

# CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

## Policy Session Worksheet

**Presentation Date:** 4/3/18    **Approx. Start Time:** 11:30 a.m.    **Approx. Length:** 30 mins  
**Presentation Title:** 2018 State Legislative Session Review  
**Department:** Public and Government Affairs  
**Presenters:** Gary Schmidt, Chris Lyons, and Trent Wilson  
**Other Invitees:** Department Directors and County Elected Officials

### **WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?**

This is an informational update on Clackamas County's advocacy and accomplishments during the 2018 State Legislative Session. No action is required.

### **EXECUTIVE SUMMARY:**

The 79<sup>th</sup> Oregon Legislative Assembly began on February 5, 2018, and adjourned *sine die* on Saturday, March 3, eight days ahead of the maximum 35 days allowed in the state constitution for even-numbered-years, also known as short sessions. The Public & Government Affairs Department (PGA) was tasked with advancing the County's 2018 state legislative agenda, which outlined the County's key policy and funding priorities at the Oregon State Legislature. In addition to providing legislative support to the Board of County Commissioners (BCC) and county departments, PGA worked cooperatively with numerous external partners during the 2018 session to advance the County's legislative agenda. These groups included state legislators and their staff; legislative committee staff; state agency officials; various state lobby associations, including the Association of Oregon Counties (AOC) and League of Oregon Cities (LOC); and other regional and local government partners.

The attached report entitled *2018 State Legislative Session Summary* encapsulates key legislative outcomes related to Clackamas County's 2018 state legislative agenda. The original legislative agenda was approved by the BCC on January 9, 2018 and was expanded during the session to respond to proposed legislation.

### **FINANCIAL IMPLICATIONS (current year and ongoing):**

PGA monitored and influenced the state budget reconciliation bills, which provide critical funding for various county programs, including Health, Housing and Human Services programs, public safety, economic development, and key policy issues such as funding for affordable housing and homeless assistance programs. Detailed funding implications can be found in the attached document entitled *2018 State Legislative Session Summary*.

### **STRATEGIC PLAN ALIGNMENT:**

- This item aligns with the Public and Government Affairs Strategic Business Plan goals to provide intergovernmental connections and relationship building, strategic policy development and messaging, legislative, advocacy, and outreach services to county elected officials and departments so they can build key partnerships to achieve policy goals important to Clackamas County, with special emphasis on the strategic results in the BCC Strategic Plan.
- This item aligns with all five of the County's Performance Clackamas goals:
  - Build Public Trust Through Good Government;
  - Grow a vibrant economy;
  - Build a strong infrastructure;

- Ensure safe, healthy, and secure communities; and
- Honor, utilize, promote, and invest in our natural resources.

**LEGAL/POLICY REQUIREMENTS:**

N/A

**PUBLIC/GOVERNMENTAL PARTICIPATION:**

PGA provides support to county departments on state legislative affairs.

**OPTIONS:**

N/A

**RECOMMENDATION:**

N/A

**ATTACHMENTS:**

2018 State Legislative Session Summary

**SUBMITTED BY:**

Division Director/Head Approval \_\_\_\_\_

Department Director/Head Approval s/Gary Schmidt

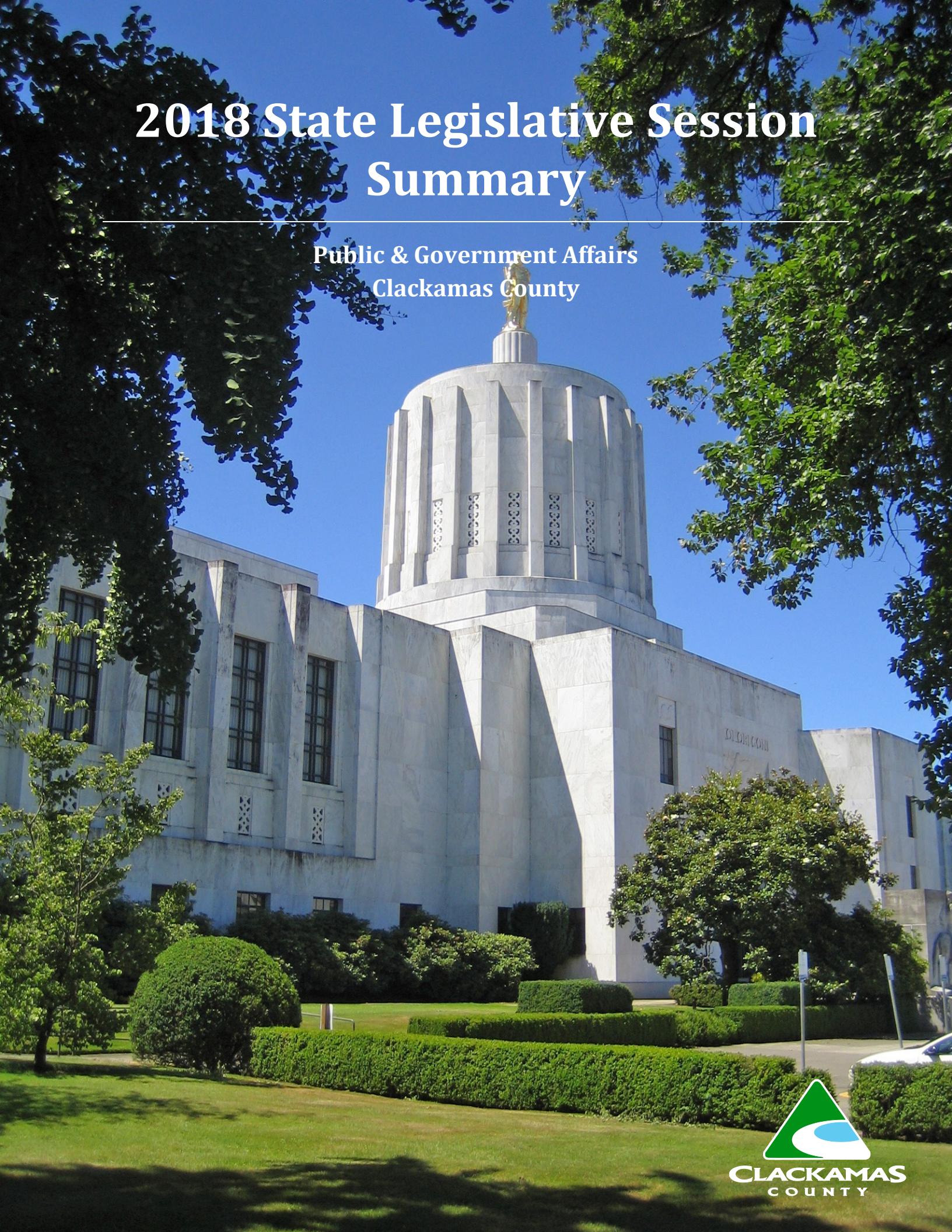
County Administrator Approval \_\_\_\_\_

