

BOARD OF COUNTY COMMISSIONERS BUSINESS MEETING MINUTES

A complete video copy and packet including staff reports of this meeting can be viewed at

<https://www.clackamas.us/meetings/bcc/business>

Thursday, August 19, 2021 – 10:00 AM

Virtual Meeting via Zoom and in Person

PRESENT: Chair Tootie Smith
Commissioner Sonya Fischer
Commissioner Mark Shull
Commissioner Paul Savas
Commissioner Martha Schrader

CALL TO ORDER

- Roll Call
- Pledge of Allegiance

Recess as the Board of County Commissioners and Convene as the Housing Authority for the consent agenda

I. HOUSING AUTHORITY CONSENT AGENDA <https://www.clackamas.us/meetings/bcc/business>

1. Approval of an Intergovernmental Agreement between the Housing Authority of Clackamas County and Community Development Division for Homeless Management Information System (HMIS) staffing. \$143,750 funded through HUD Cares Act funds Emergency Solutions Grant and non-CARES Act Emergency Solutions Grant funds. No County General Funds are involved.
2. Approval of Amendment #2 to IGA between Health, Housing and Human Services (H3S) and Housing Authority of Clackamas County (HACC) to allow for an increase from part time to full time case Manager serving HACC public housing residents. Amendment adds \$110,000 (\$55,000/year for two years) for a total contract of \$1,267,344.91 funded through County General Funds through Policy Level Proposal – Affordable Housing and Services Fund.
3. Approval of an IGA between Housing Authority of Clackamas County (HACC) and Clackamas County Community Corrections (CCCC) for funding supportive mental health housing for corrections participants. \$343,064 funded through Supportive Housing Services. No County General Funds are involved.
4. Approval to Execute Amendment #1 to the Contract between Housing Authority of Clackamas County and Kantor Taylor, PC for Legal Services for the Financing of Low Income Housing Tax Credit (LIHTC) and Real Estate Transactions. Total increase is \$150,000 and the term extended to April 2025. Funded through LIHTC. No County General Funds are involved.

Read Consent Agenda

Commissioner Shull: I move for approval of the Housing Authority content agenda
Commissioner Savas: Second

Commissioner Fischer: Motion to amend the motion to pull item #3

Chair Smith: No need to motion for the item we will vote on the remaining items.

Clerk called the Poll

Commissioner Leenstra: Aye

Commissioner Schrader: Aye

Commissioner Shull: Aye.

Commissioner Savas: Aye

Commissioner Fischer: Aye.

Chair Smith: Aye.–the motion carries 6-0

Commissioner Fischer wishes to abstain from the item #3
~Board Discussion~
Clerk read the item #3 again

Commissioner Savas: Move to approve the consent agenda item
Commissioner Shull: Second
Clerk called the Poll
Commissioner Leenstra: Aye
Commissioner Shull: Aye.
Commissioner Savas: Aye
Commissioner Fischer: Abstain.
Commissioner Schrader: Aye
Chair Smith: Aye.–the motion carries 5-0-1

Adjourn as the Housing Authority and reconvene as the Board of County Commissioners for the next two items

II. BOARD DISCUSSION ITEMS <https://www.clackamas.us/meetings/bcc/business>

1. In the Matter of Recognizing the Economic Impacts of Historical Weather Events on Clackamas County's Agricultural Sector.

Chair Smith introduced the item

~Board Discussion~

Commissioner Shull: I move we approve this resolution.
Commissioner Fischer: Second
Clerk called the Poll
Commissioner Savas: Aye
Commissioner Schrader: Aye
Commissioner Fischer: Aye.
Commissioner Shull: Aye.
Chair Smith: Aye.–the motion carries 5-0

III. CONSENT AGENDA <https://www.clackamas.us/meetings/bcc/business>

A. Health, Housing & Human Services

1. Approval of Grant Agreement #18869, Amendment #1 with Ride Connection, Inc. to Provide Funding for Specialized Service Rides Provided by Members of the Clackamas County Transportation Consortium. Total Agreement amount is \$483,913 funded through State of Oregon ODOT – Special Transportation Formula Funds. No County General Funds are involved. – Social Services
2. Approval of Agreement #18950 with Ride Connection, Inc. to Provide Funding for Rides Provided by the Social Services Division-Transportation Reaching People Unit. Agreement amount is \$4,182 funded through Federal Transit Administration Grant. No County General Funds are involved. – Social Services
3. Approval of Grant Agreement #18870, Amendment #1 with Ride Connection, Inc. to Provide Funding for Specialized Service Rides Provided by Members of the Clackamas County Transportation Consortium. Total Agreement amount is \$509,864 funded through State of Oregon ODOT – Special Transportation Formula Funds. No County General Funds are involved. – Social Services
4. Approval of Agreement #18929 with Ride Connection, Inc. to Provide Funding for Rides Provided by Volunteer Drivers under the Vets Drive Vets Program. Total Agreement amount is

