BUDGET DOCUMENT

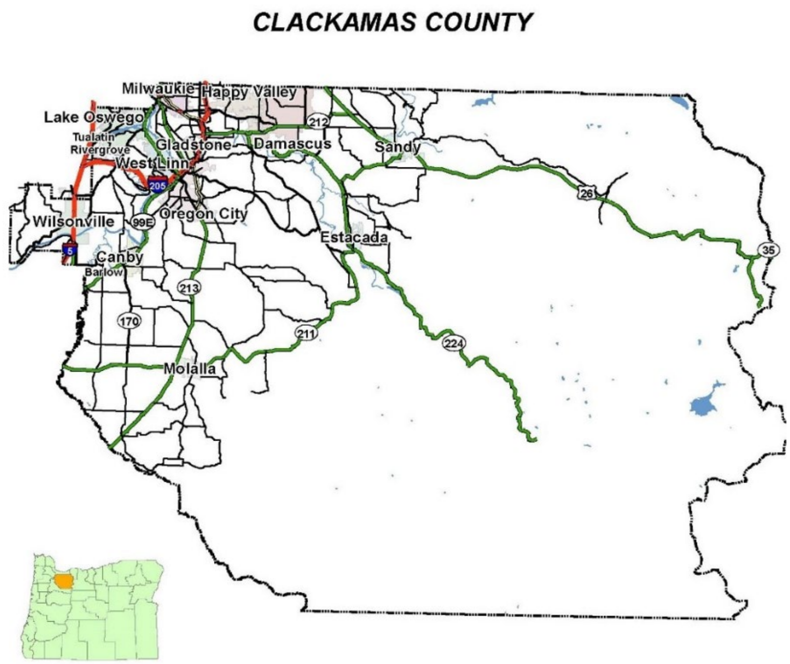
The FY24-25 budget for Clackamas County is detailed in this book and contains information regarding the County budget as a whole as well as individual department and fund descriptions and summaries. It is designed to provide budget focus in an understandable format and convey summary financial and service level information to increase the readers' understanding of the budget process, and the functions of Clackamas County government. It makes generous use of narrative explanations and graphic displays to enhance readability.

This section serves as an introduction, providing context about the County, its history and cities, budget adoption and modification process, financial structure, debt position, planning, and public involvement opportunities.

ABOUT THE COUNTY

Profile of the Government

Clackamas County is one of three counties comprising the Portland metropolitan area in northwest Oregon. The County originally contained the territorial capital for the Oregon Territory and had boundaries extending east to what is now Montana and Idaho and north into today's British Columbia, Canada. The County is now 1,883 square miles extending east to include Mount Hood, Oregon's tallest peak, south to the Willamette Valley, west to the Willamette River, and north to include some parts of South Portland.



According to the Portland State University Population Research Center, Clackamas County now has an estimated population of 422,793 in 2023. Clackamas County remains one of the more developable parts of the tri-county metropolitan area. As housing prices continue to rise in the Portland metropolitan area, due to low supply and increasing demand, home buyers are looking to urban areas within Clackamas County.

County government provides a full range of services including but not limited to human services to the elderly and economically disadvantaged, public health and mental health services, planning and economic development, the construction and maintenance of highways, roads, and streets, public safety, and park services.

Governing Board

Clackamas County and its component units are governed by a five-member Board of County Commissioners (BCC). The Board Chair, having equal authority with the other Commissioners, conducts Commission meetings and events, represents the Board's position on issues, and coordinates the agenda for the weekly business meetings. Although County Commissioners are elected at large, this Board has assigned 'areas of outreach' for each Commissioner so that the County's diverse geographical regions will each be heard by one of the five Commissioner positions.

The Board of County Commissioners also serves as the governing body of several component units. These units have their taxing authority; therefore, their budgets are not included in this document. The component units include:

- Clackamas County Development Agency (CCDA), an Urban Renewal Agency
- Clackamas County Enhanced Law Enforcement Service District (ELED)
- North Clackamas Parks and Recreation District (NCPR)
- Water Environment Services (WESV), a regional sanitary sewer district
- Clackamas County Service District No. 5 (SDN5), a street and highway lighting district
- Clackamas County Extension and 4-H Service District (EX4H)
- Library Services District of Clackamas County (LBSD)
- Housing Authority of Clackamas County (HACC)

Daily administrative functions are overseen by an appointed County Administrator, while the Board of Commissioners sets policy, adopts the annual budget, and passes ordinances under state law. Following nationwide recruitment, the Board of Commissioners selected Gary Schmidt, formerly Director of the County's Public and Government Affairs department, as the County Administrator. Mr. Schmidt began in early 2019 and oversees the activities of the many County departments and is the Chief Administrator for several County Service Districts. Also included in this report are the activities of the six elected officials, who serve as department heads overseeing their respective functions.

- The Sheriff provides patrol, investigation, civil process, and corrections services.
- The District Attorney prosecutes criminal charges and maintains family support enforcement.
- The Treasurer is the investor and custodian of County funds.
- The County Clerk conducts elections and maintains official records.
- The County Assessor is responsible for the valuation of property for taxation and the subsequent application of all levies in the County to those properties.
- The Justice of the Peace oversees the hearing of traffic violation cases, small claims, and other judicial matters coming before the Circuit Court.

Compensation for elected officials is recommended by the Compensation Board for Elected Officials as part of the annual budget process, which is approved by the Budget Committee. The Budget Committee takes into consideration the recommendation of the Compensation Board and approves a level of compensation to be included in the budget and documented in the County's personnel management system. The Commissioners act on those recommendations to set elected officials' salary compensation as they adopt the County budget.

Elected officials have greater autonomy than appointed department heads but must have their budgets approved by the Budget Committee. Per Oregon Local Budget Law, the committee consists of the Commissioners and an equal number of citizens who review and approve the departmental budgets for each fiscal year.

PUBLIC INVOLVEMENT

Citizens are encouraged to become involved in the County's budget process. Public comments are welcome at Budget Committee and Board of County Commissioners meetings. Meeting schedules, notices, budget information, and instructions for public participation are available via the County's website which can be found at https://www.clackamas.us/budget/committee.html.

In addition to budget matters, there are over fifty other advisory boards and commissions working on a wide variety of issues of interest to County citizens. Information about each of these groups can be found online at https://www.clackamas.us/community/abc.

FINANCIAL STRUCTURE

Clackamas County organizes its financial information into five standard fund groups. Included is one General Fund, along with numerous special revenues, debt service, internal service and enterprise, and capital projects funds. All funds are disclosed in an annual comprehensive financial report and audited by an independent auditing firm.

Clackamas County adopts a balanced budget meaning that the estimate of resources must equal the estimate of requirements for each fiscal year. This means that the sum of expenditures authorized plus the amounts to be held aside for contingencies and reserves must equal the resources available. County policy dictates that if revenues do not come in as anticipated, expenditures must be reduced accordingly. All funds are budgeted in conformance with Oregon Local Budget Law found in Oregon Revised Statutes, Chapter 294, and all funds are appropriated. Contingency is the most common allocation not attributable to a specific organizational unit. The resolution authorizing appropriation for each fund sets the level by which expenditures cannot legally exceed appropriations. Each budget is prepared with line-item detail, but compliance is required only at the level of legal appropriation.

BASIS OF ACCOUNTING AND BUDGETING

The modified accrual basis of accounting is used for the General Fund, special revenue funds, debt service funds, and capital projects funds. Under the modified accrual basis of accounting, revenues are recognized when susceptible to accrual (i.e., when they become both measurable and available). "Measurable" means the amount of the transaction can be determined, and "available" means collectible within the current period (or soon enough) thereafter to be used to pay liabilities of the current period. The County considers property taxes as available if they are collected within 60 days after year-end. Expenditures are recorded when incurred. Principal and interest on general long-term debt are recorded when due.

Internal service and enterprise funds are accounted for utilizing the accrual basis of accounting under which revenues are recognized at the time they are earned, and expenses are recognized when they are incurred. Financial accounting reports are prepared per Generally Accepted Accounting Principles (GAAP).

The County budgets its funds on a modified accrual basis and conforms to Generally Accepted Accounting Principles (GAAP) unless such procedures prevent compliance with Oregon governmental accounting regulations as stipulated by statute. Differences between the budget basis and accounting basis are reconciled at year-end as shown in the Annual Comprehensive Financial Report (ACFR). In particular, depreciation is accrued for GAAP purposes but is not a budgeted expense item. Likewise, certain compensated absences (e.g. vacation expenses) are accrued for GAAP purposes but not budgeted.
For many years, the County's ACFR has been awarded the Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting and the County's budget documents have been awarded GFOA's Distinguished Budget Presentation Award.

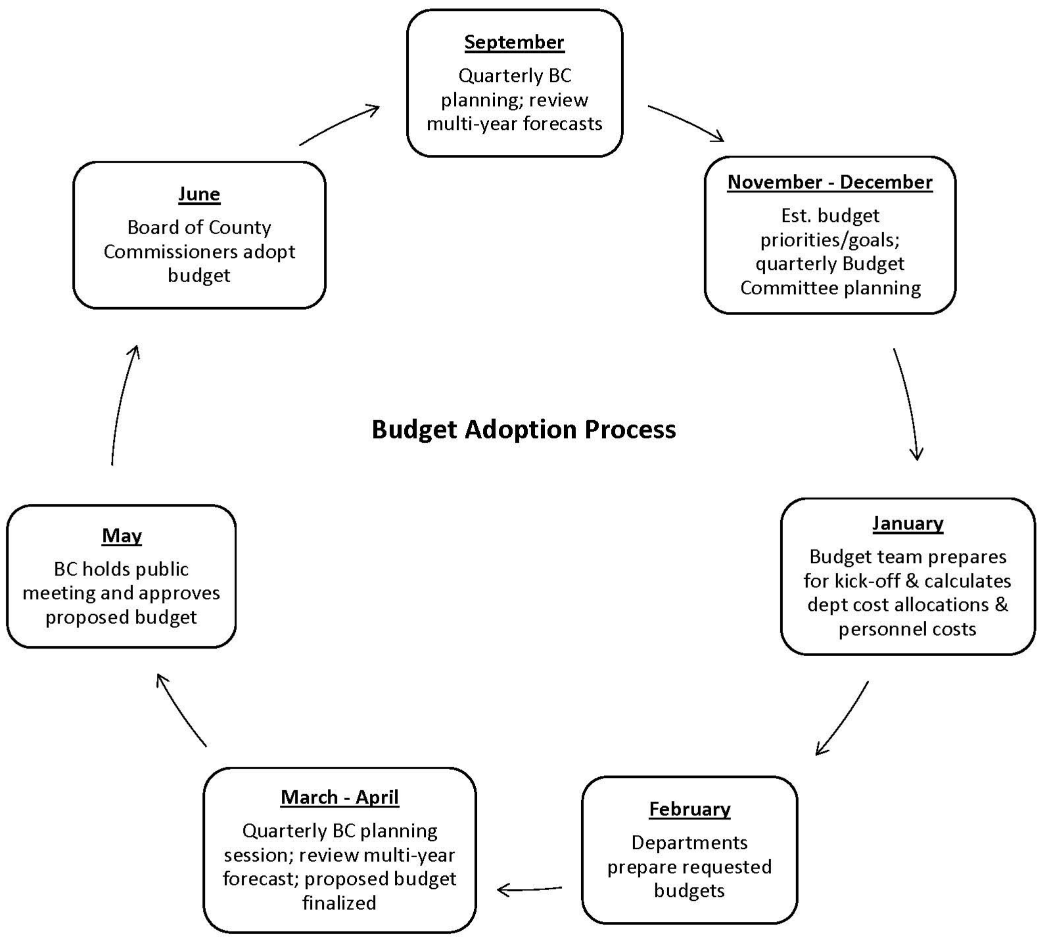
The County maintains extensive budgetary controls. The objective of these controls is to ensure compliance with legal provisions embodied in Oregon Revised Statutes, Chapter 294 which prescribes the format and content of local government budgets in the state. All of the General Fund, special revenue funds, enterprise funds, internal service funds, capital projects funds, fiduciary funds, and debt service funds are included in the annual appropriated budget of the County.