For information on this issue or copies of attachments, please contact Chris Lyons @ 503-742-5909
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# 2018 State Legislative Session Summary

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Public & Government Affairs  
Clackamas County



## **Government Affairs Staff**

Gary Schmidt, Director of Public & Government Affairs

503.742.5908 (office)

[gschmidt@clackamas.us](mailto:gschmidt@clackamas.us)

Chris Lyons, Government Affairs Manager

503.742.5909 (office)

971.202.3007 (cell)

[clyons@clackamas.us](mailto:clyons@clackamas.us)

Trent Wilson, Government Affairs Specialist

503.655.8206 (office)

971.263.4183 (cell)

[twilson2@clackamas.us](mailto:twilson2@clackamas.us)


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	<i>Sunrise Phase II Funding</i>	
	<i>Clackamas County Courthouse Replacement Project</i>	
<b>COUNTY COUNSEL</b>	<i>Mortgage Electronic Registration System (MERS)</i>	
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## 2018 STATE LEGISLATIVE AGENDA RESULTS

	<i>Recreational Marijuana (Regulation and Enforcement)</i>	
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<b>LEGEND</b>				
	<i>Goal Achieved</i>	<i>Mixed Results</i>	<i>Goal Not Achieved</i>	<i>No Legislation</i>



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## EXECUTIVE SUMMARY

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The 79<sup>th</sup> Oregon Legislative Assembly began on February 5, 2018, and adjourned *sine die* on Saturday, March 3, eight days ahead of the maximum 35 days allowed in the state constitution for even-numbered-year, or “short”, sessions. As in previous short sessions, legislative rules significantly restrict the number of bills, yet the very rapid bill deadlines failed to restrict the significance or complexity of many of the measures introduced. The big issue heading into the 2018 session was climate change, which failed to gain enough traction in the more moderate Senate to pass. Other notable issues that did pass both chambers included PERS reform, affordable housing policy and funding, authority to establish Cleaner Air Oregon, and new legislation relating to both domestic violence and opioids.

260 bills were introduced in the 2018 session, of which Clackamas County Government Affairs staff actively tracked 158 (61%) that were related to local government. In addition to providing legislative support to the Board of County Commissioners (BCC) and county departments, Public & Government Affairs (PGA) worked cooperatively with numerous external partners during the session to advance the County’s legislative agenda. These groups included state legislators and their staff; legislative committee staff; state agency officials; various state lobby associations, including the Association of Oregon Counties (AOC) and League of Oregon Cities (LOC); and other regional and local government partners.

This report summarizes key legislative outcomes related to Clackamas County’s 2018 state legislative agenda. The original agenda was approved by the BCC on January 9, 2018 and was expanded during the session to respond to proposed legislation.

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## COUNTY INITIATIVES

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### I-205 Congestion Relief and Safety Improvement Funding

Goal: *Advocate for state funding to support an additional lane of capacity in each direction of I-205 from Stafford Road to OR 99E. The Oregon portion of I-205 is federally designated as a High Priority Corridor and is of vital importance to both the Portland metropolitan region and users statewide. Without additional travel lanes, this section of I-205 will be overwhelmed by forecasted traffic volumes and will negatively impact regional freight mobility.*



Result: After significant advocacy by Clackamas County and partner jurisdictions, the House Transportation Policy Committee held an informational hearing for ODOT to present its Cost to Complete Study on the I-205 expansion project, per the reporting requirements of HB 2017. Chair Susan McLain reiterated her commitment to the project and to helping find the necessary funding to keep it on track. Current project funds are likely to run out by the 3<sup>rd</sup> quarter of 2018 without additional support from the legislature or the Oregon Transportation Commission. Commissioner Savas also testified before the committee on the importance of the project and the need to find necessary state funding.

### Sunrise Phase II Funding

Goal: *Advocate for state funding to support extension of the Sunrise Corridor from 122nd Ave. to 172nd Ave. and/or other operational enhancements that contribute to the entire Sunrise Corridor. This project is vital to improving access to thousands of acres of employment lands within the urban growth boundary, many of which are ready for development.*



Result: No legislative action was taken during the session on Sunrise Phase II.

### Clackamas County Courthouse Replacement Project

Goal: *Support efforts to assist in the replacement of the 80-year old, structurally-deficient Clackamas County Courthouse located in downtown Oregon City.*



Result: No legislative action was taken during the session on the Courthouse Replacement Project.

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## COUNTY COUNSEL

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### Mortgage Electronic Registration System (MERS)

Goal: *Oppose legislation to amend the Oregon Trust Deed Act and refine the definition of “beneficiary” for the purposes of trust deeds and cure deficiencies regarding the Mortgage Electronic Registration System (MERS).*



Result: Clackamas County successfully advocated with its sister counties in opposition to **SB 1556**, which passed the Senate but died in the House. The original version of the bill sought to terminate pending litigation brought by 12 Oregon counties against MERS and the banks that have recorded trust deeds showing MERS as the beneficiary. The bill was later amended to allow the current litigation to proceed, but preclude any subsequent litigation by counties. Another MERS bill is expected in 2019, and in the meantime a stakeholder workgroup will be convened to discuss possible solutions. [Appendix B: SB 1556 policy statement]

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## ECONOMIC DEVELOPMENT

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### Brownfields

Goal: *Support legislation that facilitates the redevelopment of vacated industrial sites through measures such as recapitalizing the state Brownfields Redevelopment Fund, creating property tax incentives, and creating state tax credits.*



Result: No legislation was introduced during the session on this issue.