\$5,047 funded through the Federal Transit Administration Grant. No County General Funds are involved. – Social Services

5. Approval of Agreement #18949 with Ride Connection, Inc. to Provide Funding for Rides Provided by Volunteer Drivers under the Vets Drive Vets Program. Total agreement amount is \$206,670 funded through TriMet General Funds and Federal Transit Administration Grant / ODOT Funds. No County General Funds are involved. – Social Services
6. Approval of Agreement #18919 with Ride Connection, Inc. to Provide Funding for Vehicle Maintenance of Ride Connection owned Vehicles Operated by Social Services-Transportation Reaching People and Community Center based transportation. Total Agreement Amount is \$51,800 funded through agreements with State of Oregon, Elderly and Disabled Transportation Fund and Federal Transportation 5310 Grant Funds. No County General Funds are involved. – Social Services
7. Approval of Grant Agreements #18871, Amendment #1 with Ride Connection, Inc. to Provide Funding for Rides Provided by Social Services, Transportation Reaching People. This Amendment increases the total value to \$222,284 funded through State of Oregon ODOT Special Transportation Formula Funds. No County General Funds are involved. – Social Services
8. Approval of Grant Agreements #18872, Amendment #1 with Ride Connection, Inc. to Provide Funding for Rides Provided by Social Services, Transportation Reaching People. This Amendment increases the total value to \$62,907 funded through State of Oregon ODOT Special Transportation Formula Funds. No County General Funds are involved. – Social Services
9. Approval of Grant Agreements #18873 Amendment #1 with Ride Connection, Inc. to Provide Funding for Rides Provided by Social Services, Transportation Reaching People. This Amendment increases the total value to \$63,595 funded through State of Oregon ODOT Special Transportation Funds. No County General Funds are involved. – Social Services
10. Approval of Intergovernmental Subrecipient Agreement with City of Lake Oswego/Lake Oswego Adult Community Center to Provide Social Services for Clackamas County Residents. Maximum agreement value is \$124,877 funded through the Older American Act and Ride Connection pass-through funds. No County General Funds are involved. – Social Services
11. Approval of a Subrecipient Agreement Emergency Shelter Grant with Clackamas Women's Services. The Emergency Solutions Grant funds \$41,254 as a grant funded by US Department of Housing and Urban Development ESG 2021-22 funds. No County General Funds are involved. – Community Development

B. Transportation & Development

1. Approval of a Contract with NTA Contracting, Inc. for the 232nd Drive Roadway at MP 0.3 Project. Value of the contract is \$326,376.36. Road fund match of \$33,723.94. No County General Funds are involved.

C. Finance

1. Approval of Contract with CINTAS Corporation No. 2 for Countywide Uniform Services for a total of \$448,200 funded through individual departments some of which are funded through the general fund.
2. FEMA-4599-DR-OR Infrastructure Contract for the 2021 Winter Ice Storm. No dollar figure at this time. No County General Funds are involved.

D. Elected Officials

- ~~4. *Approval of Previous Business Meeting Minutes – BCC~~
1. Request by the Clackamas County Sheriff's Office to Approve Amendment N. 1 to the Intergovernmental Agreement with North Clackamas County School District (NCSD). NCSD will fund the cost for one Deputy at \$144,124 and a one-time training at \$89,247.73. No County General Funds are involved.

2. Approval of Amendment #3 with DePaul Industries to Provide Security Services for Justice Court, Juvenile and Circuit Court. This amendment adds \$588,500.16 for a total contract of \$1,649,176.76 through the Sheriff's Office and Justice Court General Fund.
3. *Request by the Clackamas County Sheriff's Office to enter into an Intergovernmental Agreement with Clackamas Community College for 2021-2022 GED classes at the Clackamas County Jail. Total Agreement cost is \$29,650 funded through County General Funds budgeted within the Clackamas County Sheriff's Office Jail Operations and the Jail Levy budgets.

