

## **Board of County Commissioners Business Meeting Minutes – DRAFT**

A complete video copy and packet including staff reports of this meeting can be viewed at <https://www.clackamas.us/meetings/bcc/business>.

**Thursday, September 7, 2023 – 10:00 AM**

In person and via virtual technology (Zoom)

**PRESENT:** Chair Tootie Smith  
Commissioner Mark Shull  
Commissioner Paul Savas  
Commissioner Martha Schrader  
Commissioner Ben West

### **CALL TO ORDER**

Chair Smith recessed the Board of County Commissioners and convened the Clackamas County Development Agency Board of Directors.

### **I. DEVELOPMENT AGENCY PUBLIC HEARING**

- A. First reading of an Ordinance amending the Clackamas Industrial Area Urban Renewal Plan and Report. Total Value is \$1,200,000. Funding is through Urban Renewal. No County General Funds are involved.

Transportation & Development Director Dan Johnson and Development Agency Manager David Queener briefed the Board on the proposed ordinance.

Chair Smith opened the public hearing. No testimony was heard. Chair Smith closed the public hearing.

Commissioner Savas: "I move we read the ordinance by title only." Commissioner Shull seconded the motion. No further discussion.

Clerk Mayernik called the poll  
Commissioner West Aye  
Commissioner Schrader Aye  
Commissioner Savas Aye  
Commissioner Shull Aye  
Chair Smith Aye; motion passes 5-0.

Chair Smith announced the next reading of the Ordinance on September 21, 2023, at the Board's regularly scheduled business meeting.

Chair Smith adjourned the Clackamas County Development Agency Board and reconvened the Board of County Commissioners.

### **II. PUBLIC HEARINGS**

- A. Second Reading of Ordinance 04-2023, an Ordinance adopting Clackamas County Code Chapter 8.10, Short-Term Rentals.

Assistant County Counsel Jeff Munns briefed the Board on the proposed Ordinance.

Commissioner Savas offered comments in support of the proposed Ordinance.

Chair Smith opened the public hearing.

Doug Saldivar (Welches) – In support

Chair Smith made comments in support of the community engagement on this topic.

Peter Himes (Welches) – In support

Dona Rogers (Brightwood) – In support

Michelle Winner (Cherryville) – In support

Ron Brandstetter (Overland Park) – Seeking modification of language related to pool and spa amenities

Sherry Braun (Rhododendron) – In support

Mindy Sullivan (Rhododendron) – In support

Dave Keiter (Milwaukie) – In support  
John Ingersoll (Government Camp) – Affirming support for proposed language exempting certain zoning types  
Brett Fischer (Welches) – In support  
Sabrina Gallon (Welches) – In support  
Dennis Ghelfi (Welches) – In support

Chair Smith asked Assistant County Counsel Munns to clarify the applicability of the regulations, including the exclusion of certain zoning types.

Commissioner Savas made comments around the “pilot project” nature of the proposed Ordinance and that the Board would be listening to the community to see what changes need to be made in the future.

Commissioner West offered comments in support of the proposed ordinance.

Chair Smith closed the public hearing.

Commissioner Savas made general comments on the proposed ordinance.

Commissioner West made comments on the ordinance and animal-proofing of trash and recycling containers.

Commissioner Savas and Commissioner Shull commented on the “response period” required by the Ordinance for complaints and the process for resolving complaints.

Commissioner Schrader thanked the community for their engagement and that the Ordinance is a work in progress.

Commissioner Savas made additional comments on the “pilot project” status of the Ordinance.

Chair Smith thanked everyone again for their comments and made comments on the animal-proofing of trash and recycling containers and the response time requirements.

Commissioner Savas: “I move we read the ordinance by title only.” Commissioner Shull seconded the motion.

Clerk Mayernik called the poll  
Commissioner West Aye  
Commissioner Schrader Aye  
Commissioner Savas Aye  
Commissioner Shull Aye  
Chair Smith Aye; motion passes 5-0.

Clerk Mayernik read Ordinance 04-2023 by title only.

Chair Smith asked if the Commissioners had any proposed changes or amendments, none were heard.

Commissioner Shull: “I move we approve Ordinance 04-2023, an Ordinance adopting Clackamas County Code Chapter 8.10, Short-Term Rentals.” Commissioner Savas seconded the motion.

Clerk Mayernik called the poll  
Commissioner West Aye  
Commissioner Schrader Aye  
Commissioner Savas Aye  
Commissioner Shull Aye  
Chair Smith Aye; motion passes 5-0.

### **III. CONSENT AGENDA**

#### **A. Elected Officials**

1. Approval of Previous Business Meeting Minutes – *BCC*

#### **B. Transportation & Development**

1. Approval of a Contract with KNL Industries for the Mulino Airport Area Paving Package. Total value of the project is \$842,065. Funding is through the Community Road Fund. No County General Funds are involved.