### Carbon Reduction

Goal: *Support efforts to advance carbon reduction initiatives that improve livability for communities in Clackamas County.*



Result: While the legislature failed to pass two bills (**HB 4001**, **SB 1507**) to establish a “cap and invest” program in Oregon, progress was nonetheless made this session. A special Joint Committee on Carbon Reduction will be established during the 2019 session and chaired by Speaker Kotek & President Courtney to pass legislation on the issue. The legislature also appropriated \$1.5 million for a Carbon Policy Office within the Governor’s Office “to study the economic impact of a cap and invest program, understand any impacts on traded sector industries, and examine ways to utilize Oregon’s forests and fields to sequester and store carbon.”

### Cross Laminated Timber

Goal: *Support efforts to develop the Cross Laminated Timber (CLT) industry in Clackamas County, in coordination with partners in the Pacific Northwest Manufacturing Partnership (PNMP). Clackamas County is well positioned to lead the emergence of the mass timber and CLT industry by addressing the supply chain needed to boost Oregon’s productivity. CLT has the potential to create 6,100 direct jobs and 17,300 indirect jobs in Oregon over the next 15 years, while supporting efforts to address climate change through the sequestration of carbon.*



Result: The county worked closely with Rep. Brock Smith on **HB 4109**, which would have studied the role of CLT in carbon sequestration efforts in a potential climate change program. Commissioner Humberston testified in support of the bill. While the bill died after being passed to the Ways & Means Committee, the legislature appropriated \$1.5 million for a Carbon Policy

Office within the Governor’s Office to examine ways to utilize Oregon’s forests and fields to sequester and store carbon. [Appendix B: HB 4109 policy statement]

### Employment Lands

Goal: *Support legislation to increase the supply of available employment land ready for development. Support state financing and incentives to assist local governments in constructing infrastructure and preparing shovel-ready sites.*



Result: No legislation was introduced during the session on this issue.

### Enterprise Zones

Goal: *Support the creation of additional Enterprise Zones in Oregon.*



Result: No legislation was introduced during the session on this issue.

### Film & Media Production

Goal: *Support legislation that provides state incentives to help recruit film and media projects to Oregon and keep current projects in the state.*



Result: **HB 4028** passed both the House and Senate with a provision to allow the Oregon Film Office to seek “direct funding” from the legislature for the Oregon Production Investment Fund (OPIF) program in the event that recent federal tax changes negatively impact the program’s continued growth. OPIF offers rebates to qualifying film or television productions for work done in Oregon and has been instrumental in helping to grow the industry in the state.

### Willamette Falls Locks

Goal: *Support the repairing and reopening of the Willamette Falls Locks to restore river navigation to the Willamette River.*



Result: No legislation was introduced during the session on this issue.

### Willamette Falls Legacy Project

Goal: *Support efforts to aid in the redevelopment of the 23-acre former Blue Heron paper mill site adjacent to Willamette Falls in Oregon City. Clackamas County has been working in partnership with Oregon City, Metro, and the State of Oregon to explore the feasibility of redeveloping the site, which presents significant structural and environmental challenges. The site’s location provides a rare opportunity for a unique economic redevelopment project that would complement and strengthen Oregon City’s downtown and create a regionally-significant visitor amenity and historic tourist attraction to benefit the local economy.*



Result: No legislation was introduced during the session on this issue.

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## FINANCE

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### Financial Sustainability

Goal: *Ensure adequate and stable funding of county programs and services. Counties partner with the state to provide vital public services and are on the front line of ensuring that services continue and reach those who need them.*



Result: In addition to taking action to address the PERS actuarial unfunded liability, the legislature also tripled the document recording fee to help address the housing crisis (**HB 4007**), appropriated \$5 million for homeless shelter capacity (**HB 5201**), and passed a fix that will result in greater collection and remittance of local transient lodging taxes (**HB 4120**). Each of these issues are described in more detail below.

### Preemption and Local Control

Goal: *Oppose preemption of local tax sources and other efforts to restrict local government authority, including but not limited to the administration of building codes within Clackamas County. Local control allows counties to create and fund programs that foster innovation and address the unique needs of their communities.*



Result: **HB 4092** was introduced to allow the Aurora State Airport to bypass state land use laws in order to expand its runway. Without the public process, Clackamas County would not have had an opportunity to raise concerns over impacts resulting from the airport expansion. Chair Bernard testified alongside Wilsonville Mayor Knapp in opposition to the bill, which died after being moved to the House Rules Committee. In addition, **HB 4023** was passed which, among other things, allows the State Chief Information Officer to provide broadband communications services upon request to local governments, special districts, and federally recognized Indian tribes while making clear that it is not the state's intent to provide broadband services in direct competition with telecommunications providers that offer comparable broadband services. Commissioner Humberston will serve as the AOC representative on the rules advisory committee. [Appendix B: Aurora Airport letter, HB 4092 policy statement]

### Public Contracting

Goal: *Support considerations to the Public Contracting Code (ORS 279) that promote responsible use of public resources for local agencies.*



Result: The county joined dozens of local governments in support of **HB 4127**, which died in the Senate after passing the House. The bill would have amended state statute to allow for the consideration of price in public contracting after qualification-based selections are made. The legislation was intended to increase transparency and accountability, increase small business competition, and increase government efficiency. [Appendix B: HB 4127 policy statement, HB 4127 factsheet, HB 4127 floor letter]

## Public Employees Retirement System (PERS) Reform

Goal: *Support legislation to curb the ever increasing costs of PERS while maintaining an adequate and sustainable retirement program for employees. The PERS deficit has grown to \$25.3 billion and continues to increase at a rapid pace.*



Result: **SB 1566** passed the legislature with bipartisan support, which primarily seeks to address the PERS unfunded actuarial liability (UAL) through increasing deposits into PERS employer side accounts. The side accounts are intended to both help PERS employers defray some of their own rate increases while also reducing the overall UAL. Specifically, the bill creates the Employer Incentive Fund from which PERS employer side account contributions can be matched up to 25 percent. The Fund is being capitalized with 18% of the state capture of income tax revenues from disconnecting Oregon income tax law from the recent federal income tax legislation.