The level of budgetary control (the level at which expenditures cannot legally exceed the appropriated amount) is established at the fund level, with separate appropriations for amounts that are not attributable to an organizational unit (if applicable.) The County also maintains an encumbrance accounting system as one method of maintaining budgetary control. Encumbered amounts lapse at year's end. However, outstanding encumbrances are re-established as necessary as part of the following year's budget.

BUDGET ADOPTION PROCESS

The County's budget process begins in the late fall of each calendar year with the Board of County Commissioners meeting to set their budget priorities. Next is the generation of cost allocation numbers for central services to be distributed to operating departments. This cost allocation is designed to recover the costs of technology, human resources services, records management, financial and accounting, and facilities management costs, provided to county departments and component unit operations. The cost allocation methodology is applied in a manner consistent and compliant with rules on grant-funded activities.

The Budget Committee (BC) is composed of the County Commissioners and an equal number of appointed citizen members serving staggered terms. The Budget Committee meets at least quarterly to review the long-term forecast and current-year projections. The Committee also refines budget policies and directions to guide staff in preparing the budget. The budget process is based upon these policies and directions, which are incorporated into a comprehensive book of budget instructions known as the Budget Manual. A budget training is held to distribute manuals to those staff members charged with the preparation of the upcoming year's budget. At that meeting, new policies and guidelines are discussed, as are any changes in procedure. Departments then spend the next several weeks compiling their budget requests for the upcoming year.



Each department submits its requested budget to Finance-Budget. The budget staff reviews the information to verify that all required components are included and that anticipated revenues balance with expenditures in all funds outside the General Fund. The Budget Manager then reviews all materials and conducts preliminary analysis before review by the County Administrator, the designated Budget Officer.

The County Administrator, corresponding department directors, and budget staff review submitted budgets. Upon review of the departmental budgets, the County Administrator instructs revisions where necessary, determines recommended levels of General Fund support, and balances the budget. The proposed budget is communicated to departments so they can begin work on the presentation and budget book material.

The Budget Committee is given the responsibility of convening public hearings during which they receive the budget message and budget document, hear public testimony, and approve a County budget. The County Administrator presents his budget message during the first meeting. The Budget Committee has the opportunity to ask questions about the requests before making decisions on funding levels for each department. Public testimony is heard, and the Budget Committee agrees upon an approved budget.

Before adoption by the Board of County Commissioners, the budget and a notice of the adoption hearing are published in a newspaper of general circulation in the County. At the public hearing, the budget is officially adopted by Resolution and Order. This adoption must take place before July 1 of the fiscal year, for the County to have appropriation authority for the coming year. Oregon Budget Law provides the Board of County Commissioners, the authority to amend the budget approved by the Budget Committee in any fund by up to 10% provided the source of any additional revenue does not affect the tax levy amounts approved by the Budget Committee. The adopted budget document is then finalized and distributed for use as a fiscal plan for the upcoming year.

BUDGET REVISION PROCESS

Throughout the fiscal year, departments and the Finance-Budget staff monitor budgets. As the year progresses, departments may need to adjust or change the original budget due to unanticipated changes in revenues or to get approval for redirection of appropriations. Amendments are scheduled quarterly to update the budget by allowing for unforeseen circumstances. Oregon Local Budget Law regulates the supplemental process (ORS 294.471).

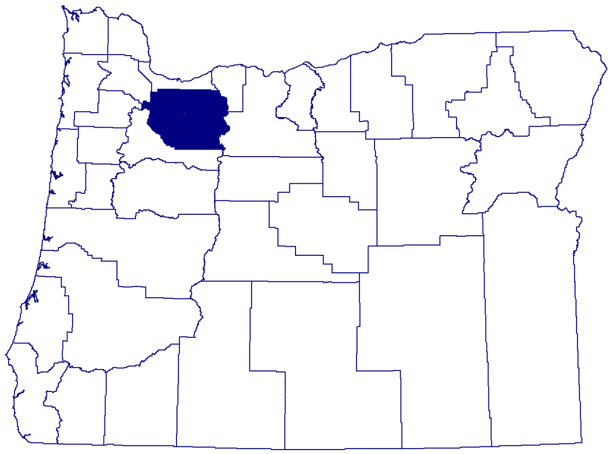
The budget may be amended after adoption by one of four methods.

	Budgetary Change	**Approval Level**
1	Transfer within a fund - within operating budget	1. Director 2. Finance-Budget Team
2	Transfer within a fund - between budget categories	Board
3	Supplemental budget (changes in expenditures)	Board
4	Other Budgetary Changes • Loans • Elimination of unnecessary funds • Emergency authorizations	Board

The Board of County Commissioners may approve the change by resolution during a regular weekly business meeting, providing prior notice has been published. Public testimony is accepted at the hearing if anyone wishes to share concerns regarding the proposed appropriation changes. Oregon Local Budget Law also allows for additional appropriations in special circumstances when new funds are dedicated to a specific purpose (ORS 294.338). The additional appropriations are approved by resolution of the Board at their regular weekly meeting as needed. Budget transfers between categories within a fund are approved by resolution of the Board of County Commissioners. Adjustments of line-item appropriations within a budgetary category and organizational unit are also processed as needed. These changes do not require action by the Board of County Commissioners.

Clackamas County Quick Facts

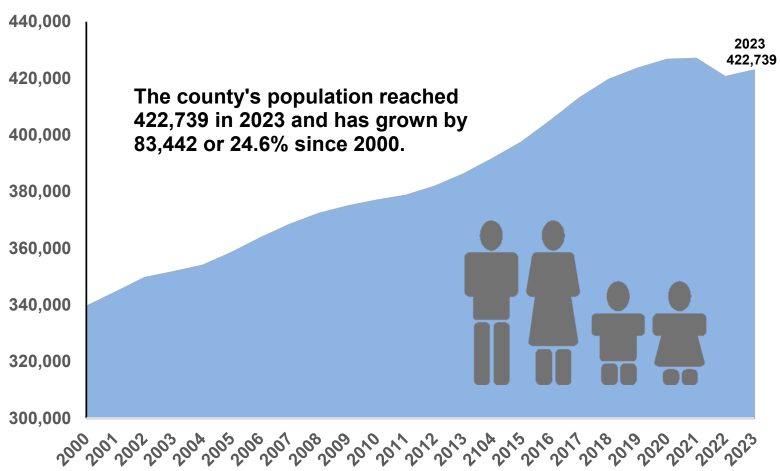
Updated 04/12/24



Clackamas County — Just the Numbers:

Land Area:	1,879 sq. miles
City, County & State Roads:	2,428 miles
Persons per sq. mile:	225
% of National Forest:	52%
2023 Population:	422,739
Civilian Labor Force:	2225,828 Feb/24
Employed Labor Force:	217,610 Feb/24
Unemployment Rate:	3.6% Feb/24
2023 Mean Average Wage:	$67,184
Per Capita Income (2022):	$50,987

Clackamas County Population: 2000-2023



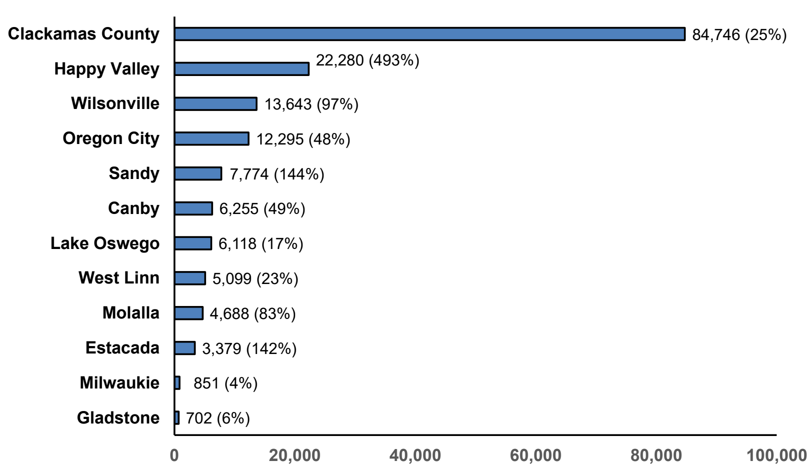
Source: PSU, Population Research Center, Certified Population Estimates: 2000-2023p

Population

- Clackamas County's population reached 422,739 in 2023 and has grown by 24.6% since 2000, adding 83,442 residents.
- By 2044, the county's population is projected to reach 493,560 with 19% of its population ages (0-19 years), 22% (20-39 years), 28% (40-59 years), 22% (60-79 years), and 8% (80+ years).
- Since 2000, the cities that added the most population included Happy Valley (22,280), Wilsonville (13,643), and Oregon City (12,295). The cities with the highest population growth rates included Happy Valley (493%), (Sandy (144%), Estacada (142%), Wilsonville (97%), Molalla (83%).