2. Approval of a Contract with Joe Turner, P.C., Municipal Hearings Official for professional hearings officer services. Total value is \$250,000 for five years. Funding is through budgeted County General Funds.
3. Approval of Amendment #3 to a Contract with Kittelson & Associates, Inc. for the South Ivy Street Pedestrian Intersection Improvements Project. Total amendment value is \$150,244.57 for a total contract value of \$1,062,469.90. Funding through County Road Fund, State Funded Local Project Funds, and the City of Canby. No County General Funds are involved.

**C. Health, Housing, & Human Services**

1. Approval of Amendment #3 updating legal name and increasing funding to an Expense Agreement with Navis Clinical Laboratories, Inc. dba Regional Toxicology Services, LLC for clinical drug testing services. Amendment value is \$150,000, agreement value is increased to \$650,000 for 4.5 years. Funding is through Health Centers Fees for Services. No County General Funds are involved.
2. Approval of a Federal Grant Agreement from the US Department of Housing & Urban Development for the Housing Our Families program. Agreement Value is \$212,332 for one year. Funding is through the US Department of Housing & Urban Development, with a 25% match requirement paid with \$50,081 from the State of Oregon. No County General Funds are involved.
3. Approval of Federal Grant Agreement from the US Department of Housing & Urban Development for the Housing Our Heroes Program. Agreement Value is \$417,021 for one year. Funding is through the US Department of Housing & Urban Development with a 25% match requirement paid with \$105,255 of Budgeted County General Funds.
4. Approval of Federal Grant Agreement from the US Department of Housing & Urban Development for the Hope I Leasing Program. Agreement Value is \$304,609 for one year. Funding is through the US Department of Housing & Urban Development with a 25% match requirement paid with \$76,152 from the State of Oregon. No County General Funds are involved.
5. Approval of a Federal grant agreement with the US Department of Housing & Urban Development to administer the Homeless Management Information System. Agreement value is \$70,862 for one year. Funding is through the US Department of Housing & Urban Development, with a 25% match requirement paid with \$17,715 of Supportive Housing Services Measure funds. No County General Funds are involved.
6. Approval of a Federal grant agreement with the US Department of Housing & Urban Development for Continuum of Care Planning Activities. Grant value is \$119,935 for one year. Funding is through the US Department of Housing & Urban Development, with a 25% match requirement paid with \$29,984 of Supportive Housing Services Measure funds. No County General Funds are involved.
7. Approval of a personal services contract with Advanced Technology Communications, LLC for capacity building and organizational development services to organizations contracted with County homeless service providers. Contract value is \$1MM for 4 years. Funding is through Supportive Housing Services Measure funds. No County General Funds are involved.
8. Approval of a personal services contract with Inhance, LLC for capacity building and organizational development services to organizations contracted with County homeless service providers. Contract value is \$1MM for 4 years. Funding is through Supportive Housing Services Measure funds. No County General Funds are involved.
9. Approval of a personal services contract with Social Finance, Inc. for capacity building and organizational development services to organizations contracted with County homeless service providers. Contract value is \$1MM for four years. Funding is through Supportive Housing Services Measure funds. No County General Funds are involved.

10. Approval of a personal services contract with Insight for Action, LLC, for capacity building and organizational development services to organizations contracted with County homeless service providers. Contract value is \$1MM for four years. Funding is through Supportive Housing Services Measure funds. No County General Funds are involved.
11. Approval of Amendment #3 expanding the scope of work, extending the term, and increasing funding to a personal services contract with Northwest Housing Alternatives, Inc. for emergency shelter services. Amendment value is \$1,935,044 for 1 year, contract value is increased to \$2,495,044 for 2 years. Funding is through Supportive Housing Services Measure funds. No County General Funds are involved.
12. Approval of an Intergovernmental Agreement with Multnomah County for the Homeless Management Information System tri-county implementation. Agreement value is \$200,000 for 5 years. Funding is through Supportive Housing Services Measure Funds. No County General Funds are involved.
13. Approval of Amendment #2 updating the scope of work, extending the term, and increasing the value of a personal services contract with the Immigrant & Refugee Community Organization for supportive housing services. Amendment value is \$555,367.46 for one year, contract value is increased to \$1,282,508.45 for two years. Funding is through the Supportive Housing Services Measure funds. No County General Funds are involved.
14. Approval of Amendment #4 to an Intergovernmental Agreement with Oregon Health Authority to continue drug and alcohol prevention education and programming in Clackamas County. Amendment value is \$358,750 for 2 years, agreement increased to \$1,906,986 over 8 years. Funding is through Oregon Health Authority. No County General Funds are involved.
15. Approval of Revenue Intergovernmental Agreement with the Oregon Department of Human Services for Ticket to Work Program Revenue. Agreement value is \$60,000 for 2 years. Funding is through the Oregon Department of Human Services. No County General Funds are involved.
16. Approval of Revenue Intergovernmental Agreement with the Gladstone School District for an embedded Mental Health Specialist at Gladstone High School. Agreement value is \$76,500.00 for 9 months. Funding is through Gladstone School District. No County General Funds are involved.
17. Approval of a Subrecipient Agreement with Friends of the Estacada Community Center, Incorporated for services to older adults. Agreement value is \$161,308 for 1 year. Funding is through the federal Older Americans Act, and state transportation funds for older and disabled residents. No County General Funds are involved.
18. Approval of a Subrecipient Agreement with Friends of Canby Adult Center, Incorporated for services to older adults. Agreement value is \$322,003 for one year. Funding is through the federal Older Americans Act and state transportation funds for older and disabled residents. No County General Funds are involved.
19. Approval of a Subrecipient Agreement with Foothills Community Church for services provided to older adults at Molalla Adult Community Center. Agreement value is \$182,730 for 1 year. Funding is through the federal Older Americans Act and state transportation funds for older and disabled residents. No County General Funds are involved.
20. Approval of a Subrecipient Agreement with Senior Citizens Council of Clackamas County Inc. for services to older adults. Agreement value is \$171,000 for 1 year. Funding is through the federal Older Americans Act and \$99,965 of Budgeted County General Funds.