## State/County Shared Revenue Agreements

Goal: *Support preservation of counties' share of cigarette, marijuana, liquor, video lottery, and recreational vehicle fee revenue. Monies received by counties fund economic development programs, county park and recreation areas, and essential front line services, including sheriff's patrol, jails, and health services.*



Result: Counties' revenue sharing with the state was preserved during the 2018 session. In addition, Clackamas County supported **HB 4069**, an AOC-led initiative to ensure that counties receive 2.5% of net video lottery proceeds per ORS 461.547 rather than a fixed appropriation. While the bill was passed to Ways & Means, it failed to move further through the process. However, **HB 5021** contained a budget note for the Joint Ways & Means Committee to review the funding issue at the end of each biennium and consider adjusting the amounts that were transferred to be more consistent with the statutory requirement. [Appendix B: HB 4069 policy statement]

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## HEALTH, HOUSING & HUMAN SERVICES

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### Affordable Housing and Support Services

Goal #1: *Support efforts to create and preserve affordable housing and support services for moderate, low, and very low income residents and those experiencing homelessness, including a moderate increase in the document recording fee and removal of a constitutional barrier that prevents local jurisdictions from pairing general obligation (GO) bonds with other common affordable housing financing tools.*



Result: **HB 4007** authorized creation of a first-time home buyer savings account and allows a subtraction from federal taxable income for individuals participating in this program; additionally, it increased the document recording fee from \$20 to \$60 which will generate an

additional \$30.5M this biennium and \$61M during the 2019-21 biennium to support three housing programs administered by the Oregon Housing and Community Services Department (OHCS): 10% for the Emergency Housing Account for homeless prevention and services, 14% for the Home Ownership Assistance Program to fund counseling, education, and down payment assistance for first-time home buyers and repairs for low-income homeowners, and 76% for the General Housing Account Program for affordable housing development and preservation. [Appendix B: HB 4007 policy statement]

**HJR 201** is a legislative referral to Oregon voters that amends Article XI, section 9, of the Oregon Constitution to allow affordable housing-related bonds to be used to fund projects that are not publicly owned. This referral will appear on the November 2018 general election ballot. [Appendix B: HJR 201 policy statement]

**HB 5201** is the omnibus budget reconciliation bill passed at the end of session; it included a \$5M appropriation to OHCS for homeless shelter capacity, including \$782,107 to Clackamas County for mobile housing services. The funding will allow Clackamas County to provide motel vouchers and rent assistance to approximately 35 families experiencing homelessness. Commissioner Schrader was instrumental in helping to secure this appropriation by meeting with key legislators to urge their support for the funding request.

**HB 4006** requires cities with a population over 10,000 to report to OHCS and DLCD on housing factors and requires these cities with at least 25% of renter households that are severely rent burdened to take additional actions. Additionally, it allocated funds to OHCS and DLCD to provide technical assistance to local governments on efforts that will help to increase affordable housing, such as helping to pay for housing needs analyses.

Goal #2: *Support legislation that increases rental protection for tenants.*



Result: No legislation was introduced during the session on this issue.

Goal #3: *Support level funding for senior programs, including Oregon Project Independence, Health Promotion activities, abuse prevention activities through the Gatekeeper program, and the Options Counseling program.*



Result: State funding for senior programs was maintained during the 2018 session.

Goal #4: *Support increased funding for veterans' housing needs to meet the rise in the number of homeless veterans in Clackamas County.*



Result: **HB 4007**, mentioned above, increased the document recording fee from \$20 to \$60 which will generate an additional \$30.5M this biennium and \$61M during the 2019-21 biennium to support three housing programs administered by OHCS. 25% of total funds collected are dedicated to assisting veterans housing needs.

## Air Quality

Goal: Support legislation to improve air quality in the Portland metro area, including policies and funding to address air toxics, fine particulate matter from diesel engines, and wood smoke.



Result: **SB 1541** represented a compromise on the Cleaner Air Oregon program by authorizing the Oregon Environmental Quality Commission to adopt the program and establish rules to reduce the public health risks of emissions of toxic air contaminants for individual industrial and commercial sources. Additionally, it directed the Commission to establish a schedule of fees to cover the cost of the program.

### **Domestic Violence**

Goal: Support legislation that promotes increased resources for victims of domestic violence and improved accountability for offenders.



Result: **SB 1562** increased the crime of strangulation from a Class A misdemeanor to a Class C felony and adds applying pressure to the chest of another person as a means of committing strangulation. The crime of strangulation is especially prevalent in domestic violence and sexual assault cases. Commissioner Fischer and H3S staff testified in strong support of the bill. [Appendix B: SB 1562 policy statement]

### **Early Learning Funding**

Goal: Support continued funding to Early Learning Hub Coordination to support early education and kindergarten readiness countywide.



Result: State funding for Early Learning was maintained during the 2018 session.

### **Funding for Health and Human Services**

Goal: Support continuation of existing funding levels for health and human services programs – behavioral health, social services, public health, children, youth & families, community solutions (workforce & weatherization services), developmental disabilities – to enable Clackamas County programs to continue at current service levels and, in some cases, provide additional prevention, support, and treatment services to vulnerable individuals and families.



Result: State funding for health and human services programs was maintained during the 2018 session.

### **Medicaid Funding and Enrollment**

Goal: Support current or increased access to Medicaid for Oregon residents.



Result: State Medicaid funding was maintained during the 2018 session.

### **Opioids**



Goal: Support the Governors Opioid Task Force Policy recommendations, including expanding access to treatment and recovery services, improving coverage options for non-pharmacological chronic pain care, and safe prescribing and drug disposal opportunities.



Result: **HB 4143** implemented the recommendations of the Governors Opioid Task Force, including requiring the state to study and report on the existing barriers to effective treatment, required all prescribing health practitioners to register with Oregon’s Prescription Drug Monitoring Program, and established a pilot project in four Oregon counties to determine the effectiveness of establishing immediate access to treatment for persons suffering from opiate overdoses.

