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03-7-30-8

AGENDA COVER MEMORANDUM

TO: Board of County Commissioners

DEPARTMENT: Lane County Sheriff's Office

PRESENTED BY: Judy Simpson

SUBJECT: **IN THE MATTER OF RATIFYING THE
AMENDMENT NO. TWO (2) TO COOPERATIVE
AGREEMENT WITH US DEPARTMENT OF
AGRICULTURE, FOREST SERVICE, PACIFIC
NORTHWEST REGION, LAW ENFORCEMENT
AND INVESTIGATIONS TO ENHANCE STATE AND
LOCAL LAW ENFORCEMENT ON NATIONAL
FOREST SYSTEM LANDS**

I. MOTION

MOVE THAT THE BOARD OF COUNTY COMMISSIONERS RATIFY COUNTY
ADMINISTRATOR'S EXECUTION OF AMENDMENT NO. TWO (2) TO
COOPERATIVE AGREEMENT 01-LE-11061206-060 BETWEEN US DEPARTMENT
OF AGRICULTURE, FOREST SERVICE AND LANE COUNTY.

ISSUE/PROBLEM

Should Lane County Board of Commissioners ratify the County Administrators execution of Amendment No. Two (2) to Cooperative Agreement 01-LE-11061206-060 between U.S. Department of Agriculture and Lane County to enhance state and local law enforcement on National Forest System lands.

II. DISCUSSION

A. Background

U.S. Department of Agriculture, Forest Service has a Cooperative Agreement with Lane County to provide funding to enhance State and local law enforcement on National Forest System lands.

IN THE BOARD OF COUNTY COMMISSIONERS OF Lane County, OREGON

ORDER NO.

**)IN THE MATTER OF RATIFYING THE
)AMENDMENT NO. TWO (2) TO COOPERATIVE
)AGREEMENT WITH US DEPARTMENT OF
)AGRICULTURE FOREST SERVICE, PACIFIC
)NORTHWEST REGION, LAW ENFORCEMENT
)AND INVESTIGATIONS TO ENHANCE STATE
)AND LOCAL LAW ENFORCEMENT ON
)NATIONAL FOREST SYSTEM LANDS**

THIS MATTER having come before the Board of County Commissioners for ratification of Amendment No. Two (2) to Cooperative Agreement No. 01-LE-11061206-060 between Lane County and U.S. Department of Agriculture, Forest Service.

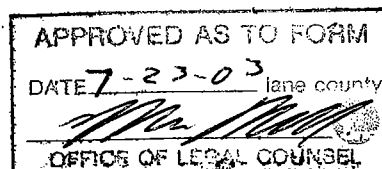
WHEREAS, U.S. Department of Agriculture, Forest Service has a Cooperative Agreement with Lane County to provide funding to enhance State and local law enforcement on National Forest System lands.

WHEREAS, U.S. Department of Agriculture, Forest Service has submitted this amendment that will remain in effect beginning 1 November 2002 and ending with the effective date of the 2004 Operating Plan.

IT IS HEREBY ORDERED that the Board of County Commissioners ratify the County Administrators execution of Amendment No. Two (2) to Cooperative Agreement 01-LE-11061206-060 between U.S. Department of Agriculture, Forest Service and Lane County, as attached as Exhibit "A".

Signed this day of , 2003

Peter Sorenson, Chair
Board of County Commissioners



AMENDMENT NO. 2

To

COOP LAW AGREEMENT NO. 01-LE-11061206-060

Between

LANE COUNTY

And

USDA, FOREST SERVICE, PACIFIC NORTHWEST REGION
LAW ENFORCEMENT AND INVESTIGATIONS

The parties hereto have mutually agreed to amend the Agreement as follows:

- Substitute new Operating Plan beginning July 22, 2003 and ending with the effective date of the 2004 Operating Plan.

All other provisions of the Agreement referred to remain as stated.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the last date written below.

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

for *Yvonne Leasy*
DAVID K. HILL, Grants and Agreements Specialist

7-22-03
Date

In witness whereof, the parties hereto have executed this Operating Plan as of the last date written below.