Population Growth: 2000-2023

Clackamas County and Incorporated Cities



Source: Population Research Center, PSU 2000-2023 estimates

City Population Estimates - 2023

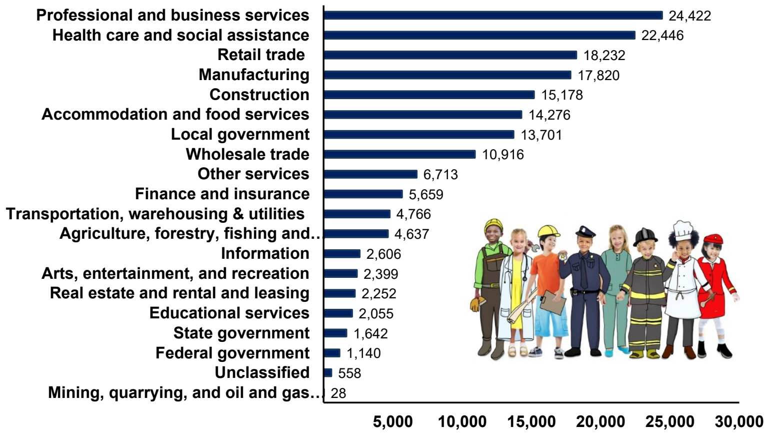
Canby	19,045
Estacada	5,750
Gladstone	12,140
Happy Valley	26,799
Johnson City	510
Lake Oswego*	41,396
Milwaukie	21,341
Molalla	10,335
Oregon City	38,049
Rivergrove*	559
Sandy	13,159
West Linn	27,360
Wilsonville*	27,634

Source: Population Research Center, PSU, 2023 estimates

** City is located and has population in more than one county.*

Industry and Labor Force

Average Broad Industry Employment, Clackamas County: 2022



Source: Oregon Employment Department, QCEW, 2022

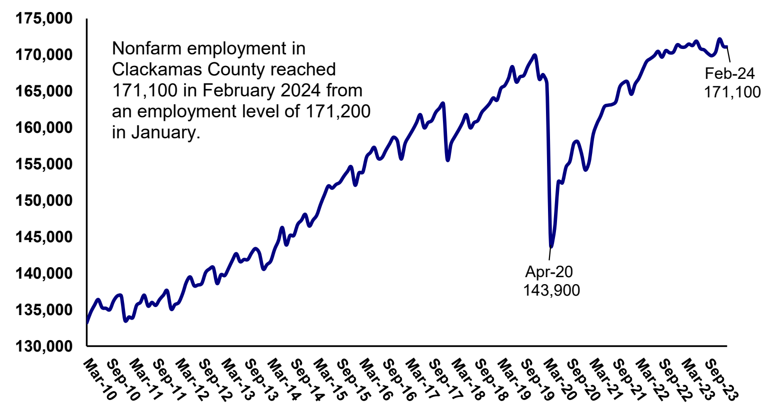
Industry Employment

- The average covered employment in Clackamas County was 171,447 in 2022.This was an increase of 7,223 jobs since 2021.
- Eight broad industries made up nearly three-fourths (80%) of all employment and these industries included professional and business services (24,422); health care & social assistance (22,446); retail trade (18,232); manufacturing (17,820); construction (15,178); accommodation and food services (14,276); local government (13,701); and wholesale trade (10,916).

Monthly Employment Statistics

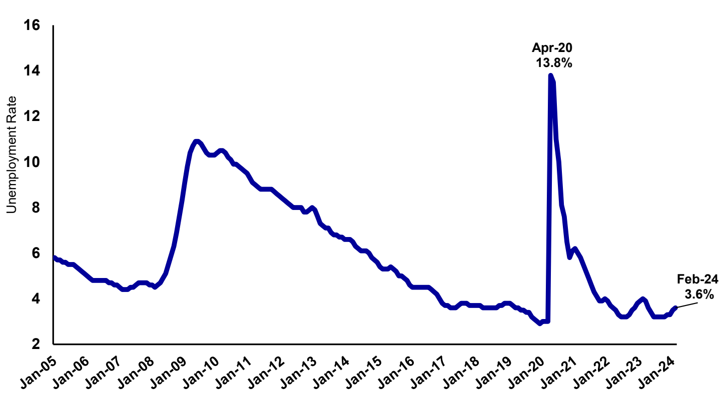
- During the start of the pandemic, nonfarm employment in Clackamas County fell from 167,400 in February 2020 to 143,900 in April 2020 with a loss of -23,400 jobs. Since February 2024, the county has added back 27,200 or 116% of the jobs lost.
- The *seasonally adjusted* unemployment rate in Clackamas County was at 3.6% in February 2024 and has fallen by 10.2 percentage points since the highest unemployment rate in April 2020 at 13.8%.
- All incorporated cities within Clackamas County have experienced job growth at 17% or above since the COVID pandemic. The cities with the most jobs added were Oregon City (2,990) and Lake Oswego (2,932). Cities with the highest rate of growth included Estacada (30%) and Happy Valley (23%).

Monthly Nonfarm Employment: Clackamas County January 2007 to February 2024 (by place of business)



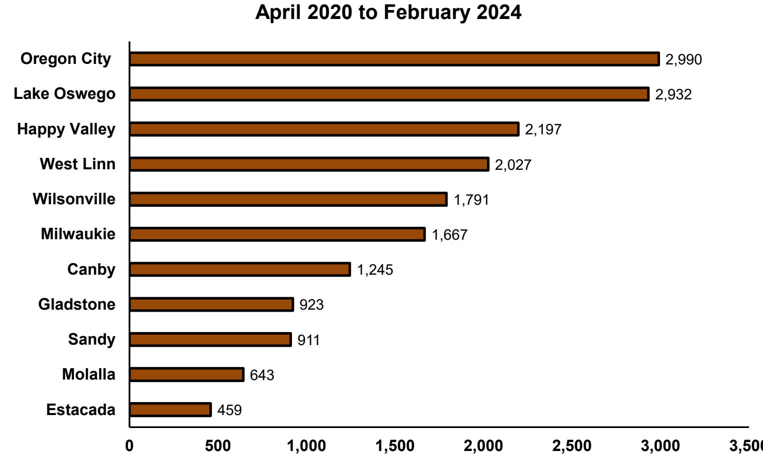
Source: Oregon Employment Department, Currrent Employment Statistics (not seasonally adjusted)

Clackamas County Unemployment Rate January 2005 to February 2024 (seasonally adjusted)



Source: Oregon Employment Department, LAUS

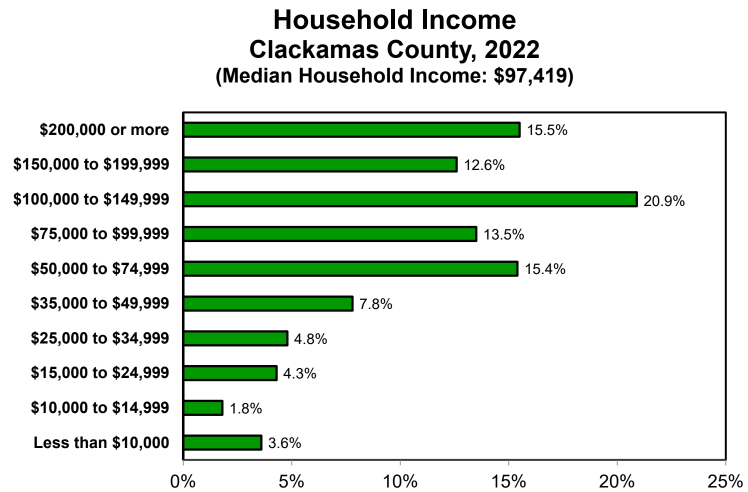
Growth in Resident Employment
Incorporated Cities in Clackamas County
April 2020 to February 2024



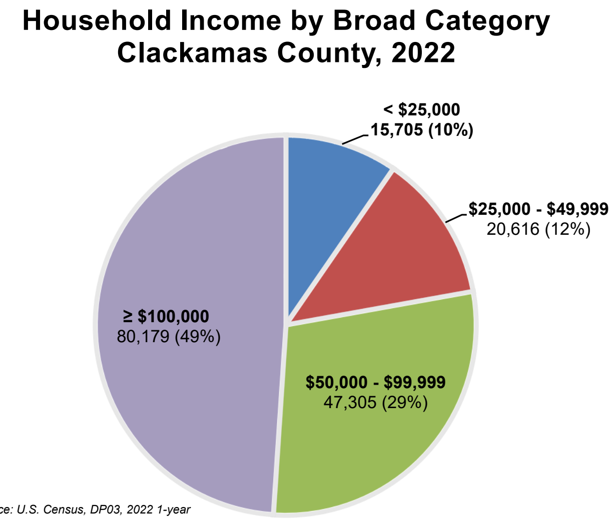
Source: Oregon Employment Department, LAUS

Household Income and Educational Attainment

- During 2022, the median household income in Clackamas County was $97,419 compared with $106,759 a year ago.
- Nearly one-half of households had incomes ≥ $100,000 whereas one-tenth of households had incomes < $25,000.



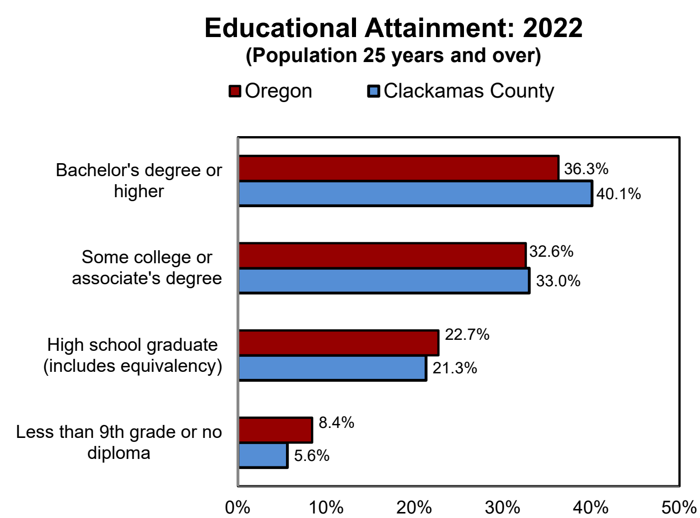
Source: Census, ACS, 2022, 1-Year Estimates, Table DP03



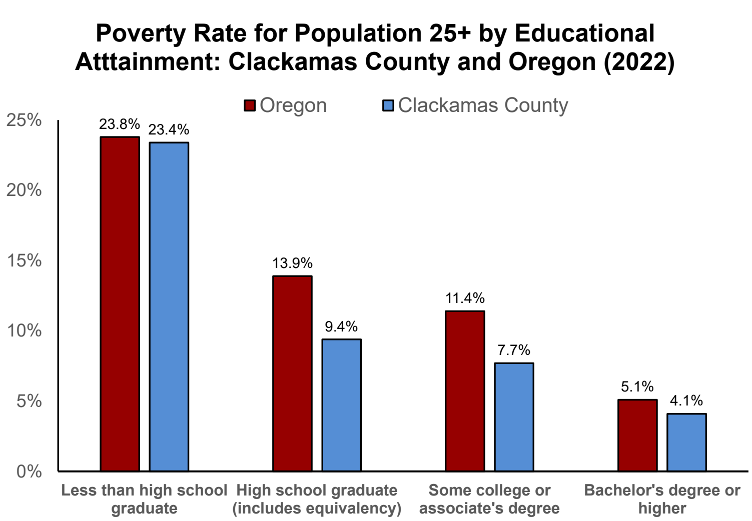
Source: U.S. Census, DP03, 2022 1-year

Education

- Compared with Oregon, Clackamas County had a higher portion of its population (25 years and older) who were college educated with a bachelor's degree or higher (40.1%) in 2022.
- Contrastingly, the county had a lower portion of its population with less than 9th grade or no diploma (5.6%) and a slightly lower portion of its population who were high school graduates (21.3%).
- About one-third of both the county and state population had some college or an associates degree in 2022.