### **Oregon Adult Abuse Prevention and Investigation (OAPPI) Statute Clarification**

Goal: Support updates to ORS 430.735 to clarify who has the authority to investigate abuse allegations of mental health clients enrolled in Coordinated Care Organizations (CCOs). Currently, 85% of abuse allegations in Clackamas County are screened out due to CCO enrollments.



Result: No legislation was introduced during the session on this issue.

### **Prevention Funding – Youth Development Funds**

Goal: Support current or increased levels of Youth Development funds to support and allow for additional PreventNet School-based sites in Clackamas County.



Result: State funding for Youth Development was maintained during the 2018 session.

### **Public Health Modernization Funding**

Goal: Support continued investments to strengthen the public health system in Oregon by building sustainable infrastructure that supports the health of our communities.



Result: State funding for public health modernization was maintained during the 2018 session.

### **Recreational Marijuana**

Goal #1: Support efforts to regulate accessibility, marketing, and packaging of cannabis products targeting young consumers.



Result: **HB 4110** did not pass or receive a hearing this session, but would have allowed OLCC to issue temporary special event licenses to marijuana retailers and allowed these retailers to distribute free marijuana samples at the events.

Goal #2: Support efforts to merge recreational and medical marijuana regulation and enforcement to allow for clear and consistent guidelines for businesses and regulators.



Result: The legislature passed an important omnibus marijuana bill this session to clean up a few technical issues from previous legislation and address a number of significant concerns from

federal authorities. Among its many provisions, **SB 1544** creates the Illegal Marijuana Market Enforcement Grant Program with the Criminal Justice Commission to assist local governments with costs incurred by local law enforcement agencies in addressing unlawful marijuana cultivation and distribution. The grant program will be started with \$1.5 million annually. The bill also allows the Oregon Health Authority to set limits on the number of medical seedlings that can be possessed – currently there is no limit. In addition, the bill grandfathers city or county determinations that a geographic barrier, such as a river or freeway, separates a marijuana shop from a school such that the shop can be less than 1,000 feet from the school if it is at least 500 feet from the school, so that OLCC does not have to make a new determination upon license renewal for that shop.

Goal #3: *Oppose legislation that would create an exemption in the Indoor Clean Air Act for cannabis cafes.*

N/A

Result: No legislation was introduced during the session on this issue.

### **Veterans & Surviving Spouse Tax Relief**

Goal: *Support legislation that grants a higher property tax exemption for disabled veterans and surviving spouses of active duty military personnel killed in the line of duty.*

N/A

Result: No legislation was introduced during the session on this issue.

### **Youth Tobacco Prevention**

Goal: *Support legislation aimed at reducing youth tobacco use, including the preservation of existing Tobacco Prevention and Education Program (TPEP) funding.*

N/A

Result: No legislation was introduced during the session on this issue.

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## **HUMAN RESOURCES**

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### **Collective Bargaining**

Goal: *Oppose legislation affecting interim bargaining negotiations that reduces employer flexibility between contract periods and threatens scarce public resources.*

N/A

Result: No legislation was introduced during the session on this issue.

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## **LAW LIBRARY**

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### **Law Library Funding**

Goal: *Support continued funding of county law libraries at existing levels or higher. County law*



*libraries preserve county residents' access to justice by providing direct professional legal research assistance and legal materials, resources, and services.*

Result: State funding for county law libraries was maintained during the 2018 session.

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## **PUBLIC SAFETY**

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### **9-1-1 Centers**

Goal #1: *Support legislation to improve operations, NextGen 9-1-1 development, and funding for 9-1-1 centers.*



Result: State funding for 9-1-1 centers was maintained during the 2018 session.

### **Earthquake Early Warning System for the West Coast**

Goal: *Support additional state funding to establish an earthquake early warning system in the Pacific Northwest that could help reduce risks associated with earthquakes, including a Cascadia Subduction Zone earthquake.*



Result: No legislation was introduced during the session on this issue.

### **Justice Reinvestment**

Goal: *Defend state funding for the Justice Reinvestment grant program, which received \$47 million in the 2017 session to fund community-based programs that help people succeed outside of prison, such as community corrections, re-entry programs, addiction treatment, and mental health services.*



Result: State funding for Justice Reinvestment was maintained during the 2018 session.

### **Juvenile Crime Prevention – Basic & Diversion Funding**

Goal: *Support Juvenile Crime Prevention (JCP) Basic & Diversion funding from the Oregon Youth Authority at the highest level possible, which provides approximately \$910,000 annually to the County Juvenile Department.*



Result: State funding for Juvenile Crime Prevention Basic & Diversion was maintained during the 2018 session.

### **Juvenile Crime Prevention – Prevention Funding**

Goal: *Support Juvenile Crime Prevention (JCP) funding from the Youth Development Council at the highest funding level possible, which provides approximately \$206,000 annually to the County Juvenile Department.*



Result: State funding for Juvenile Crime Prevention was maintained during the 2018 session.

### Juvenile Crime Prevention Target Population

Goal: *Oppose any statutory changes to the current targeted population of children and youth who are eligible for services that are funded by Juvenile Crime Prevention (JCP) Prevention dollars currently administered by the Youth Development Council.*



Result: No legislation was introduced during the session on this issue.

### Oregon Juvenile Delinquency Code

Goal: *Oppose statutory changes to the Oregon Juvenile Delinquency Code which do not align with identified best practices, are not developmentally appropriate for adolescents, or run counter to positive youth development.*



Result: No legislation was introduced during the session on this issue.

### Reentry After Incarceration

Goal: *Oppose legislation that would remove the County's authority to decide who may be released from prison to reside in Clackamas County.*



Result: No legislation was introduced during the session on this issue.

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## RESOLUTION SERVICES

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### Mediation Services Funding

Goal: *Support continued funding of mediation/conciliation programs at existing levels or higher. County mediation assists people and organizations in finding mutually agreeable solutions through direct facilitation and skill-building resources.*



Result: State funding for mediation services was maintained during the 2018 session.

