

November 27, 2024

BCC Agenda Date/Item: _____

Board of County Commissioners
Clackamas County

Approval of an Amendment to the Revenue Intergovernmental Agreement with the Oregon Health Authority for tobacco prevention and education programs. Amendment Value is \$20,000 for 9 months. Total Agreement Value is \$12,453,475.76 for 2 years. Funding is through the Oregon Health Authority. No County General Funds are involved.

Previous Board Action/Review	Original Agreement: June 29, 2023, Agenda item 230629 IIC1 Amendment # 1: October 5, 2023, Agenda item 231005.III.4, Amendment # 2: November 8, 2023, Agenda item 231108II.E.5, Amendment # 3: January 1, 2024, Agenda Item 20240104 III.E.8 Amendment # 4: January 1, 2024, Agenda Item 20240104 III.E.8 Amendment # 5: January 1, 2024, Agenda Item 20240104 III.E.8 Amendment # 6: March 7, 2024, Agenda item 240307 I.C.3, May 2, 2024 Amendment # 7: May 02, 2024, Agenda item 2024052.I.E3, Amendment # 8: Reserved by the States. Amendment # 9: July 25, 2024 – Agenda Item 240725III.F2 Amendment # 10: October 15, 2024, Agenda Item 241017 III.E. Amendment # 11: October 24, 2024, Agenda Item 20241024II.B.3. Amendment # 12: November 26, 2024, Briefed at issues.		
Performance Clackamas	1. Ensure safe, healthy, and secure communities		
Counsel Review	Yes – Sarah Foreman	Procurement Review	No
Contact Person	Philip Mason-Joyner, Public Health Director	Contact Phone	(503) 742-5956

EXECUTIVE SUMMARY: The Public Health Division (PHD) of the Health, Housing & Human Services Department requests approval of Amendment #12, adding \$20,000 to the Revenue Intergovernmental Agreement with Oregon Health Authority (OHA), adding anticipated funding to Program Elements supporting current Public Health Services through June 30, 2025 (the end of the state’s biennium).

It is OHA’s practice to issue amendments adding funding to the second biennial year of Program Elements once the first biennial year of an agreement closes, effectively rebalancing available funding across the Program Elements. Amendment #12 adds this anticipated funding to the following Program Elements (PE):

For Filing Use Only

- FY24 - (\$0.04) – State Support for Public Health (PE01)
- FY25 - \$0.04 – State Support for Public Health (PE01)
- \$20,000 – Tobacco Prevention and Education Program (PE13)

Per the OHA, Amendment #12 is effective on September 1, 2024, regardless of the date signed, and funds services through June 30, 2025.

RECOMMENDATION: The staff respectfully requests that the Board of County Commissioners approve Amendment #12 to the Intergovernmental Agreement (#11176) and authorize Chair Smith or her designee to sign on behalf of Clackamas County.

Respectfully submitted,



Rodney A. Cook
Director of Health, Housing, and Human Services

Agreement #180003



**AMENDMENT TO OREGON HEALTH AUTHORITY
2023-2025 INTERGOVERNMENTAL AGREEMENT FOR THE
FINANCING OF PUBLIC HEALTH SERVICES**

In compliance with the Americans with Disabilities Act, this document is available in alternate formats such as Braille, large print, audio recordings, Web-based communications and other electronic formats. To request an alternate format, please send an e-mail to dhs-oha.publicationrequest@state.or.us or call 503-378-3486 (voice) or 503-378-3523 (TTY) to arrange for the alternative format.

This Twelfth Amendment (this “Amendment”) to Oregon Health Authority 2023-2025 Intergovernmental Agreement for the Financing of Public Health Services, effective July 1, 2023, (as amended, the “Agreement”), is between the State of Oregon acting by and through its Oregon Health Authority (“OHA”) and Clackamas County, (“LPHA”), the entity designated, pursuant to ORS 431.003, as the Local Public Health Authority for Clackamas County. OHA and LPHA are each a “Party” and together the “Parties” to the Agreement.