21. Approval of Amendment #2 increasing funding and duration of Revenue Intergovernmental Agreement with the Oregon Department of Human Services for Medicaid outreach services for older adults. Amendment value is \$19,500 for 1 year, Agreement value is increased to \$81,000 for 4 years. Funding is through the Federal Administration of Community Living. No County General Funds are involved.
22. Approval of personal services contract with 211 INFO for assisting with Clackamas County's Coordinated Housing Access hotline. Contract value is \$662,975 for 10 months. Funding is through Supportive Housing Services funds. No County General Funds are involved.
23. Approval of Amendment #1 expanding the scope of work and increasing the value of a personal services contract with Clackamas Women's Services for homeless services. Amendment value is \$4,180,204 for one year. Agreement value is increased to \$7,542,163 for two years. Funding of \$1,323,955 is through Supportive Housing Services Funds, \$2,770,000 in Oregon Homelessness Emergency Order Funds, and \$86,249 in budgeted County General Funds.

Clerk Mayernik read the consent agenda.

Chair Smith asked if any Commissioner wished to remove any item from the consent agenda. No requests were heard.

Commissioner Savas: "I move for approval of the consent agenda." Commissioner Schrader seconded the motion. No further discussion was heard.

Clerk Mayernik called the poll  
Commissioner West Aye  
Commissioner Schrader Aye  
Commissioner Savas Aye  
Commissioner Shull Aye  
Chair Smith Aye; motion passes 5-0.

Chair Smith recessed the Board of County Commissioners and convened the North Clackamas Parks & Recreation District Board of Directors.

#### **IV. NORTH CLACKAMAS PARKS & RECREATION DISTRICT CONSENT AGENDA**

- A. Approval of an Intergovernmental Agreement with Metro for the use of Local Share Bond funding for improvements to the Concord Property Community Park and playground. Agreement value is \$1.2MM. Funding is through Metro. No County General Funds are involved.

Clerk Mayernik read the consent agenda.

Chair Smith asked if any Director wished to remove any item from the consent agenda. No requests were heard.

Director Savas: "I move to approve the consent agenda." Director Schrader seconded the motion. No further discussion was heard.

Clerk Mayernik called the poll  
Director West Aye  
Director Schrader Aye  
Director Savas Aye  
Director Shull Aye  
Chair Smith Aye; motion passes 5-0.

Chair Smith adjourned the North Clackamas Parks & Recreation District Board and convened the Water Environment Services Board of Directors.

## **V. WATER ENVIRONMENT SERVICES CONSENT AGENDA**

- A. Approval of a Contract with 2KG Contractors Inc. for pump station rehabilitation and upgrades to the Gladstone Pump Station. Total value is \$2,403,790 for 2 years. Funding is through Water Environment Services Sanitary Sewer Construction Fund. No County General Funds are involved.
- B. Approval of a Contract with Wasco County Landfill, Inc. for waste disposal. Total value is \$1,200,000 for 3 Years. Funding is through Water Environment Services Sanitary Sewer Operating Fund. No County General Funds are involved.

Clerk Mayernik read the consent agenda.

Chair Smith asked if any Director wished to remove any item from the consent agenda. No requests were heard.

Director Shull: "I move for approval of the Water Environment Services consent agenda." Director Schrader seconded the motion. No further discussion was heard.