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## TOURISM

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### Transient Lodging Tax (TLT)

Goal: *Support legislation clarifying that intermediaries such as AirBnB, Expedia, and Travelocity are responsible for collecting and remitting both the state TLT as well as any applicable local TLTs.*



Result: Clackamas County worked with numerous partners to successfully pass **HB 4120**, which clarifies that short-term rental intermediaries are responsible for collecting and remitting transient

lodging taxes, ensuring payment of state and local TLTs for short-term rentals booked through online platforms. [Appendix B: HB 4120 policy statement]

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## TRANSPORTATION & DEVELOPMENT

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### Land Use

Goal #1: *Support legislation that amends state law to clarify that counties are not required to allow Accessory Dwelling Units (ADUs) in rural areas.*



Result: **HB 4034** was introduced with the technical fix to SB 1051 (2017) to clarify that ADUs are allowed on land zoned for single-family detached dwellings only within a UGB. Though the bill died in committee, the language was amended into **HB 4031** and was passed by both chambers. There will be a workgroup in the interim to look at the potential for a future bill regarding ADUs in rural residential areas.

Goal #2: *Support efforts to finalize Clackamas County's urban and rural reserves process.*



Result: The county successfully opposed two attempts to change state land use statutes during the short session that had the potential to impact the urban and rural reserves. The first, **HB 4075**, was an attempt by the City of Hillsboro to change roughly 1,700 acres of the region's rural reserves (in Washington County) to urban reserve. Chair Bernard testified in opposition to the bill given its potential to negatively impact Clackamas County. The bill died without receiving a vote. The second issue was an attempt to amend **HB 4031** with language to upzone the "red barn" property south of Wilsonville from exclusive farm use to rural industrial zoning. This change to state statute would have bypassed the state land use process, rural reserve statutes, and the Clackamas County code. The committee heard near-unanimous opposition to the amendment from members of the public, land use advocates, farmers, Metro, the city of Wilsonville, and the county, including testimony from Commissioner Humberston. The amendment failed to receive a vote. [Appendix B: HB 4075 policy statement, HB 4031 "Red Barn" policy statement]

# 2018 State Legislative Summary

## Appendix A

### Clackamas County 2018 State Legislative Agenda

# 2018 Clackamas County

## State Legislative Agenda



### County Initiatives

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#### **I-205 Congestion Relief and Safety Improvement Funding**

Advocate for state funding to support an additional lane of capacity in each direction of I-205 from Stafford Road to OR 99E. The Oregon portion of I-205 is federally designated as a High Priority Corridor and is of vital importance to both the Portland metropolitan region and users statewide. Without additional travel lanes, this section of I-205 will be overwhelmed by forecasted traffic volumes and will negatively impact regional freight mobility.

#### **Sunrise Phase II Funding**

Advocate for state funding to support extension of the Sunrise Corridor from 122nd Ave. to 172nd Ave. and/or other operational enhancements that contribute to the entire Sunrise Corridor. This project is vital to improving access to thousands of acres of employment lands within the urban growth boundary, many of which are ready for development.

#### **Clackamas County Courthouse Replacement Project**

Support efforts to assist in the replacement of the 80-year old, structurally-deficient Clackamas County Courthouse located in downtown Oregon City.



*Courthouse design concept*

## Clackamas County Board of Commissioners

Jim Bernard – Chair

Sonya Fischer

Ken Humberston

Paul Savas

Martha Schrader

## Economic Development

**Brownfields:** Support legislation that facilitates the redevelopment of vacated industrial sites through measures such as recapitalizing the state Brownfields Redevelopment Fund, creating property tax incentives, and creating state tax credits.

**Carbon Reduction:** Support efforts to advance carbon reduction initiatives that improve livability for communities in Clackamas County.

**Cross Laminated Timber:** Support efforts to develop the Cross Laminated Timber (CLT) industry in Clackamas County, in coordination with partners in the Pacific Northwest Manufacturing Partnership (PNMP). Clackamas County is well positioned to lead the emergence of the mass timber and CLT industry by addressing the supply chain needed to boost Oregon's productivity. CLT has the potential to create 6,100 direct jobs and 17,300 indirect jobs in Oregon over the next 15 years, while supporting efforts to address climate change through the sequestration of carbon.



**Economic Development Funding:** Support continued state funding to counties for economic development programs.

**Employment Lands:** Support legislation to increase the supply of available employment land ready for development. Support state financing and incentives to assist local governments in constructing infrastructure and preparing shovel-ready sites.

**Enterprise Zones:** Support the creation of additional Enterprise Zones in Oregon.

**Film & Media Production:** Support legislation that provides state incentives to help recruit film and media projects to Oregon and keep current projects in the state.

**Willamette Falls Locks:** Support the repairing and reopening of the Willamette Falls Locks to restore river navigation to the Willamette River.

**Willamette Falls Legacy Project:** Support efforts to aid in the redevelopment of the 23-acre former Blue Heron paper mill site adjacent to Willamette Falls in Oregon City. Clackamas County has been working in partnership with Oregon City, Metro, and the State of Oregon to explore the feasibility of redeveloping the site, which presents

significant structural and environmental challenges. The site's location provides a rare opportunity for a unique economic redevelopment project that would complement and strengthen Oregon City's downtown and create a regionally-significant visitor amenity and historic tourist attraction to benefit the local economy.



## Finance

**Financial Sustainability:** Ensure adequate and stable funding of county programs and services. Counties partner with the state to provide vital public services and are on the front line of ensuring that services continue and reach those who need them.

**Mortgage Electronic Registration System (MERS):** Oppose legislation to amend the Oregon Trust Deed Act and refine the definition of "beneficiary" for the purposes of trust deeds and cure deficiencies regarding the Mortgage Electronic Registration System (MERS).

**Preemption and Local Control:** Oppose preemption of local tax sources and other efforts to restrict local government authority, including but not limited to the administration of building codes within Clackamas County. Local control allows counties to create and fund programs that foster innovation and address the unique needs of their communities.

**Public Contracting:** Support considerations to the Public Contracting Code (ORS 279) that promote responsible use of public resources for local agencies.

**Public Employees Retirement System (PERS) Reform:** Support legislation to curb the ever increasing costs of PERS while maintaining an adequate and sustainable retirement program for employees. The PERS deficit has grown to \$25.3 billion and continues to increase at a rapid pace.