Source: Census, 2022 ACS 1-year estimates, Table S1501

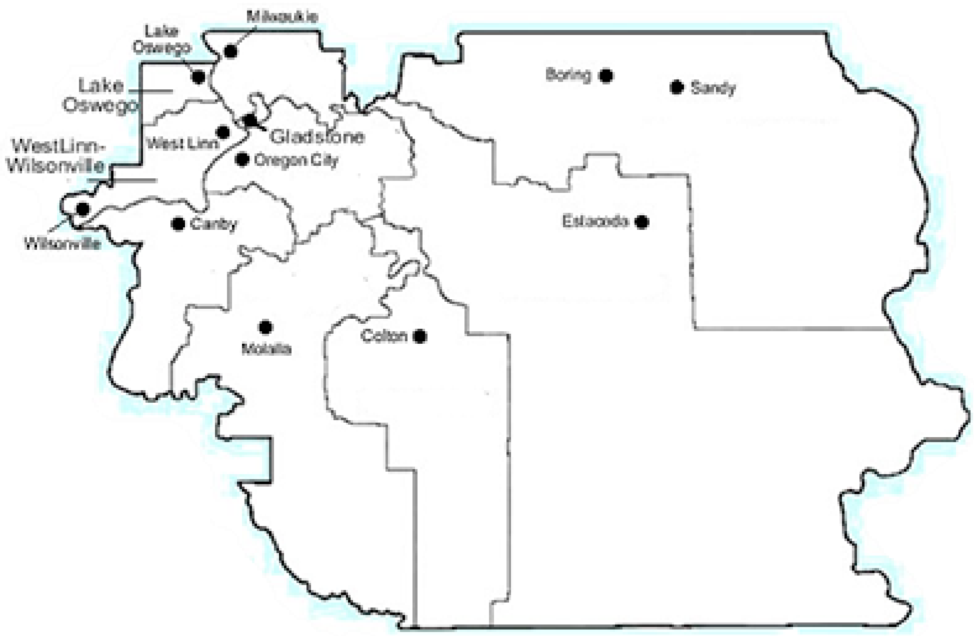


Source: Census, ACS, 2022, 1-year estimates, Table S1501

Poverty

- In 2022, the average poverty rate of all people living in Clackamas County was at 8.2% compared with 12.1% in Oregon.
- The level of educational attainment seemed to significantly influence the rate of poverty in the county in 2022.
- Clackamas County residents with less than a high school education had a much higher poverty rate at 23.4% than residents with either a high school diploma (9.4%), some college or associate's degree (7.7%), or a bachelor's degree or higher (4.1%).

Cities in Clackamas County



City Demographic Fast Facts

2022	Median Age	Bachelor's Degree or Higher (25 years and older)	Median Household Income	Worked from Home	People whose income in past 12 months is below the poverty level	Veteran Status	Disability Status	Households with broadband internet subscription
Clackamas County	42.4	39.2%	$ 95,740	16.2%	7.6%	7.1%	12.6%	91.6%
Canby	37.8	28.5%	$ 91,823	11.2%	8.8%	7.9%	13.7%	89.0%
Estacada	33.5	16.0%	$ 78,594	8.5%	20.1%	15.9%	13.6%	84.3%
Gladstone	38.5	25.7%	$ 88,043	14.8%	16.8%	9.7%	18.2%	87.3%
Happy Valley	38.9	48.6%	$ 126,108	18.7%	5.6%	5.5%	8.5%	94.3%
Lake Oswego	47.0	73.0%	$ 127,252	24.5%	3.9%	6.0%	8.9%	95.8%
Milwaukie	40.8	38.3%	$ 78,676	17.2%	6.8%	7.1%	13.7%	89.1%
Molalla	33.7	14.6%	$ 77,442	11.2%	7.0%	7.0%	16.0%	90.2%
Oregon City	37.9	30.2%	$ 90,174	12.8%	7.8%	7.3%	14.4%	92.6%
Sandy	34.2	21.8%	$ 98,341	12.2%	5.2%	9.2%	13.8%	93.7%
West Linn	42.4	63.1%	$ 134,116	25.5%	5.6%	5.6%	8.4%	95.8%
Wilsonville	35.6	46.2%	$ 83,210	11.7%	8.7%	6.1%	11.6%	92.1%

Source: Census, ACS, 2022, 5-year estimates, Tables S0101, DP02, DP03, and B01002

X	Administrative Policy
☐	Operational Policy

Clackamas County Policy

Name of Policy	Debt Management Policy	Policy #	FIN-1.102
Policy Owner Name	Elizabeth Comfort	Effective Date	7-21-2022
Policy Owner Position	Finance Director	Approved Date	7-21-2022
Approved By	BCC	Next Review Date	7-21-2025

I. PURPOSE AND SCOPE

This policy provides guidance on the issuance, structure, and management of the County and its agencies' long- and short-term debt. This policy reflects debt management best practices as recommended by the Government Finance Officers Association (GFOA).

II. AUTHORITY

This policy is adopted through BCC Resolution 2022-71 dated July 21, 2022 and supersedes the previous policy adopted by BCC Board Order 96-689 dated November 7, 1996.

III. GENERAL POLICY

The County and its Agencies (County) shall undertake and maintain all long- and short-term debt financings in compliance with applicable Federal law, the Oregon Constitution, Oregon Revised Statutes (ORS), and Oregon Administrative Rules (OAR). The County will further comply with Security and Exchange Commission (SEC) and Municipal Securities Rulemaking Board (MSRB) rules regarding ongoing disclosure, and oversight of participants in the municipal debt market including advisors and securities dealers. Finally, the County will comply with IRS regulations for tax-exempt and tax-advantaged debt issuance.

The Debt Management Policy sets forth the practices for debt issuance and the management of outstanding debt. The Policy establishes certain limits which recognize the County's capital requirements, its ability to repay financial obligations, and the existing legal, economic, financial, and debt market conditions. Specifically, the Policy is intended to assist the County in the following:

1. Evaluating available debt issuance options;
2. Maintaining appropriate capital assets for present and future needs;
3. Promoting sound financial management through accurate and timely information on financial conditions;
4. Protecting and enhancing the County's credit rating(s); and
5. Safeguarding the legal use of the County's financing authority through an effective system of internal controls.

IV. DEFINITIONS

A) Agencies - refer to legally separate organizations for which Clackamas County is financially accountable and has a significant role in their governance and management. Clackamas County currently has seven agencies: the Clackamas Development Agency, North Clackamas Parks & Recreation District (NCPRD), Library Service District of Clackamas County, Extension and 4-H Service District, Enhanced Law Enforcement District, Strict Lighting District, and Water Environment Services.

Water Environment Services (WES), a frequent debt issuer, has been delegated authority to adopt its own debt policy.

B) Arbitrage - refers to the difference between the interest paid on tax-exempt bonds and the interest earned by investing proceeds of tax-exempt bonds in higher-yielding

In 1993, the Board of County Commissioners adopted a resolution encompassing the following budget policies governing Clackamas County operations. Minor updates were incorporated by the Commissioners in 2004. In 2020 a large scale project was begun to update the County's financial policies. The status of the budget policies under review or recently updated will be identified with a note on the following pages. These policies were formulated by the County Administrator and his staff and forwarded to the Board for their approval.

Statement of Philosophy

The budget is an annual financial and operational plan. It is a clear statement of County priorities as established by the Board of County Commissioners. Any alteration of the approved plan requires prior approval of the BCC. *The County will adopt a balanced budget for each fund meaning that budgeted expenditures plus contingencies and reserves if required, will be met by an equal amount of budgeted resources.* The annual budget process shall address County priorities and packages of options and recommendations for BCC decisions. The budget is a measure of the performance of departments. Department heads will be held accountable for performance within the context of their budget.

Fees and Charges

It shall be the policy of the County to establish fees that are in compliance with state statutes and County ordinances. When fees are established, the fee will be set to recover the total cost associated with the service provided. A level of charges below total cost may be approved by the Board of County Commissioners if considered in the best interest of Clackamas County. Each department will recommend to the County Administrator a list of existing services and/or materials that are available to the public through Clackamas County government which the department head believes worthy of a service fee or charge. The County Administrator/Budget Officer, in cooperation with the department, will determine concurrence or modifications to the list. Upon concurrence, the department will prepare the revenue projections and appropriate documents with the submission of the annual budget.

Implementation: User fees are reviewed each year and updated as required by ordinance and approved by the County Commissioners.

Note: This policy is currently being reviewed.

Capital Improvement Plan

Clackamas County will prepare a prioritized five-year Capital Improvement Plan (CIP) addressing large-scale investments in facilities, equipment, and transportation. The CIP will provide estimates of costs, identify sources of funding and financing alternatives, and describe sites of construction projects and any other significant additional project characteristics. Capital improvements identified in the plan will have a minimum estimated cost of $50,000.The plan will be updated annually and all changes will be reviewed for approval by the Board of County Commissioners.

Implementation: The Board of County Commissioners approves both a five-year and a twenty-year CIP. The FY 2018-2022 is the current five-year CIP, and the twenty-year CIP runs from FY 2015-2035. Copies of these documents are available upon request.

Capital Outlay Expenditures

Capital outlay budgets will include all anticipated expenditures for individual items with a cost greater than $5,000 and a useful life expectancy of one year or more. Purchases below the thresholds are budgeted in the Materials and Services category. Only capital projects and acquisitions conforming to this policy will be undertaken by the County. Each year's budget for capital expenditures will be in conformance with the Capital Improvement Plan and compliance with requirements of Bills and Laws of the Oregon Revised Statutes.

Implementation: All budgets are prepared using the threshold stated above for Capital Outlay requests. Each Capital Outlay request must be accompanied by a detailed justification in the materials submitted to the Finance-Budget section.

Budget Amendments

Clackamas County departments shall plan annual budgets for each fiscal year which accurately reflect the service priorities and needs of the residents as directed by the Board of County Commissioners. When revenues are not received as planned, the corresponding expenditures shall not be made. It is the responsibility of the department head/elected official to ensure that the necessary reduction in expenditures occurs. When new sources of grant revenue become available, departments shall request a budget change but must spend the additional revenues only for the programs or activities specified in the grant.

Changes among line items within a major category are generally within the discretion of the department head, with review by the Budget Officer, provided such changes do not affect service priorities. However, transfers between major categories are discouraged and require the approval of the Board of County Commissioners prior to the expenditure of funds, consistent with ORS 294.463.

