



Stephen L. Madkour
County Counsel

Kathleen Rastetter
Scott C. Ciecko
Amanda Keller
Nathan K. Boderman
Shawn Lillegren
Jeffrey D. Munns
Andrew R. Naylor
Andrew Narus
Sarah Foreman
Assistants

August 13, 2020

Board of County Commissioners
Clackamas County

Members of the Board:

FIRST READING OF AN ORDINANCE AMENDING APPENDIX C – LOCAL
CONTRACT REVIEW BOARD RULES, OF THE CLACKAMAS COUNTY CODE

Purpose/Outcomes	To revise the Clackamas County Code Appendix C – Local Contract Review Board Rules to require County Administrator approval for donations of personal property under C-046-0640
Dollar Amount and Fiscal Impact	\$0
Funding Source	Not applicable.
Duration	Not applicable.
Previous Board Action	Delegation orders entered on 11/29/2018 and 7/16/2020.
Strategic Plan Alignment	
Counsel Review	Approved as to form on 7/30/20 by Andrew Naylor.
Procurement Review	N/A. Code amendment
Contact Person	Stephen Madkour, County Counsel

Background:

The Local Contract Review Board Rules (LCRB) allow the sale or donation of personal property to certain activities without the standard competitive bid or proposal process. There currently is no review mechanism whereby the County can evaluate whether a sale or donation of County-owned personal property is appropriate or if a public sale would be in the County's best interest. The LCRB rules will be amended to include this review mechanism as shown on the attached Exhibit A.

Recommendation:

Staff recommends the Board conduct a public hearing and first reading by title only, and schedule a second reading for September 10 2020.

Respectfully submitted,


Andrew Naylor
Assistant County Counsel

ORDINANCE NO. _____

**An Ordinance Amending
Clackamas County Code Appendix C – Local Contract Review Board Rules**

WHEREAS, the Board finds it necessary to ensure there is an approval mechanism for personal property sales or donations done without obtaining competitive bids or proposals;

Now, therefore, the Board of Commissioners of Clackamas County ordains as follows:

Section 1: Appendix C – Local Contract Review Board Rules is hereby amended as shown on Exhibit “A”, attached hereto and incorporated herein by this reference.

ADOPTED this _____ day of _____, 2020.

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary

DISPOSITION OF PERSONAL PROPERTY

C-046-0610 Auction Sales of Personal Property

Personal Property may be sold at auction if the Contracting Agency determines that the auction contemplated will probably result in a higher net return than if the property were sold by competitive Bid or Proposal.

[Adopted by Order NO. 2005-34, enacted 2/24/05]

C-046-0620 Sales of Personal Property

(1) When the current market value per item is deemed to be less than \$5,000, the Contracting Agency may sell Personal Property, including recyclable or reclaimed materials, without obtaining competitive Bids or Proposals if the following conditions are complied with:

- (a) determination has been made by the Purchasing Manager that the property is not needed for other Contracting Agency purposes; and
- (b) The director of the department and the Purchasing Manager have determined that a negotiated sale is likely to result in increased net revenue.

(2) When the current value per item is deemed to exceed \$5,000, the Personal Property must be offered for competitive Bids or Proposals and be publicly advertised, or be offered for sale at public auction in accordance with C-046-610. If no Bids or Proposals are received or if a determination is made that the market value of the property exceeds the offer of the highest responsible Bidder or the best Proposer, all Bids or Proposals may be rejected and the Contracting Agency may negotiate a sale subject to the following conditions:

- (a) An appraisal of the market value of the property is obtained and documented and the negotiated sale price equals at least 85% of appraised value; or
- (b) The sale amount exceeds the highest bid received through the bidding or auction process. (3) The Contracting Agency shall maintain a record of all sales authorized by subsections (1) and (2).

[Adopted by Order NO. 2005-34, enacted 2/24/05]

C-046-0630 Liquidation Sales of Personal Property

The Contracting Agency may sell Personal Property through a commercially recognized third party liquidator without obtaining competitive Bids or Proposals, if the Contracting Agency has determined that a liquidation sale will result in increased net revenue and the selection of the liquidator was conducted by a competitive selection process.

[Adopted by Order NO. 2005-34, enacted 2/24/05]

C-046-0640 Donations of Personal Property

(1) The Contracting Agency may sell or donate Personal Property, including recyclable or reclaimed materials, without obtaining competitive Bids or Proposals, to the following activities:

- (a) Another public agency; or
- (b) Any sheltered workshop, work activity center or group care home which operates under contract or agreement with, or grant from, any Contracting Agency or state agency; or
- (c) Any recognized nonprofit activity.

(2) The Contracting Agency shall maintain a record of all transfers, donations or sales authorized by this rule.