RECITALS

WHEREAS, OHA and LPHA wish to modify the Fiscal Year 2024 (FY24) Financial Assistance Award set forth in Exhibit C of the Agreement.

WHEREAS, OHA and LPHA wish to modify the Fiscal Year 2025 (FY25) Financial Assistance Award set forth in Exhibit C of the Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the premises, covenants and agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. This Amendment is effective on **September 1, 2024**, regardless of the date this amendment has been fully executed with signatures by every Party and when required, approved by the Department of Justice. However, payments may not be disbursed until the Amendment is fully executed.
2. The Agreement is hereby amended as follows:
 - a. Exhibit C, Section 1 of the Agreement, entitled “Financial Assistance Award” for FY24 is hereby deleted and replaced in its entirety by Attachment A, entitled “Financial Assistance Award (FY24)”, attached hereto and incorporated herein by this reference. Attachment A must be read in conjunction with Section 3 of Exhibit C.
 - b. Exhibit C, Section 1 of the Agreement, entitled “Financial Assistance Award” for FY25 is hereby deleted and replaced in its entirety by Attachment B, entitled “Financial Assistance Award (FY25)”, attached hereto and incorporated herein by this reference. Attachment B must be read in conjunction with Section 3 of Exhibit C.
3. LPHA represents and warrants to OHA that the representations and warranties of LPHA set forth in Section 4 of Exhibit F of the Agreement are true and correct on the date hereof with the same effect as if made on the date hereof.

- 4. Capitalized words and phrases used but not defined herein shall have the meanings ascribed thereto in the Agreement.
- 5. Except as amended hereby, all terms and conditions of the Agreement remain in full force and effect.
- 6. This Amendment may be executed in any number of counterparts, all of which when taken together shall constitute one agreement binding on all parties, notwithstanding that all parties are not signatories to the same counterpart. Each copy of this Amendment so executed shall constitute an original.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the dates set forth below their respective signatures.

7. **Signatures.**

STATE OF OREGON, ACTING BY AND THROUGH ITS OREGON HEALTH AUTHORITY

Approved by: _____

Name: /for/ Nadia A. Davidson

Title: Director of Finance

Date: _____

CLACKAMAS COUNTY LOCAL PUBLIC HEALTH AUTHORITY

Approved by: _____

Printed Name: _____

Title: _____

Date: _____

DEPARTMENT OF JUSTICE – APPROVED FOR LEGAL SUFFICIENCY

Agreement form group-approved by Lisa Gramp, Senior Assistant Attorney General, Tax and Finance Section, General Counsel Division, Oregon Department of Justice by email on August 14, 2024, copy of email approval in Agreement file.

REVIEWED BY OHA PUBLIC HEALTH ADMINISTRATION

Reviewed by: _____

Name: Rolonda Widenmeyer (or designee)

Title: Program Support Manager

Date: _____

**Attachment A
Financial Assistance Award (FY24)**

State of Oregon Oregon Health Authority Public Health Division		
1) Grantee Name: Clackamas County Street: 2051 Kaen Rd., Suite 637 City: Oregon City State: OR Zip: 97045-4035	2) Issue Date Sunday, September 1, 2024	This Action Amendment
	3) Award Period From July 1, 2023 through June 30, 2024	