Implementation: All budget requests include goals and objectives designed to reflect service priorities as a basis for approval of requested funding. After adoption, budgets are monitored throughout the fiscal year and adjusted as necessary as outlined above.

Inflation Guidelines

In preparing budgets for each fiscal year, Clackamas County departments will use estimates of inflation factors to calculate increases in operational costs. The Budget office will generate the recommended inflation guidelines for BCC consideration. Recommended guidelines will be derived from quantifiable information available from economic research sources.

The BCC-approved inflation guidelines are to be published in the budget preparation manual. This policy applies to all departments contained within the Clackamas County annual budget.

Implementation: The policy is under review as the availability of guideline indicators does not coincide with the timelines necessary to complete the budget process.

Revenue Policy

Clackamas County's policy is to maintain to the greatest extent possible a diversified base of revenue sources, limiting reliance on any single source.

The County will aggressively pursue the collection of delinquent accounts through its Finance and Counsel offices.

Internal Service Funds and Enterprise Funds will establish charges fully supporting total direct and indirect costs of providing services.

Applications for new grant sources will conform to grants policy, and require BCC approval prior to making an application.

When revenue estimates change, affecting service priorities, departments will amend their budgets to reflect changed expectations.

Implementation: A process to track delinquent Local Improvement District assessments more closely has been undertaken in the Finance office. The Cost Allocation Plan implemented in fiscal 1991 was established in part to eliminate the General Fund subsidy of Internal Service operations and continues currently to identify the true cost of doing business in all County departments. All departments are required to submit grant proposals to the Board of Commissioners prior to application to granting agencies.

Budgeting Fund Balance

Fund Balance consists of the cumulative excess of revenues over expenditures since the beginning of a fund. The best possible estimates of available Fund Balances will be used when proposing and adopting annual budgets, allowing the most realistic estimate of resources to be used when establishing service priorities for the ensuing fiscal year.

Budgeting Contingency Amounts

In any year, circumstances may arise which could not have been reasonably anticipated and which may require a change in the annually adopted plan. Each fund may differ both in need for and ability to budget for a Contingency account. Therefore,

1. The amount of the Contingency account will be a set annually as an amount or percentage of the total resources budgeted in the fund. The amount or percentage to be used will be set by the Budget Officer to assist in preparing requested budgets, and will be based on the following criteria:

    a. the total resources typically available to the fund compared to the resources needed to fund annual service priorities,
    b. expenditure history in the fund, and

c. circumstances outside the control of the County.

Use of Contingency

No expenditures may be made from Contingency accounts. A transfer to an expenditure account must first be approved by the Board of County Commissioners. Requests for transfers must address the following:

1. the need for expenditures additional to the service plan and priorities adopted in the original budget,

2. conditions that could not have been anticipated prior to the adoption of the budget, and

3. alternatives considered to the use of Contingency accounts.

Managers will manage funds with the objective of the ending Fund Balance exceeding the original Contingency appropriation for the fiscal year.

Implementation: Departments are to provide additional justification of Contingency transfer requests as outlined above.

Travel

Effective 7-1-2021 the county's travel policy sets guidelines and internal controls for travel in connection with conducting Official County Business.

This policy and the Travel Manual deriving from it (together, "Travel Program") contain all of the required elements to be considered an "accountable plan" for payment of business travel expenses under IRS Publications 463 and 535.

The Travel Program and the forms to which it refers are maintained by the Clackamas County Department of Finance. Only authorized forms referenced in the travel manual should be used for reporting or reimbursement claims. Departments may not develop more or less restrictive "department travel policies."

It is County policy to pay for travel-related costs incurred during travel while on official County business. In addition to this policy, such payment is subject to all applicable statutes, regulations, collective bargaining agreements, and contracts. The Finance Department will train departments on all of the components of the Travel Program. Department/Division Directors and supervisors are responsible for ensuring all individuals under their supervision who travel have received training in the Travel Program and are aware of the potential consequences of program violations. Departments should provide the policy, manual and relevant forms to volunteers conducting County business and remind them of their obligations to abide by the policies herein.

Personal accumulation of airline miles associated with County travel is strictly prohibited.

Financial Assistance

Effective 1-1-2021 the county's financial assistance management policy is designed to ensure that Clackamas County manages all financial assistance agreements in compliance with the required regulations in order to retain current funding levels for the vital programs and services delivered to our community.

It is the policy of Clackamas County that all County Departments and Service Districts are responsible for ensuring proper administration of financial assistance agreements in conformance with the Financial Assistance Management Manual (Manual).

The Manual shall at a minimum include:

a) Overview of Financial Assistance Administration
b) Federal Financial Assistance Administration Rules and other Grant Administration
c) Policies
d) Receiving Financial Assistance
e) Charging of Salaries, Wages, and Benefits – Including Leave
f) Charging Allocated and Indirect Costs vs the de Minimis Rate
g) Issuing a Financial Assistance Agreement
h) Sub recipient monitoring
i) Closing a Financial Assistance Agreement
j) Conflicts of Interest

Procurement Cards

Effective 1-1-2020 the county's policy and procedures on the Procurement Card Program ("Program") empowers the employee, who has the authority and responsibility, to purchase goods and services for the County in a convenient manner that also reduces the costs associated with initiating and paying for those purchases. The Program is designed for the purchase of low risk and low dollar transactions (generally in the direct procurement threshold as defined in the Clackamas County Local Contract Review Board Rules ("LCRB")). The County's bank vendor is US Bank and transactions are managed using the County's PeopleSoft Financial System, unless otherwise authorized by the Finance Department.

This Policy is applicable to the Public Officials (as broadly defined in ORS 244.020(14)) of the County and all County Departments and special districts, including, but not limited to County service districts, urban renewal agencies, and the Housing Authority of Clackamas County.

The Finance Department is delegated the authority to implement and administer the Program by establishing a Procurement Card Manual ("Manual") outlining the procedures and standards for use of procurement cards. It is the intent of this Policy to authorize Finance to update the Manual from time to time as needed without the necessity to modify this Policy. The Manual shall at a minimum include:

a) Overview of Program
b) Definitions of Roles and Responsibilities
c) Assignment and Control of Procurement Cards
d) Required Transaction Documentation
e) Handling of Lost/Stolen PCards, Declines, and Fraudulent Use
f) Consequences for Non-Compliance with Policy and Manual

Policy on Reserves for Future Expenditures and Contingency

I. Budgeted Reserves as defined in this policy will be the sum of two types of budgeted accounts:

1. ***Contingency –*** a <u>non-spendable</u> account that under Local Budget Law may be accessed during the fiscal year to transfer appropriations to a spendable category account, when the need for such appropriations is approved by the Board of County Commissioners;

2. ***Reserve for Future Expenditure –*** an un-appropriated <u>non-spendable</u> account from which under Oregon Local Budget Law no appropriation can be transferred. The amount budgeted at adoption of the annual budget will be maintained for the fiscal year period.

   Reserve for Future Expenditure exist for a twelve month fiscal year period and then are subject to re-consideration during the annual budget process by the Budget Committee and Board of Commissioners. If sufficient resources exist for funding the reserve in the succeeding fiscal year, amounts may be re-allocated through the budget process to a spendable category account in whole or in part.

Budgeted Reserves in a fund may include amounts for Contingency, Reserve for Future Expenditure, or both.

II. Budgeted Reserves Policy for the County General Fund:
Clackamas County will maintain adequate budgeted reserves in the General Fund to

- provide for future resource needs,
- protect program budgets from periodic transient resource level variations, and
- maintain cash flow levels in amounts sufficient to bridge months in each year during which inflows of revenues are slower.

The amount to be budgeted in the account titled "**Contingency"** should be targeted each year to measure 5% of the overall County General Fund budget.

The amount to be identified in an account titled "**Reserve for Future Expenditure**" in the General Fund should be targeted each year to measure 10% of the overall County General Fund budget, less resources in the General Fund that are dedicated to particular identified uses by law or source. *[example: Secure Rural Schools and Community Self-Determination Act dollars dedicated to specific purposes]*

In no year will the General Fund **Budgeted Reserves** exceed 15% of the total General Fund budget.

III. Other Funds Budgeted Reserves Policy:
Funds other than the General Fund may budget **Reserve for Future Expenditure** accounts when the reserves are composed of dollars dedicated to particular identified uses, either:

- by law,
- by source, or
- by commitment of the Board of County Commissioners.

These other funds may also budget **Contingency** accounts, composed of amounts which may be re-appropriated to other spendable accounts during the budget year by approval of the Board of County Commissioners. Per Local Budget Law, Contingency and Reserve accounts should not be budgeted in Debt Service Funds.

Note: This policy is currently under review and an updated version is expected to be formally considered in/or before FY23-24.

Debt Issuance and Management Policy

On November 7, 1996, the Board of County Commissioners adopted a resolution implementing the following debt issuance and management policies for Clackamas County. These policies were written by the County Finance Director, County Counsel, and County Treasurer and established roles for each of these officials in the process of issuing debt and in its subsequent repayment, management, and reporting.

This policy guides the County in decisions regarding when to issue debt financing, the structure, size and type of debt issues, and the responsibilities of various parties.

Reason for Issuing Debt

The County will issue debt to finance capital construction, capital acquisitions or cash flow as recommended by the Finance Director and authorized by the Board of County Commissioners.

Types and Amounts of County Indebtedness

Clackamas County will issue debt as needed and authorized by the Board of Commissioners in a form related to the type of improvement to be financed.

1. General Obligation Bonds will be issued to finance improvements that benefit the community as a whole. In accordance with Oregon State Law, permission to issue general obligation debt must be authorized by the electorate of the County. In accordance with ORS 287A.100, total general obligation indebtedness will not exceed 2 percent of the real market value of all taxable property in the County. General Obligation debt will not be issued for enterprise activity.

2. Limited Tax General Obligation Bonds will be issued to finance Local Improvement District projects, in accordance with the Clackamas County Local Improvement District Ordinance.

3. Revenue Bonds may be issued to finance facilities that will benefit a specifically identifiable user base. These facilities are anticipated to provide a stream of revenue to assist in the service of the debt undertaken to finance their construction. Other specific revenues will be pledged to debt service as required.

4. The County will undertake to issue Certificates of Participation, Limited Tax Revenue Bonds, or utilize Capital Leases where appropriate and approved by the Board of Commissioners.

5. Clackamas County will issue short term notes (BANs, TANs, bank lines of credit) when necessary and approved by the Board of Commissioners. TANs will be retired within twelve months of issue.

The instruments chosen for financing will match the types and useful lives of the assets to be acquired. Financing methods chosen will be issued in compliance with all state, federal, and local laws and regulations.