E. Juvenile

1. Approval of an Intergovernmental Agreement with Clackamas Education Service District (ESD) to Provide Education and Vocational Opportunities for At-Risk Youth. ESD will fund \$43,000 and the balance of \$48,615 will be covered by County General Funds.

F. Tourism & Cultural Affairs

1. Approval of a contract to receive State Transient Lodging Tax Funds from Travel Oregon to implement Mt. Hood/Gorge regional tourism plan for FY21/22. This is a revenue contract for \$194,210 funded through Travel Oregon's Regional Cooperative Tourism Program. No County General Funds involved.
2. Approval of a contract to receive Regional Recovery & Stability Funds from Travel Oregon for Mt. Hood/Gorge Region Program. This is a funding agreement for \$107,429 in revenue funded through Travel Oregon. No County General Funds involved.

G. Community Corrections

1. Approval of an Intergovernmental Agreement between Clackamas County Community Corrections (CCCC) and Housing Authority of Clackamas County (HACC) for Supportive Mental Health Housing. \$343,064 funded through Supportive Housing Services. No County General Funds are involved.
2. *Approval to Apply for a Grant between the State of Oregon Criminal Justice Commission Justice Reinvestment and Clackamas County Community Corrections to Continue the Pretrial Program. Total grant value is \$2,441,218 through the Criminal Justice Commission. No County General Funds are involved.

Read Consent Agenda

Commissioner Fischer would like to remove item G.1

Commissioner Shull: I move for approval of the consent agenda

Commissioner Fischer: Second

Clerk called the Poll

Commissioner Fischer: Aye.

Commissioner Schrader: Aye

Commissioner Shull: Aye.

Commissioner Savas: Aye

Chair Smith: Aye.—the motion carries 5-0

Clerk read item G.1

Commissioner Savas: I move for approval of the item G.1

Commissioner Shull: Second

Clerk called the Poll

Commissioner Schrader: Aye

Commissioner Fischer: Abstain.

Commissioner Savas: Aye

Commissioner Shull: Aye.

Chair Smith: Aye.—the motion carries 4-0-1

Recess as the Board of County Commissioners and Convene as the North Clackamas Parks and Recreation District for the next consent agenda

IV. NORTH CLACKAMAS PARKS & RECREATION DISTRICT CONSENT AGENDA

1. Approval of a Resolution approving the renaming of the Milwaukie Center to The Milwaukie Community Center. Total cost will be \$3000 funded through NCPRD/Milwaukie Center building maintenance budget. No County General Funds are involved.

Read Consent Agenda

Commissioner Shull: I move for approval of the North Clackamas Parks and Recreation District consent agenda

Commissioner Savas: Second

Clerk called the Poll

Commissioner Shull: Aye.

Commissioner Savas: Aye

Commissioner Fischer: Aye.

Commissioner Schrader: Aye

Chair Smith: Aye.–the motion carries 5-0

Adjourn as the North Clackamas Parks and Recreation District and Convene as the Development Agency Board for the next consent agenda

V. DEVELOPMENT AGENCY CONSENT AGENDA

1. Approval of Amendment #3 to the Contract with Harper Houf Peterson Righellis Inc for Phase Two of the Clackamas Regional Center Mobility Improvement Project.

Read Consent Agenda

Commissioner Savas: I move for approval of the Development Agency Board consent agenda

Commissioner Fischer: Second

Clerk called the Poll

Commissioner Fischer: Aye.

Commissioner Savas: Aye

Commissioner Shull: Aye.

Commissioner Schrader: Aye

Chair Smith: Aye.–the motion carries 5-0

Adjourn as the Development Agency Board and Convene as the Service District No. 5 for the next consent agenda

VI. SERVICE DISTRICT NO. 5 (Street Lighting) CONSENT AGENDA

1. Board Resolution Certifying the 2021-2022 Assessment Roll for Clackamas County Service District No. 5 (Street Lighting). Assessment reflects a 5% reduction in all rate categories as discussed with the Budget Committee. No General Funds are involved.

Read Consent Agenda

Commissioner Fischer: I move for approval of the Service District No. 5 consent agenda

Commissioner Shull: Second

Clerk called the Poll

Commissioner Savas: Aye

Commissioner Schrader: Aye

Commissioner Shull: Aye.