~~(3) The All sales or donations of Personal Property under C-046-0640 are subject to the prior written approval of the County Administrator or their designee shall approve all donations of Personal Property.~~

[Adopted by Order NO. 2005-34, enacted 2/24/05]

Formatted: Font: Not Bold



OFFICE OF COUNTY COUNSEL

PUBLIC SERVICES BUILDING
 2051 KAEN ROAD | OREGON CITY, OR 97045

Stephen L. Madkour
 County Counsel

Kathleen Rastetter
Scott C. Ciecko
Amanda Keller
Nathan K. Boderman
Shawn Lillegren
Jeffrey D. Munns
Andrew R. Naylor
Andrew Narus
Sarah Foreman
 Assistants

August 13, 2020

Board of County Commissioners
 Clackamas County

Members of the Board:

REFERRAL OF A BALLOT MEASURE TO THE VOTERS OF
 CLACKAMAS COUNTY FOR A FIVE-YEAR PROPERTY TAX LEVY TO FUND
 CHILDREN'S SAFETY SERVICES

Purpose/Outcomes	To refer a ballot measure to the voters of Clackamas County
Dollar Amount and Fiscal Impact	The measure will increase property taxes. If passed, the measure would be effective for 5 years. The rate is \$0.15 cents per \$1,000 of assessed property value. The annual proceeds from the levy are estimated to be \$7.971 million.
Funding Source	Property Taxes
Duration	Five Years
Previous Board Action	The Board discussed this measure during previous policy sessions, most recently on August 5, 2020
Strategic Plan Alignment	<p>1. <i>How does this item align with your department's Strategic Business Plan goals?</i></p> <p>2. <i>How does this item align with the County's Performance Clackamas goals?</i></p> <p>Ensure Safe, Healthy and Secure Communities A focus on the well-being of all our families and communities reflects the best of our character. Investments in providing services to those needing care, addressing hunger and homelessness, and lowering the crime rate are key to making our community safe. These efforts combined with success in creating jobs will give definition to the county's efforts to alleviate poverty and will help ensure the safety, health, and security of our residents.</p> <p>Build Public Trust through Good Government Public trust is the currency of good government. Clackamas County will design and deliver services that make a difference and measure our effectiveness in terms of results for our</p>

	customers. We will listen, be accountable and deliver what we promise. When we allocate resources, they will be tied to results that matter.
Counsel Review	August 5, 2020, SM
Procurement Review	<ol style="list-style-type: none"> 1. <i>Was the item processed through Procurement?</i> No. 2. <i>If no, provide brief explanation:</i> Not necessary for referral.
Contact Person	Stephen L. Madkour, County Counsel x5391

Background:

This is a ballot measure that will be referred to the voters at the November 2020 general election. The measure includes the Ballot Measure itself and accompanying explanatory statement

This measure is the culmination of years of efforts by numerous entities and non-profits providing services to Clackamas County youths. The proponents of a Children’s Safety Levy calling themselves the Safe Kids Coalition presented drafts of these materials to the Board of County Commissioners.

The levy will be used to provide services for Clackamas County youths who have experienced violence, abuse, or neglect. The list of services will include, but not be limited to, the following:

- Forensic analysis, medical assessments, and emergency shelters for victims of child abuse and neglect, sexual assault, violence, trafficking, and domestic violence;
- Case management and advocacy, safety planning, trauma recovery services and support groups;
- Mental health, behavioral health, and addiction prevention, intervention, treatment counseling and recovery;
- Legal representation and advocacy, court-based advocacy and support;
- Parenting support, education and skill building;
- Strengthening economic supports for families;
- Violence prevention programming to reduce the incidents of violence in the community; and
- Culturally responsive and population-specific services

Service providers will be selected through an open and competitive grant application process. Preferences will be extended to non-profits that perform services for Clackamas County youths, but the application process will be open to all providers of these critical services.

Service providers will be entities recommended by a Children Services Committee. The Committee will be comprised of members representing a cross-section of Clackamas County and members that work with Clackamas youths. Members of the Children Services Committee will be appointed by the Board of County Commissioners. One

member of the Board of County Commissioners will serve on the Committee. The Board of County Commissioners will have grant authority.

Service providers will be required to furnish performance measures, monitoring requirements, demonstrated outcomes, annual progress reports, and will be subject to the performance or financial audits.

The County will be responsible for collecting the levy proceeds annually. The County will provide staff to administer the program and to serve as liaison with the Children Services Committee. The County's administrative costs shall not exceed 7%.

The measure will increase property taxes. If passed, the measure would be effective for 5 years. The rate is \$0.15 cents per \$1,000 of assessed property value. The annual proceeds from the levy are estimated to be \$7.971 million.

Recommendation:

Staff recommends the Board of County Commissioners refer the attached ballot measure to the voters of Clackamas County at the next available election.