The County will issue debt in amounts authorized by law, sufficient to provide financing for the project or projects, as well as any required reserves and the costs of issuance. Decisions as to whether to capitalize interest will be made on a case-by-case basis by the Board of Commissioners, based upon the recommendations of the County Treasurer and the Finance Director. Decisions regarding the structure of the issue as to maturities, debt service and redemption provisions will be delegated to the Finance Director by the Board of County Commissioners.

Selection of Professional Assistance for Debt Issuance

The Board of County Commissioners will approve the selection of professional assistance in the issuance of County debt. Compensation to all professional advisors will be negotiated by the County's representatives. Each County official named below will make his/her recommendations to the Board of Commissioners after seeking input from the other officials participating in the debt issuance and management process. Each County official named below will have the opportunity to participate in meetings and reviews.

1. The Finance Director, County Counsel and County Treasurer will recommend the selection of bond counsel, based on the type of debt to be issued, and the firm's expertise in that type of financing instrument. Recommendation will be made from a current list of all competent professional legal firms offering bond counsel services in the area, updated yearly.

2. The Finance Director will recommend the selection of a Financial Advisor, based on the type of debt to be issued, and the firm's expertise in that type of financing instrument. Recommendation will be made from a current list of all competent professional firms offering financial advisory services in the area, updated yearly.

3. The Finance Director will recommend the selection of the professional independent advisor in the event that the issue is offered on a negotiated sale basis. Recommendations will be made from a current list of all competent professional firms offering financial advisory services in the area, updated yearly.

4. The Finance Director will recommend the selection of the Underwriter in the event that the issue is offered on a negotiated sale basis. Recommendations will be made from a current list of all competent professional firms offering underwriting services in the area, updated yearly.

5. The County Treasurer will recommend the use and selection of a Paying Agent/Registrar if deemed necessary. Recommendation will be made from a current list of all competent professional firms offering such services in the area, updated yearly.

6. The County Treasurer will recommend the selection of a Trustee, when necessary, to be selected from a list of firms offering such services in the area, updated yearly.

7. The County Treasurer will recommend the selection of a Securities Depository for the debt issued.

Method of Sale

Clackamas County will offer the debt to be issued on terms consistent with market conditions, the project being financed, current County debt rating, issue size and complexity, and any other relevant considerations. The Board of County Commissioners will approve the method of sale based on the consensus recommendation of the Financial Advisor, the Finance Director and the County Treasurer. The debt issue may either be offered as a competitive sale or as a negotiated sale. The County will not offer private placement debt issues, except with commercial banks or similar institutions.

Bond Rating and Interest Costs

The County will maintain a bond rating for its general obligation bonds of A or higher with one of the recognized rating agencies and will request a rating in advance of any general obligation issue over three million dollars ($3,000,000) when such action will enhance the salability and lower the interest costs of that debt issue.

Credit enhancements such as bond insurance, reserves for debt service, coverage tests and limitations on additional debt will be considered, and recommendation made by the Finance Director for each issue.

The County will maintain its creditworthiness through sound financial, management, and accounting practices. Additionally, as evidence of these practices, the County will each year strive to maintain its GFOA certification of award for Excellence in Financial Reporting and Excellence in Budgeting.

Refunding and Call Provisions

The County will consider refunding bonds when it is possible to reduce interest costs significantly, when it is desirable to restructure the debt service schedule, or to eliminate unnecessary or excessively restrictive covenants on existing debt. Recommendation to refund bonds will be made by the Finance Director in consultation with the County Treasurer only when a) the present value of interest savings exceeds the present value of the costs to refund the issue, and b) the minimum present value of the savings equals or exceeds 3% of the outstanding balance of the debt considered for refunding, or as allowed by state regulation.

Arbitrage Compliance

The County will comply with any and all federal and state laws and regulations regarding arbitrage earnings and the reporting of arbitrage earnings. The County Treasurer will make all necessary reports to the federal government. The County Treasurer will make a selection recommendation to the Board of Commissioners regarding any professional advisory services required for arbitrage calculation and reporting. The County Treasurer will make reports annually to the Board of Commissioners regarding the County's arbitrage position.

Other Reporting and Disclosures

The County will comply with all disclosure requirements for its debt issues (e.g. Securities and Exchange Commission Rule 15(c) 2-12, and any other disclosure requirements). The County Treasurer, Finance

Director and County Counsel will cooperate to assure that the format and schedule of disclosures and reporting are met as specified by the regulatory body requiring disclosure.

Note: This policy is currently under review and an updated version is expected to be formally considered in/or before FY22-23.

X Administrative Policy
☐ Operational Policy

Clackamas County Policy

Name of Policy	Debt Management Policy	Policy #	FIN-1.102
Policy Owner Name	Elizabeth Comfort	Effective Date	7-21-2022
Policy Owner Position	Finance Director	Approved Date	7-21-2022
Approved By	BCC	Next Review Date	7-21-2025

I. PURPOSE AND SCOPE

This policy provides guidance on the issuance, structure, and management of the County and its agencies' long- and short-term debt. This policy reflects debt management best practices as recommended by the Government Finance Officers Association (GFOA).

II. AUTHORITY

This policy is adopted through BCC Resolution 2022-71 dated July 21, 2022 and supersedes the previous policy adopted by BCC Board Order 96-689 dated November 7, 1996.

III. GENERAL POLICY

The County and its Agencies (County) shall undertake and maintain all long- and short-term debt financings in compliance with applicable Federal law, the Oregon Constitution, Oregon Revised Statutes (ORS), and Oregon Administrative Rules (OAR). The County will further comply with Security and Exchange Commission (SEC) and Municipal Securities Rulemaking Board (MSRB) rules regarding ongoing disclosure, and oversight of participants in the municipal debt market including advisors and securities dealers. Finally, the County will comply with IRS regulations for tax-exempt and tax-advantaged debt issuance.

The Debt Management Policy sets forth the practices for debt issuance and the management of outstanding debt. The Policy establishes certain limits which recognize the County's capital requirements, its ability to repay financial obligations, and the existing legal, economic, financial, and debt market conditions. Specifically, the Policy is intended to assist the County in the following:

1. Evaluating available debt issuance options;
2. Maintaining appropriate capital assets for present and future needs;
3. Promoting sound financial management through accurate and timely information on financial conditions;
4. Protecting and enhancing the County's credit rating(s); and
5. Safeguarding the legal use of the County's financing authority through an effective system of internal controls.

IV. DEFINITIONS

A) <u>Agencies</u> - refer to legally separate organizations for which Clackamas County is financially accountable and has a significant role in their governance and management. Clackamas County currently has seven agencies: the Clackamas Development Agency, North Clackamas Parks & Recreation District (NCPRD), Library Service District of Clackamas County, Extension and 4-H Service District, Enhanced Law Enforcement District, Strict Lighting District, and Water Environment Services.

Water Environment Services (WES), a frequent debt issuer, has been delegated authority to adopt its own debt policy.

B) <u>Arbitrage</u> - refers to the difference between the interest paid on tax-exempt bonds and the interest earned by investing proceeds of tax-exempt bonds in higher-yielding taxable securities. Federal income tax laws generally restrict the ability to earn arbitrage in connection with tax-exempt bonds.

C) Bond Counsel - an attorney or law firm retained by the County to advise and prepare debt issuance and continuing disclosure documents. An important function of Bond Counsel is to provide an opinion regarding the tax-exempt status of a bond issue.

D) Continuing Disclosure – disclosure of material information provided to the marketplace by the County and Agencies after the initial issuance of municipal debt. Such disclosures include, but are not limited to, annual financial information, certain operating information and notices about specified events affecting the County or Agencies, the municipal debt itself or the project(s) financed.

E) Credit Enhancement - the use of the credit of an entity other than the County to provide additional security in a bond or note financing. This term typically is used in the context of bond insurance, bank letters of credit and credit programs offered by federal or state agencies.

F) Credit Rating - an opinion by a rating agency (e.g., Moody's Investors Service, and Standard & Poor's) on the creditworthiness of a bond issue.

G) EMMA (Electronic Municipal Market Access System) - an online source operated by the MSRB providing free access to municipal disclosures and educational materials about the municipal securities market. EMMA serves as the source for official statements and other primary market disclosure documents for new issues of municipal debt, as well as the official source for continuing disclosures on outstanding debt issues.

H) Finance Director - For the purpose of this Policy each reference to the "Finance Director" shall mean the County's Finance Director or their designee, which may include Agency staff.

I) Interfund Loans:

1. Capital Loan – a loan between County funds for the purpose of financing the design, acquisition, construction, installation, or improvement of real property.
2. Operating Loan – a loan between County funds for the purpose of paying operating expenses.

J) Municipal Advisor - a person or firm registered and regulated by the Securities and Exchange Commission and MSRB who provides advice to the County and its agencies with respect to the issuance of municipal debt, including advice regarding structure, timing, terms, the method of sale and other matters concerning such financial obligations. SEC regulations require that Municipal Advisors maintain a fiduciary duty to advise and act in the County's best interest.

K) Municipal Securities Rulemaking Board (MSRB) - a self-regulatory organization, consisting of representatives of securities firms, bank dealers, municipal advisors, issuers, investors and the public, that is charged with primary rulemaking authority over municipal securities dealers and municipal advisors. MSRB rules are approved by the Securities and Exchange Commission (SEC).

L) Official Statement - a document prepared on behalf of the County or Agency in connection with a primary debt offering that discloses material information. Official statements typically include information regarding the purposes of the issue, how the securities will be repaid, and the financial and economic characteristics of the issuer. This information is used by investors and other market participants to evaluate the credit quality and potential risks of the primary offering.

M) Refunding - a process whereby the County refinances outstanding bonds by issuing new bonds. The primary reason for refunding bonds is to reduce the County's interest costs. Other reasons include restructuring debt service payments, releasing restricted revenues, and easing administrative requirements.

N) Securities and Exchange Commission (SEC) - a federal agency responsible for supervising and regulating the securities industry. Although municipal securities are exempt from the SEC's registration requirements, Municipal Advisors and securities dealers are subject to SEC regulation and oversight.

O) Tax Certificate - a document executed by the County at the time of initial issuance of tax-exempt bonds certifying to various matters relating to compliance with federal income tax laws and regulations, including arbitrage rules.

P) Underwriter (or Investment Banker) - a municipal securities dealer that purchases a new issue of municipal debt from the County often for resale in the secondary market. The underwriter may acquire the securities either by negotiation with the County or by award based on competitive bidding.

V. POLICY GUIDELINES

The Finance Director is responsible for administering the County's debt programs, including the sale and management of debt, and monitoring ongoing federal and state regulatory compliance. The Finance Director may delegate debt management to individual Agencies.

The Finance Director has delegated authority to WES to adopt its own policy.

The Finance Department shall assume the lead role for all County debt issuance and management activities, unless otherwise delegated to County Agencies, and make recommendations to the Board of County Commissioners as necessary to accomplish County's debt financing objectives. The Finance Director may choose to delegate authority to another member of the Finance Department staff to lead the debt management process and assume the responsibilities as outlined in this policy.