Commissioner Fischer: Aye.
Chair Smith: Aye.–the motion carries 5-0

Adjourn as the Service District No. 5 and Convene as the Water Environment Services Board for the next consent agenda

VII. WATER ENVIRONMENT SERVICES CONSENT AGENDA

1. Approval of a Contract with Wolf Water Resources, Inc. for the Watershed Protection-Benthic Macroinvertebrate and Geomorphological Monitoring. Contract value is \$159,530 through WES Surface Water operating fund and Lake Oswego contributing \$21,050 through a subsequent IGA. No County General Funds are involved.
2. Approval of Intergovernmental Agreement between Water Environment Services and the City of Oregon City, for the Transfer of Ownership of Two Sanitary Sewer Manholes and Two Sanitary Sewer Pipe Segments. There is no financial impact.
3. Approval of an Intergovernmental Agreement between Water Environment Services and the Clackamas River Water Providers for Clackamas River Watershed activities. The Agreement is for \$50,000 total. Funded through the WES Surface Water Operating Fund. No General Funds are involved.

Read Consent Agenda

Commissioner Shull: I move for approval of the Water Environment Services consent agenda

Commissioner Fischer: Second

Clerk called the Poll

Commissioner Shull: Aye.

Commissioner Savas: Aye

Commissioner Fischer: Aye.

Commissioner Schrader: Aye

Chair Smith: Aye.–the motion carries 5-0

Adjourn as the Water Environment Services and Reconvene as the Board of County Commissioners for the rest of the meeting.

VIII. PUBLIC COMMUNICATION <https://www.clackamas.us/meetings/bcc/business>

General Public Comment in Person:

1. Tonya Striefel – Eagle Creek – Oregon Moms Union Rep-Mandate
2. Yvonne Lazarus – Milwaukie – Clackamas
3. Les Poole – Gladstone – Public Comment
4. Stephen Enos – Oregon City – Vaccine
5. Nancy Hall – Happy Valley - Covid

General Public Comment Zoom:

1. Jennifer Duncan – Lake Oswego - Last week's meeting
2. Allison Bernaldez – Tualatin - Mask mandate
3. Joel Litkie – Estacada – Public Comment
4. Jean Horn – Milwaukie – Public Comment
5. Cris Waller – Milwaukie - Cancellation of Molalla vaccine clinic
6. Connie Lee – Lake Oswego - Last week's BCC meeting
7. Tim Smith - Clackamas County - COVID
8. Debbie Otenburg - Clackamas County - COVID
9. Sara Lambert – Oregon City - No vaccine mandate- we should all have the choice to get it or not based on our own personal health.

10. Christine Kennedy – Lake Oswego - COVID
11. Tammy Stevens - Clackamas County- The Hamlet of Beavercreek Quarterly Report
12. Amanda Fisk – Milwaukie - Mandates
13. Bill Wehr - Clackamas County - public policy

IX. COUNTY ADMINISTRATOR UPDATE <https://www.clackamas.us/meetings/bcc/business>

X. COMMISSIONERS COMMUNICATION <https://www.clackamas.us/meetings/bcc/business>

Adjourned 12:01 PM

Terwilliger, Christina

From: Allison Bernaldez <bernaldezallison@gmail.com>
Sent: Thursday, August 19, 2021 1:48 PM
To: BCCMail
Subject: Written testimony from 8/19/21 Clackamas County Business Meeting

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

Here is the written version of the testimony I gave in today's Clackamas County Business Meeting:

My name is Allison Bernaldez. I am a Clackamas County resident, in Tualatin. I am a mom of three kids under the age of five. I am the aunt of two Clackamas County kids, ages 5 and almost 8, who will be attending in-person public school in the County. I am terrified for the health and wellbeing of the children I am responsible for keeping safe and whom I love.

On August 10, 2021, OHSU released a statement on their COVID-19 forecast. The opening paragraph of that statement reads: "The latest data on the delta variant of COVID-19 and its predicted impact on Oregon is dire. By Labor Day, OHSU predicts that the state will be short 400-500 needed staffed hospital beds. This means that some Oregonians will not be able to get hospital care for COVID-19 or any other condition."

Clackamas County has seen a 139% increase in COVID-19 related hospitalizations in the last 14 days, according to the New York Times Coronavirus Map. The OHA "Oregon COVID-19 Vaccine Effort Metrics" data dashboard shows, out of all the counties in Oregon, Clackamas County has the largest population of unvaccinated residents in several age groups, including 60-69 year olds, 50-59 year olds, and 30 to 39 year olds.