**State/County Shared Revenue Agreements:** Support preservation of counties' share of cigarette, marijuana, liquor, video lottery, and recreational vehicle fee revenue. Monies received by counties fund economic development programs, county park and recreation areas, and essential front line services, including sheriff's patrol, jails, and health services.



## Health, Housing & Human Services

### Affordable Housing and Support Services:

1) Support efforts to create and preserve affordable housing and support services for moderate, low, and very low income residents and those experiencing homelessness, including a moderate increase in the document recording fee and removal of a constitutional barrier that prevents local jurisdictions from pairing general obligation (GO) bonds with other common affordable housing financing tools. 2) Support legislation that increases rental protection for tenants. 3) Support level funding for senior programs, including Oregon Project Independence, Health Promotion activities, abuse prevention activities through the Gatekeeper program, and the Options Counseling program. 4) Support increased funding for veterans' housing needs to meet the rise in the number of homeless veterans in Clackamas County.



**Air Quality:** Support legislation to improve air quality in the Portland metro area, including policies and funding to address air toxics, fine particulate matter from diesel engines, and wood smoke.

**Domestic Violence:** Support legislation that promotes increased resources for victims of domestic violence and improved accountability for offenders.

**Early Learning Funding:** Support continued funding to Early Learning Hub Coordination to support early education and kindergarten readiness countywide.

**Funding for Health and Human Services:** Support continuation of existing funding levels for health and human services programs - behavioral health, social services, public health, children, youth & families, community solutions (workforce & weatherization services), developmental disabilities - to enable Clackamas County programs to continue at current service levels and, in some cases, provide additional prevention, support, and treatment services to vulnerable individuals and families.

**Mediation/Conciliation Funding:** Support continued funding of mediation/conciliation programs at existing levels or higher. County mediation assists people and organizations in finding mutually agreeable solutions through direct facilitation and skill-building resources.

**Medicaid Funding and Enrollment:** Support current or increased access to Medicaid for Oregon residents.

**Opioids:** Support the Governors Opioid Task Force Policy recommendations, including expanding access to treatment and recovery services, improving coverage options for non-pharmacological chronic pain care, and safe prescribing and drug disposal opportunities.

**Oregon Adult Abuse Prevention and Investigation (OAPPI) Statute Clarification:** Support updates to ORS 430.735 to clarify who has the authority to investigate abuse allegations of mental health clients enrolled in Coordinated Care Organizations (CCOs). Currently, 85% of abuse allegations in Clackamas County are screened out due to CCO enrollments.

**Prevention Funding - Youth Development Funds:** Support current or increased levels of Youth Development funds to support and allow for additional PreventNet School-based sites in Clackamas County.

**Public Health Modernization Funding:** Support continued investments to strengthen the public health system in Oregon by building sustainable infrastructure that supports the health of our communities.

**Recreational Marijuana:** 1) Support efforts to regulate accessibility, marketing, and packaging of cannabis products targeting young consumers. 2) Support efforts to merge recreational and medical marijuana regulation and enforcement to allow for clear and consistent guidelines for businesses and regulators. 3) Oppose legislation that would create an exemption in the Indoor Clean Air Act for cannabis cafes.

**Veterans & Surviving Spouse Tax Relief:** Support legislation that grants a higher property tax exemption for disabled veterans and surviving spouses of active duty military personnel killed in the line of duty.

**Youth Tobacco Prevention:** Support legislation aimed at reducing youth tobacco use, including the preservation of existing Tobacco Prevention and Education Program (TPEP) funding.



## Public Safety

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**9-1-1 Centers:** Support legislation to improve operations, NextGen 9-1-1 development, and funding for 9-1-1 centers.

**Earthquake Early Warning System for the West Coast:**

Support additional state funding to establish an earthquake early warning system in the Pacific Northwest that could help reduce risks associated with earthquakes, including a Cascadia Subduction Zone earthquake. The ShakeAlert system is estimated to cost \$38.3 million plus an additional \$16.1 million to operate and maintain the system annually, and would cover the West Coast States of California, Oregon, and Washington. To date, the system has received nearly \$20 million from the federal government and a private foundation.



**Justice Reinvestment:** Defend state funding for the Justice Reinvestment grant program, which received \$47 million in the 2017 session to fund community-based programs that help people succeed outside of prison, such as community corrections, re-entry programs, addiction treatment, and mental health services.

**Juvenile Crime Prevention - Basic & Diversion Funding:**

Support Juvenile Crime Prevention (JCP) Basic & Diversion funding from the Oregon Youth Authority at the highest level possible, which provides approximately \$910,000 annually to the County Juvenile Department.

**Juvenile Crime Prevention - Prevention Funding:** Support Juvenile Crime Prevention (JCP) funding from the Youth Development Council at the highest funding level possible, which provides approximately \$206,000 annually to the County Juvenile Department.

**Juvenile Crime Prevention Target Population:** Oppose any statutory changes to the current targeted population of children and youth who are eligible for services that are funded by Juvenile Crime Prevention (JCP) Prevention dollars currently administered by the Youth Development Council.

**Oregon Juvenile Delinquency Code:** Oppose statutory changes to the Oregon Juvenile Delinquency Code which do not align with identified best practices, are not developmentally appropriate for adolescents, or run counter to positive youth development.

**Reentry After Incarceration:** Oppose legislation that would remove the County's authority to decide who may be released from prison to reside in Clackamas County.

## Human Resources

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**Collective Bargaining:** Oppose legislation affecting interim bargaining negotiations that reduces employer flexibility between contract periods and threatens scarce public resources.

## Law Library

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**Law Library Funding:** Support continued funding of county law libraries at existing levels or higher. County law libraries preserve county residents' access to justice by providing direct professional legal research assistance and legal materials, resources, and services.

## Tourism

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**Transient Lodging Tax (TLT):** Support legislation clarifying that intermediaries such as AirBnB, Expedia, and Travelocity are responsible for collecting and remitting both the state TLT as well as any applicable local TLTs.

## Land Use

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**Land Use:** 1) Support legislation that amends state law to clarify that counties are not required to allow Accessory Dwelling Units (ADUs) in rural areas. 2) Support efforts to finalize Clackamas County's urban and rural reserves process.