Clerk Mayernik called the poll

Director West Aye

Director Schrader Aye

Director Savas Aye

Director Shull Aye

Chair Smith Aye; motion passes 5-0.

Chair Smith adjourned the Water Environment Services Board and reconvened the Board of County Commissioners.

## **VI. PUBLIC COMMUNICATION**

Chair Smith opened the meeting for public testimony. None was heard. Chair Smith closed the meeting for public testimony.

## **VII. COUNTY ADMINISTRATOR UPDATE**

County Administrator Schmidt CCOM staff for their receipt of several awards and the District Attorney's program to distribute drug deactivation pouches at the County Fair.

## **VIII. COMMISSIONER COMMUNICATION**

Commissioner Savas made comments 9/11.

Commissioner West made comments on 9/11.

Commissioner Shull made comments on forest management and the City of Portland efforts to recriminalize certain drug offences.

Commissioner Schrader made comments on the recent event with Congresswoman Chavez-DeRemer, her work with the National Association of Counties, the "Down The River" cleanup program, and the Stafford Family Fest.

Chair Smith made comments on 9/11, RV rest villages, and Measure 110.

Chair Smith adjourned the meeting at 11:52 AM.

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**From:** Jim DeCamp  
**Sent:** Saturday, August 19, 2023 12:42  
**To:** BCCMail  
**Cc:** Jim DeCamp  
**Subject:** STR Regulation Comments

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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**Warning: External email. Be cautious opening attachments and links.**

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RE: Clackamas County STR Regulations comments/questions for the record.

My name is James DeCamp – Full time resident/Home owner in Welches since 1998 – Lifelong Oregonian – Small Business Owner – Veteran. I am concerned about the future and well-being of my community. I appreciate this opportunity to share my thoughts.

What's more important in the long term, would you consider it to be the livability and well-being of an entire community... Or, would you consider it to be allowing STR owners many of whom have no stake as full-time residents in our community to overrun it and profit from it?

I believe there is room for both to coexist provided limits are placed on the density of STR's and most importantly the full-time resident is empowered to protect their right to a peaceful existence. STR owners need to respect this right, responsibly abiding by any new regulations put in place. Full time residents have the right to live in peace (pursuit of happiness).

Density of STR's is a concern shared by many on the mountain, specifically the impact it is having on the supply of housing available to families and workers who want to call the mountain home. This is deflating our community when it should be inflating. In short, finding some way to manage the density of STR's so they don't exceed an established percentage of potentially available housing would be a step in the right direction.

- Review of the density issue should be expedited to limit further STR growth until the impact can be understood.
- Consider specifying a deadline for registering existing STR's. Then...
- Cease registration of new STR's in the mountain communities until the density study is complete and limits are established.
- Once density limits are established, consider issuing STR registrations to locals first since they do have a stake in our communities – then the priority could be CC full time residents, In State, Out of State. Same order for waiting lists.

Consider the following in regard to the new regulation:

- Create a special zone for the Mt Hood “Mountain” Communities to address our unique situation as a tourist destination.
- “Quiet Hours” should be clearly specified and agreed to by guests before booking or at the very least clearly posted on the rental premise. Better yet, both should be required.
- Please keep the requirement to provide owner contact info in publicly viewable area. Harassing calls can be blocked by the STR owner if this is a concern. This also provides STR owners with an extra incentive to ensure regulations are being followed so they don’t get that phone call.
- Violations should be addressed by the county in a timely manner. The timeframe should be specified in the regulation.
- STR Owners should have some way to dispute complaints if they feel they are being unfairly targeted by a full time resident.
- Penalties for non-compliance need to be large enough to get the STR owners attention.
- Add language allowing for revocation of registrations for STR’s with an unusually high number of violations.

While I agree working with the STR owner or Mgmt. Company directly is the best course, for whatever reason this doesn’t always work to resolve the issue which is generally when things between STR Owner and Full time resident go off the rails. If a homeowner is not able to work it out with the STR owner and continues to experience “violations” there needs to be a simple way to report said violations online. A bonus would be to list all violations publicly with a status (“2<sup>nd</sup> citation sent to STR owner” “Complaint disputed” and such) so the full time resident can monitor progress being made by the county in addressing the violations(s).

A few implementation questions:

- What will the mechanism be for reporting violations?
- Is the Dept of finance ready for any additional workload this will create?
- Isn’t some type of infrastructure needed to properly register STR’s, process complaints, perform enforcement?
- Is the proposed tax sufficient to responsibly manage the new regulations?

In conclusion, I live next door to a STR that’s on its second owner - both owners being responsible so we have no issues 99% of the time, but who knows what the third owner will be like. These regulations need to set a clear message that growing our communities and ensuring the right to a peaceful existence is more important than a STR owners’ opportunity to make extra money.

Thanks for your time, consideration and service.

James DeCamp