Respectfully submitted,



Stephen L. Madkour
County Counsel

Attachments: Referring Board Resolution
Ballot Measure
Explanatory Statement

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON**

A Resolution of the Clackamas
County Board of Commissioners
Referring a Ballot Measure for a
Five-Year Property Tax Levy to
Fund Children's Services



Resolution No. _____

Page 1 of 3

Whereas, the Clackamas County Commission has for years discussed the need to provide a full array of services to address Clackamas youth that have been impacted by violence, abuse, and neglect; and

Whereas, a local collation titled Safe Kids Coalition presented framework for the possible adoption of a Children's Safety Levy to the Board of County Commissioners for consideration and referral; and

Whereas, the measure is the culmination of years of efforts by numerous entities and non-profits providing services to Clackamas County youths; and

Whereas, the levy will be used to provide services for Clackamas County youths who have experienced violence, abuse, or neglect; and

Whereas, the voters of Clackamas County should be allowed to vote on the Children's Safety Levy during the November 2020 election;

NOW THEREFORE, the Clackamas County Board of County Commissioners resolves as follows:

1. Pursuant to its authority under ORS 250.185, the Board of County Commissioners has prepared the ballot title and measure and explanatory statement attached to this resolution, and refers the attached Ballot Measure for a Five-Year Property Tax Levy to Fund Children's Services and accompanying explanatory statement attached hereto as Exhibit A to the voters of Clackamas County and directs that the matter be placed on the ballot for the November election. The measure and the ballot title shall hereby be filed with the County Clerk and placed on the ballot.

DATED this 13th day of August, 2020.

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary

CAPTION

Five-Year Local Option Tax for Children's Safety Services

QUESTION

Shall Clackamas County support local children's safety services; five-year levy, \$0.15 per \$1,000 assessed value, beginning 2021?

This measure may cause property taxes to increase more than three percent.

SUMMARY

Measure would finance the Clackamas Children's Safety Fund dedicated to providing a full array of critical safety services for Clackamas County youth impacted by violence, abuse, or neglect.

Program to be administered by Clackamas County. Board of County Commissioners appoints Children Services Committee with members from across the County. One member to be from the County Commission. County administrative costs capped at __%.

The Committee will oversee an open and competitive grant application process and will serve in an advisory capacity to the Board of Commissioners, who will have grant awarding authority.

Preference to non-profit service providers that serve Clackamas County youths. Each service provider required to furnish performance measures, monitoring requirements, outcomes, annual progress reports, and audits.

Levy is \$0.15 per \$1,000 of assessed property value. A home valued at \$300,000 pays approximately \$3.78 per month or \$45.30 per year.

The levy will produce an estimated \$7,971,204 million in FY 2021-22; \$8,210,340 million in FY 2022-23; \$8,456,650 million in FY 2023-24; \$8,710,349 million in FY 2024-25; and \$8,971,659 million in FY 2025-26.

The estimated tax cost for this measure is an ESTIMATE ONLY based on the best information available from the county assessor at the time of estimate and may reflect the impact of early payment discounts, compression and the collection rate.

EXPLANATORY STATEMENT

The Clackamas County Board of Commissioners has referred Ballot Measure No. _____ to the voters of Clackamas County for a five-year property tax levy to fund children's safety services for Clackamas County youths. This measure is the culmination of years of efforts by numerous entities and non-profits providing services to Clackamas County youths.

The levy will be used to provide services for Clackamas County youths who have experienced violence, abuse, or neglect. The list of services will include, but not be limited to, the following:

- Forensic analysis, medical assessments, and emergency shelters for victims of child abuse and neglect, sexual assault, violence, trafficking, and domestic violence;
- Case management and advocacy, safety planning, trauma recovery services and support groups;
- Mental health, behavioral health, and addiction prevention, intervention, treatment counseling and recovery;
- Legal representation and advocacy, court-based advocacy and support;
- Parenting support, education and skill building;
- Strengthening economic supports for families;
- Violence prevention programming to reduce the incidents of violence in the community, and other preventative services; and
- Culturally responsive and population-specific services

Service providers will be selected through an open and competitive grant application process. Preferences will be extended to non-profits that perform services for Clackamas County youths, but the application process will be open to all providers of these critical services.

Service providers will be entities recommended by a Children Services Committee. The Committee will be advisory to the Board of County Commissioners and will be comprised of members representing a cross-section of Clackamas County. Children Services Committee members will be appointed by the Board of County Commissioners. One member of the Board of County Commissioners will serve on the Committee. The Board of County Commissioners will have grant awarding authority.

Service providers will be required to furnish performance measures, monitoring requirements, demonstrated outcomes, annual progress reports, and will be subject to performance or financial audits.

The County will be responsible for collecting the levy proceeds annually. The County will provide staff to administer the program and to serve as liaison with the Children Services Committee. The County's administrative costs shall not exceed ____%.

The measure will increase property taxes. If passed, the measure would be effective for 5 years. The rate is \$0.15 cents per \$1,000 of assessed property value. The annual proceeds from the levy are estimated to be \$7.971 million.

DRAFT