Departments and Agencies are responsible for coordinating with the Finance Department in connection with any planned or active debt issuance to ensure compliance with the Debt Management Policy and other rules and regulations.

Long-term debt obligations will not be used to fund general operations of the County. The scope, requirements, demands of the County budget and financial plan, reserve levels, and the ability or need to expedite or maintain the programmed schedule of approved capital projects, will be considered when deciding to issue long-term debt. All borrowings must be authorized by the Board of County Commissioners.

Debt cannot be issued to fund capital projects unless such capital projects have been included in a budget and associated capital improvement plan (CIP). Inclusion in the CIP may occur as part of an action related to budget approval or budget adjustment approved by the Board of County Commissioners.

For debt-financed projects, the County shall consider making a cash contribution, "Pay-As-You-Go" funding, as a source of funds from either current resources or from outside cash funding sources (e.g., state or federal grants) to County projects. The target cash contribution shall be determined on a case-by-case basis for each given project; however, a minimum cash contribution must be made to cover project costs which cannot be capitalized and/or ineligible under the federal tax code on tax-exempt bonds.

Agencies shall consider making cash contributions, “Pay-As-You-Go” funding, to their respective projects from their resources or outside funding sources (e.g. state or federal grants). Agency dollars have a restricted purpose that cannot be distributed to the County for projects, unless there is a direct correlation to the Agency’s purpose(s).

At least every three years, the Finance Director shall review the County’s Debt Management Policy and, if needed based on market, statutory or regulatory developments, recommend updates for approval. In addition, the Debt Management Policy may be updated at any time for any immediate needs (e.g., new regulations) subject to County approval.

Section VI describes the requirements and procedures of the County’s Debt Management Policy and is organized under the following headings:

A. Type and Use of Debt
B. Federal, State or Other Loan Programs
C. Debt Refinancing
D. Debt Structure Considerations
E. Method of Sale
F. Investment of Bond Proceeds
G. Credit Ratings/Objectives
H. Bond Issuance Investor Relations
I. Post Issuance Tax and Arbitrage Rebate Compliance
J. Disclosure and Continuing Disclosure
K. Consultants and Advisors
L. Interfund Loans
M. Reporting Requirements

VI. PROCESS AND PROCEDURES

A. Type and Use of Debt

The County will issue debt as needed and as authorized by the Board of County Commissioners in a form related to the type of improvement to be financed.

1. General Obligation Bonds - General obligation (GO) bonds are authorized under ORS 287A, payable from a dedicated tax levy and subject to voter approval by the electorate of the County.

   General obligation bonds will be issued to finance capital projects that benefit the County as a whole.

2. Full Faith and Credit Obligations - Full Faith and Credit Obligations (FFC) authorized under ORS 287A are similar to General Obligation Bonds as the County is still required to use all legally available resources to meet debt service. However, FFC’s do not include a pledge of an unlimited property tax, nor do they generate an additional property tax resource available to pay debt service. As such, they do not require voter approval, and are instead backed by the general revenue and taxing power of the County within the limits imposed by the Oregon Constitution, Article XI, Section 11.

   FFC’s may be secured by a variety of pledges including property tax, gas tax and other resources of the County. FFC’s are issued for projects such as transportation, public safety, facilities, equipment and other projects as authorized by the County

Board of Commissioners.

3. Revenue Bonds - Revenue bonds issued under ORS 287A are payable from available revenues and will be used for County enterprise activities (e.g., Water Environment Services). Although other specific enterprise revenues can be used for debt service, no property taxes are pledged to the bonds.

   Revenue bonds are not subject to constitutional or statutory debt limits, the County's or County agency debt will not exceed legal or contractual limitations, such as rate covenants or additional bonds tests imposed by then-existing financing covenants. Revenue bonds are typically not subject to voter approval; however, they may be subject to referral.

4. Other Financing Tools - The County may utilize other financing long-term methods such as Certificates of Participation, Capital Leases secured by the property, urban renewal secured by tax increment revenues, or local improvement district financings secured by assessments.

   In each case, the Finance Director will consult with the County's Municipal Advisor and Bond Counsel on the feasibility of these capital financing instruments. This includes analyzing the effects on debt capacity, budget flexibility, cash flow sufficiency, cost of issuance, and other market factors. In all cases, any financing requires the approval of the Board of County Commissioners.

5. Variable Rate Obligations - The County will generally seek to obtain financing through fixed rate obligations. When appropriate, however, the County may choose to issue variable rate obligations. Such variable rate obligations may pay a rate of interest that varies according to a predetermined formula or a rate of interest that is based on a periodic remarketing of securities.

6. Short-Term Financing - The County may issue short-term notes (e.g., Tax Anticipation, Bond Anticipation, Revenue Anticipation and Grant Anticipation) when necessary and approved by the County Board of Commissioners. Anticipation notes are secured by a revenue pledge of taxes committed, but not yet collected, anticipated bond proceeds, project revenues and anticipated grant resources. Prior to selling Revenue and Grant anticipation notes the County must identify a secondary source of repayment for the notes if expected project revenue/grant funding does not occur.

B. Federal, State, or Other Loan Programs

To the extent it benefits the County, the County may participate in federal, state, or other loan programs that are secured by any of the sources identified above. The Finance Director shall evaluate the requirements of these programs to determine if the County is well served by employing them and make recommendations to the County Administrator and Board of County Commissioners.

For purposes of this Policy, the County shall treat and report these commitments in a manner consistent with other County debt obligations. To the extent required by the loans or other outstanding debt agreements, the County shall include the financial requirements of these commitments when determining additional bonds tests, coverage requirements, debt limitations, continuing disclosure requirements and any other conditions imposed by the

County's outstanding obligations.

C. Debt Refinancing

Refunding obligations may be issued to retire all or a portion of an outstanding debt issue. Economic refunding may refinance high-coupon debt at lower interest rates to achieve debt service savings. Alternatively, the County may conduct a refunding for reasons other than cost savings, such as to restructure debt service payments, to change the type of debt instruments, to release restricted revenues, to ease administrative requirements, or to remove undesirable covenants.

The Finance Department and Municipal Advisor will monitor refunding opportunities for all outstanding debt obligations on a periodic basis applying established criteria in determining when to issue refunding debt and bring forth the recommended opportunities with appropriate Board of County Commissioners actions and related documentation.

For coordination purposes, notification should be made to the County Treasurer as soon as the County decides to move forward with a debt refinancing.

D. Debt Structure Considerations

1. Maturity of Debt - The final maturity of the debt shall not exceed, and preferably be less than, the remaining average useful life of the assets being financed, and to comply with Federal tax regulations, the average life of a financing shall not exceed 120% of the average life of the assets being financed.

2. Debt Service Structure - In consultation with the Municipal Advisor debt service payments for new money issues will be structured according to the type of debt issuance (e.g., general obligation vs. revenue bonds), revenue sources and anticipated revenue collections. The Finance Director will recommend debt service repayment plans based on overall affordability with the goal of repaying the debt as quickly as feasible.

3. Lien Structure - Senior and subordinate liens may be used to maximize the most critical constraint, either cost or capacity, thus allowing for the most beneficial leverage of revenues.

4. Capitalized Interest – Excluding business-like activities, the County may elect to fund capitalized interest in connection with the construction of certain projects if revenue from such projects or from other identified sources is not initially available to pay debt service on related debt. Additionally, the County may consider funding capitalized interest if such a strategy will minimize the financial impact to of such borrowing on County rate or taxpayers.

5. Reserve Funds - A reserve fund for a debt issuance may be required for credit rating or marketing reasons. If required, such reserve fund can be funded with:

   a. The proceeds of a debt issue;
   b. The reserves of the County; or,
   c. A surety policy.

A cash reserve fund will be invested pursuant to the investment restrictions associated with the respective financing documents and the County's investment policy. For each debt issue, the Finance Director will evaluate whether a reserve fund is necessary for credit rating or marketing purposes and the benefits of funding or maintaining the reserve requirement with cash or a surety policy, in addition to determining the benefits of borrowing the necessary funds or using cash reserves. This evaluation will be done in consultation with finance staff, Treasurer's Office and in consideration of the chart of accounts structure.

6. Redemption Provisions - In general, the County will seek the right to optionally redeem debt at par as specified in the bond issuance documents no later than ten years after issuance. Redemption provisions will be established on a case-by-case basis, taking into consideration market conditions and the results of a call option analysis prior to the time of sale. Because the issuance of non-callable debt may restrict future financial flexibility, cost will not be the sole determinant in the decision to issue non-callable debt.

7. Credit Enhancement - Credit enhancement (e.g., bond insurance or letters of credit) on County financings will only be used when net debt service is reduced by more than the cost of the enhancement. The County will evaluate the availability and cost/benefit of credit enhanced debt versus unenhanced debt prior to issuing any debt.

E. Method of Sale

The County will select a method of sale that is the most appropriate when considering the financial market, transaction-specific and County-specific conditions, and advantages. There are three basic methods of sale: Competitive Sale, Negotiated Sale, and Direct Placement. Each type of debt sale has the potential to provide the lowest cost or satisfy other priorities given the right conditions.

In consultation with the Municipal Advisor, the Finance Director will select the most appropriate method of sale considering the prevailing financial market and transaction-specific conditions. If a negotiated sale is expected to provide overall benefits, the senior managing underwriters and co-managers shall be selected through the process described in Section K.4.

F. Investment of Bond Proceeds

The County Treasurer is responsible for investing bond proceeds in accordance with legal requirements and the County's Investment Policy.

For each debt issuance the Finance or Agency staff will provide the County Treasurer with cash flow/projection spreadsheet(s), as known, so the County Treasurer can maximize the return on the investment of the bond proceeds.

G. Credit Ratings/Objectives

The County's objective is to maintain an excellent credit rating (or ratings) considering the County's financial condition as a way of balancing financing costs and cash flow. The Finance Director shall be responsible for managing the County's credit rating agencies relationship. This effort shall include providing the rating agencies with the County's annual budget, financial statements, and other information they may request. Full disclosure of operations will be made to the credit rating agencies.

The Finance Director shall also coordinate periodic meetings with the rating agencies and communicate with them prior to each debt issuance. The County will evaluate the benefits of a higher rating at lower debt cost versus a lower rating that provides more debt capacity and flexibility.

H. Bond Issuance Investor Relations

The Finance Director shall be responsible for managing relationships with bond issue related investors. The Finance Director will also be responsible for responding to inquiries from institutional and retail investors related to bonds, and for proactively communicating with such bond issue related investors if necessary. Such communication shall be made only as permitted under applicable federal securities laws, in consultation with the County's bond counsel. Nothing in this section of this policy should be construed to supersede the County's investment policy managed by the County Treasurer as outlined in section F (above).

