5168 Email: jessica.clark@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 \$79.62 per and overtime at the rate of \$97.45 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.

Timely reports and/or information relating to incidents or crimes that have occurred on National Forest System lands should be provided to the U.S. Forest Service as soon as possible.

The primary patrol activities will be during the summer months of May through September; the tour of duty will be ten hours per day on Friday, Saturday and Sunday, and include the national holidays of May 30, 2022, July 4, 2022 and September 5, 2022. Patrol activities may also occur during other months, as funding permits and as agreed to between the Cooperator and U.S. Forest Service. Patrol dates may be varied to address operational needs after mutual agreement between the Cooperator's and the U.S. Forest Service's representatives.



Each tour of duty should begin between 10:00 AM and 4:00 PM and remaining work hours may be varied as agreed to between the Cooperator and U.S. Forest Service.

The assigned Deputies will check in, as practical with the Ranger District Office or U.S. Forest Service Law Enforcement Officer when they begin their tour of duty, in person, by radio or telephone.

During scheduled vacations the cooperator, when possible, will provide fill in Deputies for patrol.

The assigned Deputies would be available for other support and assistance as requested by the U.S. Forest Service.

There are patrol related activities, which will impact the Cooperating Deputy's time and will cause them to be away from the patrol route (court, reports, or responding to incidents off National Forest). No adjustment to this plan will be required so long as the activities are held to, not more than 5 percent of the Deputy's scheduled time.

1. Patrol on following U.S. Forest Service roads:

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.

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)

Patrol routes may be varied at the discretion of the assigned Deputy in order to effectively deal with incidents at other locations as they occur.

Search and rescue within the Mt Hood National Forest, within Clackamas County, is the responsibility of the Cooperator. The role of the assigned Deputies to this agreement is to take initial action on search and rescue incidents and to coordinate subsequent (short term) activities.

Total reimbursement for this category shall not exceed the amount of: **\$76,809.30**.

III. TRAINING:

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

Total reimbursement for this category shall not exceed the amount of: **\$0.00**

IV. EQUIPMENT:

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 Cooperator for equipment and supplies necessary in remote wilderness on forest service lands, in an amount not to exceed \$1,000. All purchases must be approved by the U.S. Forest Service prior to purchase. Documentation of such purchases shall become part of the Cooperative Agreements' official file.
- B. The U.S. Forest Service may loan the Cooperator equipment 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.

U.S. FOREST SERVICE SHALL:

1. Grant permission, subject to U.S. Forest Service limitations and regulations, and those included herein, to the Cooperator for law enforcement purposes, for use of the Mt Hood National Forest radio frequencies. Various channel guard tones are also authorized for use as required.
2. Restrict the use of radio frequency to official business.
3. Retain control of the use of these radio frequencies.
4. Not charge for the use of the radio frequencies.

**COOPERATOR SO SHALL:**

1. Grant permission, subject to State limitations and regulations, and those included herein, to the U.S. Forest Service for law enforcement purposes, for use of the Cooperator radio frequencies. Various channel guard tones are also authorized for use as required.
2. Restrict use of the radio frequency to official business.
3. Retain control of the use of these radio frequencies.
4. Recognize that fire traffic may have priority use of the frequency and that any transmissions during the time of a fire shall be coordinated with the on-scene Incident Commander and/or Columbia River Interagency Dispatch Center.
5. Ensure any radio transmissions in the 162-174 VHF Band are operating in the narrowband mode.

Total reimbursement for this category will be paid out of the Patrol Activity funds in Section II.

Total reimbursement for this category shall not exceed the amount of: \$1,000.00

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 Provision I-A of this Annual Operating Plan. The designated representative will then notify, 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 Provision 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 U.S. Forest Service pursuant to an incident resource order, the Cooperator agrees to provide special services beyond those provided under Provision 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 Provision 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 in accordance with the Interagency Incident Handbook.

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 Provision I-A for requested services of this nature, reimbursement shall be made at the rates specified in Provision 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. Invoices. Cooperator will submit **monthly** invoices to the U.S. Forest Service for reimbursement of services provided under this operating plan (includes drug enforcement and group gatherings). Invoices shall be printed on the Cooperator's department letterhead and submitted to the addresses as shown below.

Invoices shall include the following:

1. Date of invoice
2. Operating Plan reference number 18-LE-11060600-007
3. Actual dates of services (from MM/DD/YY to MM/DD/YY)
4. Description of services (hours worked x rate/hour; miles x rate/mile)
5. Total amount billed to the U.S. Forest Service
6. Other supporting documentation such as activity reports with dates of service, areas patrolled, and miles traveled
7. Signature from Sheriff, or other authorized representative, certifying that services have been performed as described on the invoice and related supporting documentation.

(Invoices are separate from the U.S. Forest Service Form FS-5300-5 Cooperative Law Enforcement Activity Report, which is required from the Cooperator annually as per Provision II-F of the Cooperative Law Enforcement Agreement).

The Invoice shall be forwarded to ASC for payment as follows:

USDA Forest Service



ASC Payments-Grants and Agreements
101B Sun Ave NE
Albuquerque, NM 87109
SM.FS.asc_ga@usda.gov

Invoices may also be faxed to 1-877-687-4894. Address FAX coversheets to:

USDA Forest Service
ASC Payments-Grants and Agreements

Send a copy of the Invoice and Supporting Documentation to:

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

Or to the following e-mail address

Rachele.avery@usda.gov

B. For reimbursement of fire emergency services provided under Provision V.B.2., the following billing procedure will be used:

1. Incident Management personnel will gather all required billing documentation as stated in Provision VI-A and upon concurrence with the Cooperator, submit the packet to the Forest Incident Business Specialist at the address below.
2. The Cooperator will submit invoices for reimbursement for services provided under Provision IV.B.2 of this agreement no later than 30 days after the completion of this service or incident to the following address:

USDA Forest Service
ASC – Incident Finance
Payments- Cooperative Agreements
101B Sun Ave NE
Albuquerque, NM 87109
SM.FS.asc_coop@usda.gov

Invoices may also be faxed to 1-877-687-4894. Address FAX coversheets to:

USDA Forest Service
ASC – Incident Finance
Payments-Cooperative Agreements

Send a copy of the Invoice and Supporting Documentation to:



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

Or to the following e-mail address
Rachele.avery@usda.gov

- A. 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	\$76,809.30	N/A
Training	\$0.00	N/A
Equipment	\$1,000.00 (From patrol activities)	N/A
Special Enforcement Situations		N/A
Total	\$76,809.30	N/A

- B. Any funding in this Annual Operating Plan 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.*
- C. 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.

ANGELA BRANDENBURG, Sheriff Date
Clackamas, County of

Commissioner Chair Date
Clackamas, County of



META LOFTSGAARDEN, Forest Supervisor
U.S. Forest Service, Mt. Hood National Forest

Date

ALEXANDER
LOMVARDIAS

Digitally signed by ALEXANDER LOMVARDIAS
Date: 2022.03.03 13:18:49 -08'00'

ALEX LOMVARDIAS
Special Agent in Charge, Pacific Northwest Region,
Acting

Date

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

DAVID BLAIR

Digitally signed by DAVID
BLAIR
Date: 2022.03.02 09:36:03
-08'00'

DAVID BLAIR (18-LE-11060600-006 Mod 005)
U.S. Forest Service Grants Management Specialist

Date

Burden Statement

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