4) OHA Public Health Funds Approved				
Number	Program	Previous Award Balance	Increase / Decrease	Current Award Balance
PE01-01	State Support for Public Health	\$530,719.00	(\$0.04)	\$530,718.96
PE01-12	ACDP Infection Prevention Training	\$1,517.82	\$0.00	\$1,517.82
PE02	Cities Readiness Initiative	\$122,828.00	\$0.00	\$122,828.00
PE07	HIV Prevention Services	\$142,195.00	\$0.00	\$142,195.00
PE12-01	Public Health Emergency Preparedness and Response (PHEP)	\$181,346.27	\$0.00	\$181,346.27
PE13	Tobacco Prevention and Education Program (TPEP)	\$638,165.38	\$0.00	\$638,165.38
PE40-01	WIC NSA: July - September	\$195,266.00	\$0.00	\$195,266.00
PE40-02	WIC NSA: October - June	\$688,398.00	\$0.00	\$688,398.00
PE40-05	Farmer's Market	\$6,929.00	\$0.00	\$6,929.00
PE42-03	MCAH Perinatal General Funds & Title XIX	\$11,118.00	\$0.00	\$11,118.00
PE42-04	MCAH Babies First! General Funds	\$35,545.00	\$0.00	\$35,545.00
PE42-06	MCAH General Funds & Title XIX	\$20,861.00	\$0.00	\$20,861.00
PE42-11	MCAH Title V	\$119,946.00	\$0.00	\$119,946.00
PE42-12	MCAH Oregon Mothers Care Title V	\$2,500.00	\$0.00	\$2,500.00
PE43-01	Public Health Practice (PHP) - Immunization Services	\$90,441.00	\$0.00	\$90,441.00
PE43-05	OIP Bridge COVID	\$81,154.00	\$0.00	\$81,154.00
PE44-01	SBHC Base	\$240,000.00	\$0.00	\$240,000.00
PE44-02	SBHC - Mental Health Expansion	\$135,300.00	\$0.00	\$135,300.00
PE44-03	COVID COAG Funds	\$18,071.13	\$0.00	\$18,071.13
PE46-05	RH Community Participation & Assurance of Access	\$51,391.36	\$0.00	\$51,391.36
PE50	Safe Drinking Water (SDW) Program (Vendors)	\$201,388.00	\$0.00	\$201,388.00

4) OHA Public Health Funds Approved				
Number	Program	Previous Award Balance	Increase / Decrease	Current Award Balance
PE51-01	LPHA Leadership, Governance and Program Implementation	\$1,421,868.00	\$0.00	\$1,421,868.00
PE51-03	ARPA WF Funding	\$46,637.00	\$0.00	\$46,637.00
PE51-05	CDC PH Infrastructure Funding	\$171,699.30	\$0.00	\$171,699.30
PE62	Overdose Prevention-Counties	\$151,001.00	\$0.00	\$151,001.00
PE73	HIV Early Intervention and Outreach Services	\$767,040.90	\$0.00	\$767,040.90
PE76	Tobacco Retail License Program	\$188,671.00	\$0.00	\$188,671.00
		\$6,261,997.16	(\$0.04)	\$6,261,997.12

5) Foot Notes:	
PE40-01	7/2023: Unspent SFY2024 Q1 award will be rescinded by the state, cannot be carried over to SFY2024 Q2-4 period.
PE40-02	7/2023: Q2-4 Unspent grant award will be rescinded by the state at end of SFY2024
PE42-11	7/2023: Indirect charges cap at 10%.
PE42-12	7/1/2023: Indirect charges cap @ 10% of total award.
PE43-01	7/2023: Awarded funds can be spent on allowable costs for the period of 7/1/2023 - 9/30/23. Any unspent funds will be de-obligated.
PE43-01	9/2023: Prior Footnote dated 7/2023 Null and Void.
PE43-05	12/2023: Funds are available 7/1/23-12/31/24. Unspent SFY24 funds will be carried over to the first six months of SFY25.
PE43-05	2/2024: Prior Footnote dated 12/2023 Null and Void. Any unspent funds will be rolled over into SFY25.
PE51-01	7/2023: Bridge funding for 7/1/23-9/30/23.
PE51-01	8/2023: Prior Footnote dated 7/2023 Null and Void
PE51-03	9/2023: Federal funds expire 6/30/24 and will be ineligible for carryover into SFY25.
PE51-03	3/2023: Prior footnote null and void. Federal funds are available through 6/30/25. Unspent funds in SFY24 will be carried over to the next fiscal year.