I. Post Issuance Tax and Arbitrage Rebate Compliance

The County will comply with all financing covenants to maintain the validity of the issuance of debt, including, but not limited to tax-exemption, arbitrage rebate compliance, insurance provisions, reporting and monitoring requirements. Any instance of noncompliance will be reported to the Board of County Commissioners.

1. External Advisors and Documentation - The County shall consult with bond counsel, County Counsel, County Treasurer, and advisors, as needed, throughout the debt issuance process to identify requirements and to establish procedures necessary or appropriate so that the bonds or other obligations will continue to qualify for tax-exempt status, if applicable.

   Those requirements and procedures shall be documented in the tax certificate and agreement ("Tax Certificate") and/or other documents finalized at or before issuance of the bonds. Those requirements and procedures shall include future compliance with applicable arbitrage rebate requirements and certain other applicable post-issuance requirements of federal tax law throughout (and, in some cases, beyond) the term of the bonds. This shall include, without limitation, consultation in connection with any potential changes in use of bond-financed or refinanced assets.

   The County may engage expert advisors to assist in the calculation of arbitrage rebate payable in respect of the investment of bond proceeds, unless the Tax Certificate documents that arbitrage rebate will not be applicable to an issue of bonds.

   Unless otherwise provided by the transaction documentation relating to the bonds, unexpended bond proceeds shall be segregated from other funds of the County.

2. Investment Documentation - The investment of bond proceeds shall be managed by the County Treasurer (as outlined in section F). The County Treasurer shall prepare (or cause to be prepared) periodic statements regarding the investments and transactions involving bond proceeds. Finance should work with the County Treasurer before the issuance of any bonds to discuss and mutually agree on the frequency and information needed

involving the bond proceeds.

3. Arbitrage Rebate and Yield - Unless the Tax Certificate documents that arbitrage rebate will not be applicable to an issue of bonds, the Finance Director or Treasurer, shall be responsible for:
    a. Either (1) engaging the services of a rebate service provider and, prior to each rebate calculation date, causing the County Treasurer1 and the County's selected Trustee2 to deliver periodic statements concerning the investment of bond proceeds to the rebate service provider, or (2) undertaking rebate calculations themselves and retaining and obtaining periodic statements concerning the investment of bond proceeds3;
    b. Providing to the rebate service provider additional documents and information reasonably requested;
    c. Monitoring efforts of the rebate service provider;
    d. Assuring payment of required rebate amounts, if any, no later than 60 days after each five-year anniversary of the issue date of the bonds, and no later than 60 days after the last bond of each issue is redeemed;
    e. During the construction period of each capital project financed in whole or in part by bonds, monitoring the investment and expenditure of bond proceeds and consulting with the rebate service provider to determine compliance with any exceptions from the arbitrage rebate requirements during each 6-month spending period up to 6 months, 18 months, or two years, as applicable, following the issue date of the bonds; and
    f. Retaining copies of all arbitrage reports, investment records and trustee statements.

4. Use of Bond Proceeds and Bond-Financed or Refinanced Assets

The Finance Director shall be responsible for:

a. Monitoring the use of bond proceeds including investment earnings in coordination with the County Treasurer, reimbursement of expenditures made before bond issuance, and the use of the financed asset throughout the term of the bonds. This is to ensure compliance with covenants and restrictions set forth in the Tax Certificate relating to the bonds;
b. Maintaining records identifying the assets or portion of assets that are financed or refinanced with proceeds of each issue of bonds (including investment earnings and reimbursement of expenditures made before bond issuance), including a final allocation of the bond proceeds documented on or before the later of 18 months after an expenditure is paid or the related project is placed in service, and in any event before the fifth anniversary of the bond issuance;
c. Consulting with bond counsel, other legal counsel, and other advisors in the review of any change in use or transfer of bond-financed or refinanced assets to ensure compliance with all covenants and restrictions set forth in the Tax Certificate relating to the bonds;
d. To the extent the County discovers that any applicable tax restrictions regarding use of bond proceeds and bond-financed or refinanced assets will or may be violated, consulting promptly with bond counsel, other legal counsel, and other advisors to determine a course of action to preserve the tax-exempt status of the bonds (if applicable).

J. Disclosure and Continuing Disclosure

The County is required to provide disclosure, generally in the form of an official statement, relating to each public offering of debt. The County is responsible for providing complete and accurate information to be included in the official statement and is responsible for the overall content of the document, although it may rely on an external party (e.g., bond counsel or disclosure counsel) to assist in the creation of the document.

1. Primary Disclosure Policies - The Finance Director is responsible for information requests relating to official statements to be used in the initial offering of the County's borrowings. The Finance Director will request information required for disclosure to investors and rating agencies from relevant departments and will sign a statement attesting to the accuracy and completeness of the information therein. The Board of County Commissioners will be provided with a copy of the official statement for each issue of debt.

2. Continuing Disclosure Policies - Under Rule 15c2-12 of the Securities and Exchange Commission, adopted under the Securities Exchange Act of 1934, the County is required to enter a contract to provide "secondary market disclosure" relating to each publicly offered bond issue (referred to as an "undertaking"). The Finance Director shall review any proposed undertaking to provide secondary market disclosure and negotiate any commitments therein.

Additionally, bonds sold via the direct placement method may have specific disclosure requirements required by the purchaser.

Internal procedures shall be developed that identify the information that is obligated to be submitted in an annual filing, the dates on which filings are to be made, list the events required to be disclosed, and identify the person responsible for making the filings.

The Annual Report may fulfill annual financial information filing obligations. The information provided in the Annual Report does not have to be replicated when filing with the Electronic Municipal Market Access (EMMA) portal. If the County agrees to furnish information that is outside the scope of the Annual Report, that information may be included as a supplement to the Annual Report when filing with EMMA. On its completion, the Annual Report should be immediately submitted to EMMA.

Each time the County issues new bonds, the Finance Director (in consultation with bond counsel and the municipal advisor) will review the County's compliance with prior continuing disclosure undertakings and make any necessary corrective filings.

In addition to continuing disclosure undertakings associated with public bond offerings as required by SEC Rule 15c2-12, the County may also be subject to ongoing reporting requirements associated with other debt obligations, such as bank loans.

K. Consultants and Advisors

1. Municipal Advisor - The County will retain an independent registered municipal advisor (MA) through a process administered by the Finance Director consistent with the rules adopted by the County's Local Contract Review Board (LCRB). Selection of the County's MA should be based on the following:

   a. Experience in providing consulting services to issuers similar to the County;
   b. Ability to meet all regulatory requirements;
   c. Knowledge and experience in structuring and analyzing large complex debt issues;
   d. Ability to conduct competitive selection processes to obtain related financial services

(including underwriters and other service providers);
e. Experience and reputation of assigned personnel; and
f. Fees and expenses.

The County expects that its MA will provide objective advice and analysis, maintain confidentiality of County financial plans, and fully disclose any potential conflicts of interest.

2. Bond Counsel - For all debt issues, the County will engage and retain an external bond counsel through a process administered by the Finance Director and County Counsel consistent with the rules adopted by the County's LCRB.

   Where required by the lender and/or bond investors, debt issued by the County will include a written opinion by bond counsel affirming that the County is legally authorized to issue the debt, stating that the County has met all state constitutional and statutory requirements necessary for issuance, and determining the debt's federal income tax status. Bond Counsel may also draft the Official Statement in lieu of having a separate disclosure counsel.

3. Disclosure Counsel - The County may engage and retain, when appropriate, Disclosure Counsel through a process administered by the Finance Director and County Counsel consistent with the rules adopted by the County's LCRB, to prepare official statements for debt issues. Disclosure Counsel will be responsible for providing that the official statement complies with all applicable rules, regulations, and guidelines and be a firm with extensive experience in public finance.

4. Underwriters - For negotiated sales, underwriters will be required to demonstrate sufficient capitalization and experience related to the debt issuance in question. The Finance Director, in consultation with the Municipal Advisor, will establish a pool of qualified underwriters through a process consistent with the rules adopted by the County's LCRB and may designate one or more firms as eligible to be senior managers and one or more firms as eligible to be co-managers. Criteria to be used in the appointment of qualified underwriters will include:

   a. Quality and applicability of financing ideas;
   b. Demonstrated ability to manage the type of financial transaction in question;
   c. Demonstrated ability to structure debt issues efficiently and effectively;
   d. Demonstrated ability to sell debt across a wide span of investors;
   e. Demonstrated willingness to put capital at risk;
   f. Experience and reputation of assigned personnel;
   g. Past performance and references; and
   h. Fees and expenses.

5. Debt Issued Through Commercial Banks - The Finance Director, in consultation with the Municipal Advisor may solicit proposals from commercial banks to provide lines of credit, letters of credit, direct bank placements, and other credit facilities, as needed.

   A bank or pool of banks will be selected through a process administered by the Finance Director consistent with the rules adopted by the County's LCRB.

   Selection of such providers will be based upon the proposed financial terms deemed most advantageous to the County, including, but not limited to lowest interest cost, prepayment flexibility, terms and structure, and fees.

6. Trustee and Paying Agent Services - The County Treasurer will recommend the use and selection of the Trustee and Paying Agent services as needed, based on a competitive solicitation or other list of qualified financial institutions maintained by the Treasurer and allowed by Oregon Revised Statutes.

L. Interfund Loans

An interfund loan is a transfer between funds, within Clackamas County or within an Agency, for an approved amount and a plan of repayment during a specified period of time.

Interfund loans are subject to the requirements of ORS 294.468 and designed to provide financing resources to address cash flow needs of the County.

Interfund loans can be of two types:

1. Capital Loan: a loan between County funds for the purpose of the design, acquisition, construction, installation, or improvement of real property.

2. Operating Loan: a loan between County funds for the purpose of paying operating expenses.

Interfund loan requests must be reviewed and approved by the Finance Director prior to a request for authorization by Board of County Commissioners. They are subject to the following requirements, including compliance with ORS 294.468:

a. Loans will only be authorized after it has been demonstrated that reasonable consideration was given to other potential resources available to the department/fund requesting the loan.

b. Interfund loans must be authorized by Board Resolution, stating the fund from which the loan is made, the destination fund, the purpose of the loan, the principal amount of the loan, the interest rate at which the loan shall be repaid, and a schedule for repayment of principal and interest.

c. The interest rate on Capital and Operating Loans shall be set at the stated rate of interest paid by Oregon Local Government Investment Pool as reported by the County Treasurer at the time the loans are approved by the Board of County Commissioners, plus two percent (2% APR).

d. Interfund loans cannot not be made from debt service reserve funds, or any other funds restricted by law, constitutional provisions, bond covenants, grantor requirements or other County restrictions.

e. Capital Loans cannot not exceed 10 years.

f. Operating Loans cannot extend beyond end of the subsequent fiscal year.

g. Interfund loans may be repaid in advance without any additional accrual of interest