William A. Van Vactor
WILLIAM A. VAN VACTOR
Lane County Administrator

7-22-03
Date

[Signature]
JAN CLEMENTS, Sheriff
Lane County

7/22/03
Date

2.B. *[Signature]*
THOMAS J. LYONS, Special Agent in Charge
USDA, Forest Service
Pacific Northwest Region

7/22/03
Date

Agreement No. 01-LE-11061206-060
Amendment No. 2

2003 FINANCIAL AND OPERATING PLAN

This Annual Financial and Operating Plan (Operating Plan), is hereby made and entered into by and between the Lane County Sheriff's Department, hereinafter referred to as the Cooperator, and the United States Department of Agriculture, Pacific Northwest Region, Law Enforcement and Investigation, hereinafter referred to as Forest Service, under the provisions of Cooperative Agreement #01-LE-11061206-060 executed September 6, 2001. This Operating Plan is made and agreed to as of the last date signed below and is for the period beginning July 22, 2003 and ending with the effective date of the 2004 Operating Plan.

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:

Designated Representatives:

Mark Reese
A/Lieutenant
Lane County
125 E 8th Street
Eugene OR 97401
(541) 682-4458

Bruce Gainer
Special Agent
Siuslaw National Forest
P.O. Box 400
Waldport OR 97394
(541) 563-4318

Alternate Representatives:

Spence Slater
A/Sergeant
Lane County
125 E 8th Street
Eugene OR 97401
(541) 682-4130

Robert Kathman
Supervisory Law Enforcement Officer
211 East 7th Avenue
Eugene OR 97440
(541) 465-6489

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

Wages at the actual hourly rate of expenditure not to exceed \$80.22/hour that includes over time and fringe benefits for the individual officer.

The actual hourly rate as billed to the cooperator but not to exceed \$150.00/hour for fixed wing aircraft.

The actual hourly rate as billed to the cooperator but not to exceed \$650.00/hour for use of a helicopter under contract, or \$500.00/hour for use of the Cooperator's helicopter.

Aircraft to be supplied wet, with pilot.

Agreement No. 01-LE-11061206-060
Amendment No. 2

II. PATROL ACTIVITIES:

A. Time schedules for over flights will be flexible to allow for emergencies, other priorities, and day-to-day needs of both the Cooperator and the Forest Service. Ample time will be spent on each area to detect the presence of cannabis garden sites. Timely reports and/or information relating to incidents or crimes that have occurred on NFS lands should be provided to the Forest Service as soon as possible.

- Over flights to be provided in the following Forest Service drainages:

As mutually agreed to between the Forest Service and Cooperator prior to scheduling the flight date.

Ground crew members provided by the Forest Service will work in conjunction with each over flight.

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

\$35,000.00

III. TRAINING: No training is anticipated for the duration of this operating plan.

See Cooperative Agreement Provision IV-J for additional information.

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

\$ 0.00

IV. EQUIPMENT: No equipment purchases are anticipated for the duration of this operating plan.

See Cooperative Agreement Provisions IV-J, IV-K and IV-L for additional information.

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

\$ 0.00

V. SPECIAL ENFORCEMENT SITUATIONS:

A. Special Enforcement Situations includes but is 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 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.

Agreement No. 01-LE-11061206-060
Amendment No. 2

1. Drug Enforcement:

Funds are being authorized per the preceeding Operating Plan for the period August 15, 2003 through the effective date of the 2004 Operating Plan.

2. Fire Emergency:

Clark Fire: Cooperator to provide two patrol officers for 12-hour shifts, two shifts per day. The coverage area includes the Clark Fire Camp, Lowell, Oregon and Clark Fire. The coverage area is inside Lane County. Service needed is provision of a secure environment for suppression forces through the patrol, enforcement and prevention force of Lane County Sheriff's Office in a temporarily populated area. The Sheriff's Office will take appropriate action regarding criminal acts committed by both the public and suppression forces. Services to include both foot patrol and vehicle patrol. Duration not to exceed 20 calendar days beyond the date of declared control by the Incident Management Team in charge of suppression action. Funds will be made available through use of the Forest Service Project Code 06 18 P58691.

3. Group Gatherings:

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 Agreement Provisions II-H and III-B for additional information.

Invoices are to be submitted on a monthly basis.