Comments on following page.

6) Comments:	
PE01-01	9/2024: Rollover unspent funds of \$0.04 into SFY25 8/2023: Prior Comment dated 7/2023 Null and Void 7/2023: SFY24 funding available 7/1/23-9/30/23 only.
PE01-09	11/2023: Award issued in Error 10/2023: rollover unspent SFY23 funds of \$286,607.98
PE02	8/2023: Prior Comment dated 7/2023 Null and Void 7/2023: SFY24 Award funding available for first 3 months only
PE03-02	8/2023: Prior comment dated 7/2023 Null and Void. SFY24 award issued in error; all funds were paid in SFY23. 7/2023: Funds are to be spent 02/1/23-09/30/23 on screening of Ukrainian immigrants.
PE12-01	8/2023: Prior Comment dated 7/2023 Null and Void 7/2023: SFY24 Award funding for first 3 months only
PE13	10/2023: rollover unspent SFY23 funds of \$138,165.38 9/2023: All Prior Comments Null and Void 7/15/23: SFY24 Award adding funding for 10/1/23-6/30/24 7/2023: SFY24 Bridge Funding 7/1/23-9/30/23
PE40-01	7/2023: SFY2024 Q1 WIC NSA grant award. \$39,053 must spent on Nutrition Ed; \$6,301 on BF Promotion. Underspend Q1 award cannot be carried over to Q2-4 period.
PE40-02	2/2024: add SFY24 state award funds of \$102,589. New Nutrition Ed spending target: \$137,608 7/2023: SFY2024 Q2-4 grant award. \$117,160 must be spent on Nutrition Ed, \$18,903 on BF Promotion.
PE40-03	7/2023: Clackamas County WIC discontinues its BFPC services effective 7/1/2023 7/2023: SFY2024 Q1 BFPC grant award
PE40-04	7/2023: Clackamas County WIC discontinues its BFPC service effective 7/1/2023 7/2023: SFY2024 Q2-4 WIC BFPC grant award
PE40-05	10/2023: Prior Comment dated 7/2023 Null and Void. 7/2023: SFY2024 WIC Farmers Market Mini grant award. Final Q2 Rev & Exp Report is required for final accounting. Underspent funds will be rescinded by the state in February 2024
PE44-03	2/2024: rollover unspent SFY23 funds of \$18,071.13
PE51-05	2/2024: rollover additional unspent SFY23 funds of \$137,032.20 10/2023: rollover unspent SFY23 funds of \$34,667.10; Funds are available 12/1/22-11/30/27. Unspent funds in SFY24 will be carried over to the next fiscal year.
PE62	2/2024: Prior comment dated 10/2023 null and void. Additional funds of \$125,833 available 9/1/23-6/30/24. 10/2023: Additional funds of \$151,000 available 9/1/23-6/30/24. 7/2023: FY24 funds available 7/1/23-9/29/23 only.
PE73	10/2023: rollover unspent SFY23 funds of \$10,994.90

7) Capital outlay Requested in this action:				
Prior approval is required for Capital Outlay. Capital Outlay is defined as an expenditure for equipment with a purchase price in excess of \$5,000 and a life expectancy greater than one year.				
Program	Item Description	Cost	PROG APPROV	

**Attachment B
Financial Assistance Award (FY25)**

State of Oregon Oregon Health Authority Public Health Division		
1) Grantee Name: Clackamas County Street: 2051 Kaen Rd., Suite 637 City: Oregon City State: OR Zip: 97045-4035	2) Issue Date Sunday, September 1, 2024	This Action Amendment
	3) Award Period From July 1, 2024 through June 30, 2025	