Rather than posting, encouraging, and spreading misinformation about mask "mandates" (including retracted "studies" and preprint, not peer-reviewed studies), Chair Smith, our county would be much better positioned from a public health standpoint if energy was spent focusing on vaccinating more of our community members and promoting, rather than opposing, additional evidence-based risk mitigation strategies like mask usage, distancing, and ventilation during times of high community spread. Commissioner Shull, from my understanding, you participated in getting the vaccine event scheduled for August 23rd at Molalla High School cancelled. This action is deplorable and is only exacerbating this public health crisis.

It is devastating, terrifying, and infuriating to be in this situation, 17 months into this pandemic. It is even more so, because we have a free vaccine available, which has demonstrated real-life effectiveness in keeping people out of the hospital and from dying. But because unvaccinated people are getting infected and filling up our hospitals, we must add additional measures in, like masking and distancing, in order to protect our community members and healthcare workers. I do not want to have to keep wearing masks either. I wish our community and country had listened to science and had not made wearing masks political.

For the sake of our county, state, country and the world's health, we need leaders who listen to consensus among the science and medical experts across various fields, including the CDC and American Academy of Pediatrics, who agree that layered risk mitigation strategies are vital to slow the spread of COVID-19.

References:

<https://news.ohsu.edu/2021/08/10/prepared-statement-on-august-10-covid-forecast>

<https://www.nytimes.com/interactive/2021/us/clackamas-oregon-covid-cases.html>

<https://www.facebook.com/TootieforOregon> (08/17/2021 post “Mandates are ineffective” with a preprint, not peer-reviewed study; response to Katy Dunsmuir in the same post using a retracted JAMA research letter and a research article which has an editorial warning note “Due to multiple limitations, this study cannot demonstrate a causal relationship between mask wearing and the reported adverse effects in children” as “evidence”)

<https://www.facebook.com/100000636601971/posts/4593481007349741/?d=n> (Molalla Mayor Scott Keyser indicating Commissioner Shull's involvement)

<https://www.aap.org/en/news-room/news-releases/aap/2021/american-academy-of-pediatrics-updates-recommendations-for-opening-schools-in-fall-2021/>

<https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-guidance.html>

<https://www.cdc.gov/coronavirus/2019-ncov/global-covid-19/community-mitigation-measures.html>

Thank you.

Terwilliger, Christina

From: Danielle Lohmann <danielle860@gmail.com>
Sent: Monday, August 16, 2021 11:51 AM
To: BCCMail; Equity and Inclusion Office
Subject: Testimony policy for BCC Business Meetings is discriminatory
Attachments: Violate the policy.png

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Testimony for Business Meetings

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

Hello,

I joined the 8/12 BCC Business Meeting by Zoom. I could not attend this meeting in person due to a medically documented neurological condition that is protected under the ADA.

The [registration website](#) states that all those wishing to speak must register to do so by 6:05 PM, regardless of whether or not the testimony is to be provided in person or online. I registered for the meeting on time, but I did not opt to speak at first. Photo of the policy is attached.

At some point during the meeting, Tootie Smith started allowing people to late register via blue cards in person and speak. It is clear that late registrations were allowed because the clerk had stated earlier in the meeting that all in person attendees had spoken and it was okay to proceed to the online registrants.

The issue here is that the registration was not ALSO opened up to the online members. Once I heard what was being said in that room, I tried to register to speak online but was unable to do so because the 6:05 deadline had passed. I also tried to contact someone via ZOOM, but there was no option to do this. I was not given the same opportunity to speak as those in the room were given.

Please correct this policy going forward so that it is non-discriminatory to meeting attendees. I would appreciate a response to this message so that I know you are taking this seriously.

Sincerely,
Danielle Lohmann

Terwilliger, Christina

From: Erika P <mike.erika.porter@gmail.com>
Sent: Monday, August 16, 2021 4:48 PM
To: BCCMail
Subject: Public Testimony

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Testimony for Business Meetings

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

Thank you Commissioner Smith for your opening thoughts last week. I am asking you all as a board to stand up and give the control back to the local authorities. Please push back and take control of our county and release us from the mask and vaccine mandates.

I am asking you to support local control and decision making for our private religious school, and to stand up for our community and the rights of residents.

Thank you,
Erika Porter from Molalla
& North Clackamas Christian School in Oregon City