4) OHA Public Health Funds Approved				
Number	Program	Previous Award Balance	Increase / Decrease	Current Award Balance
PE01-01	State Support for Public Health	\$530,718.00	\$0.04	\$530,718.04
PE01-12	ACDP Infection Prevention Training	\$1,517.82	\$0.00	\$1,517.82
PE02	Cities Readiness Initiative	\$65,492.00	\$0.00	\$65,492.00
PE07	HIV Prevention Services	\$146,581.00	\$0.00	\$146,581.00
PE12-01	Public Health Emergency Preparedness and Response (PHEP)	\$152,335.00	\$0.00	\$152,335.00
PE13	Tobacco Prevention and Education Program (TPEP)	\$500,000.00	\$20,000.00	\$520,000.00
PE40-01	WIC NSA: July - September	\$240,695.00	\$0.00	\$240,695.00
PE40-02	WIC NSA: October - June	\$722,085.00	\$0.00	\$722,085.00
PE40-05	Farmer's Market	\$6,500.00	\$0.00	\$6,500.00
PE42-03	MCAH Perinatal General Funds & Title XIX	\$31,921.00	\$0.00	\$31,921.00
PE42-04	MCAH Babies First! General Funds	\$35,482.00	\$0.00	\$35,482.00
PE42-11	MCAH Title V	\$119,732.00	\$0.00	\$119,732.00
PE42-12	MCAH Oregon Mothers Care Title V	\$3,054.00	\$0.00	\$3,054.00
PE43-01	Public Health Practice (PHP) - Immunization Services	\$501,966.00	\$0.00	\$501,966.00
PE44-01	SBHC Base	\$240,000.00	\$0.00	\$240,000.00
PE44-02	SBHC - Mental Health Expansion	\$135,300.00	\$0.00	\$135,300.00
PE46-05	RH Community Participation & Assurance of Access	\$38,860.71	\$0.00	\$38,860.71
PE50	Safe Drinking Water (SDW) Program (Vendors)	\$201,388.00	\$0.00	\$201,388.00
PE51-01	LPHA Leadership, Governance and Program Implementation	\$1,478,924.07	\$0.00	\$1,478,924.07
PE62	Overdose Prevention-Counties	\$151,000.00	\$0.00	\$151,000.00

4) OHA Public Health Funds Approved				
Number	Program	Previous Award Balance	Increase / Decrease	Current Award Balance
PE73	HIV Early Intervention and Outreach Services	\$738,575.00	\$0.00	\$738,575.00
PE76	Tobacco Retail License Program	\$129,352.00	\$0.00	\$129,352.00
		\$6,171,478.60	\$20,000.04	\$6,191,478.64

5) Foot Notes:	
PE07	07/2024: SFY25 1-month funding allocation for July 2024; funds to be spent by 07/31/2024.
PE07	08/2024: Prior Footnote Null and Void
PE40-01	07/2024: SFY2025 Q1 unspent funds cannot be carried forward to the following Q2.
PE40-05	7/2024: SFY25 Q1 WIC Farm Direct mini grant award available 7/1/24-9/30/24. Unspent SFY25 Q1 funds may be carried over to Q2-4 period with request from grantee and an amendment to extend the SOW dates, for this grant only.
PE40-05	8/2024: Prior Footnote Null and Void

6) Comments:	
PE01-01	9/2024: Rollover SFY24 unspent funds of \$0.04
PE13	
PE40-01	7/2024: Funds available 7/1/24-9/30/24. Must spend \$48,139 on Nutrition Ed, \$8,571 on BF Promotion
PE40-02	7/2024: Funds available 10/1/24-6/30/25. Must spend \$144,417 on Nutrition Ed, \$25,712 on BF Promotion
PE46-05	7/15/2024: Award Available 7/1/24-3/31/25 only.
PE62	8/2024: \$125,833.33 available 9/1/24-6/30/2025 only. 7/15/2024: \$25,166.67 available 7/1/24-8/31/24 only.

7) Capital outlay Requested in this action:				
Prior approval is required for Capital Outlay. Capital Outlay is defined as an expenditure for equipment with a purchase price in excess of \$5,000 and a life expectancy greater than one year.				
Program	Item Description	Cost	PROG APPROV	