## Clackamas County Public and Government Affairs

**Director**

Gary Schmidt  
503-742-5908  
gschmidt@clackamas.us

**Government Affairs Manager**

Chris Lyons  
971-202-3007  
clyons@clackamas.us

**Government Affairs Specialist**

Trent Wilson  
503-655-8200  
twilson2@clackamas.us

# 2018 State Legislative Summary

## Appendix B

### Policy Statements, Letters, and Factsheets



February 2, 2018

**Clackamas County Board of Commissioners  
Policy Position  
SB 1556: Regarding Mortgage Electronic Registration System**

**Clackamas County opposes SB 1556:** The Board of County Commissioners opposes efforts to amend and curtail the authority of County Clerks and to prohibit counties from continuing their prosecution of claims against lenders and the Mortgage Electronic Registration System (MERS).

Clackamas and 12 other Oregon Counties are currently involved in litigation in the U.S. District Court against MERS and numerous national lenders seeking repayment of unpaid recording fees and other damages. SB 1556 would act as a statutory bar to the Counties' ability to continue with the case.

Clackamas County, along with other counties and the state of Oregon, receive document recording fees as required by state statute. The MERS recording system intentionally deprives local and state agencies from receiving these statutorily-authorized recording fees. SB 1556 would prohibit County Clerks from charging or collecting recording fees for instruments that transfer interests in a trust deed but are not recorded. MERS would continue to take place and the prohibition on collecting fees would reduce the amount of document recording fees that are sent to counties.

Moreover, tracking ownership of titles and deeds is muddied through MERS, making it difficult and sometimes impossible to identify the responsible party with authority over the deed. The MERS recording system allowing for the unrecorded transfer of deeds between MERS beneficiaries corrupted the public record by not specifically identifying interest holders within the statutory grantor/grantee indexes.

Passage of SB 1556 would legitimize one of the bad and unfair practices that contributed to the housing foreclosure crisis and would not fit with the ethic of the United States government, which has historically attempted to track and protect real property ownership.

**We urge a “no” vote for SB 1556.**

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



February 12, 2018

**Clackamas County Board of Commissioners  
Policy Position  
HB 4109: Relating to Carbon Sequestration**

**Clackamas County supports HB 4109:** The Board of County Commissioners supports HB 4109, which directs state agencies to study opportunities to promote carbon sequestration.

Clackamas County supports carbon sequestration activities that would help to reduce Oregon’s greenhouse gas emissions and benefit local economies. Thoughtful consideration and management of Oregon’s greatest renewable resource – our forests – is an essential component in this work. Effective forest management practices reduce the potential for catastrophic wildfires that devastate communities and lead to the release of greenhouse gases. In addition, by harvesting these renewable resources, where appropriate, we can permanently sequester carbon.

New mass timber technologies, such as cross laminated timber (CLT), are increasingly replacing more carbon intensive building construction materials. These wood innovations hold immense potential in efforts to address climate change, while at the same benefiting rural economies.

Clackamas County is actively working on ways to address the supply needs of the burgeoning CLT industry. Today, the wood for mass timber construction in Oregon and nationally is primarily being sourced from out of state. Working with a diverse array of stakeholders, Clackamas County is pursuing a “forest to frame” concept with an aim of supporting local businesses and local communities. If successful, the results of the pilot could serve as a model for the state.

As work continues on developing a cap & trade system for Oregon, HB 4109 will provide useful information to policymakers on ways to incorporate carbon sequestration into such a program. This work represents a potential win-win to both reduce greenhouse gas emissions while also positioning Oregon as a national leader in wood innovation.

We urge a “YES” vote for HB 4109.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



**BOARD OF COUNTY COMMISSIONERS**

**PUBLIC SERVICES BUILDING**

2051 KAEN ROAD | OREGON CITY, OR 97045

January 23, 2018

The Honorable Peter Courtney  
Senate President  
State Capitol S-201

The Honorable Tina Kotek  
Speaker of the House  
State Capitol H-269

The Honorable Brian Clem  
Chair, House Agriculture and Natural Resources Committee  
State Capitol H-478

RE: Aurora State Airport Legislation – HB 4092

Dear Speaker Kotek, Senate President Courtney, and Chair Clem:

As the 2018 legislative session approaches, we are writing to express our concerns regarding HB 4092 seeking to allow for an expansion of the Aurora State Airport. The bill as proposed would allow for the expansion of the airport by circumventing statewide land use laws. For this reason, we request your assistance in not assigning the bill to a committee so that a more deliberate and open process can be established on the future of the airport.

Specifically, HB 4092 would exempt local governments from being subject to statewide planning goals for the purpose of expanding the airport. Bypassing Oregon's land use laws unfairly cuts the public out of the process and sidesteps state requirements to consider impacts on farmland, surface transportation, and urban services. This approach is not in the best interest of Clackamas County or Oregonians.

Moreover, consideration of the measure during a 35-day legislative session further limits opportunity for public discourse. The proposal also fails to allow for a comprehensive assessment on Aurora Airport's future. The changes being sought through this legislation are significant, and appropriate time should be given to comprehensively study the economic benefits of the airport while allowing for a robust public process.

Clackamas County would strongly support an opportunity to participate in a process on the future of the airport that involves all stakeholders, convened by a neutral party. We believe that such an approach would help to ensure more informed decision-making that considers all potential ramifications stemming from expansion of the airport.

Thank you for attention to this important issue, and we look forward to being engaged in this process.

Sincerely,

Jim Bernard, Chair  
On Behalf of the Clackamas County Board of Commissioners

cc: The Honorable Rick Lewis, Representative, House District 18  
Mitch Swecker, Oregon Department of Aviation



February 8, 2018

**Clackamas County Board of Commissioners**  
**Policy Position**  
**HB 4092: Relating to State Airports**

**Clackamas County opposes HB 4092:** The Board of County Commissioners opposes HB 4092, which would allow for the expansion of the Aurora State Airport by circumventing statewide land use laws.

Specifically, HB 4092 would exempt local governments from being subject to statewide planning goals for the purpose of expanding the airport. Bypassing Oregon’s land use laws unfairly cuts the public out of the process and sidesteps state requirements to consider impacts on farmland, surface transportation, and urban services. This approach is not in the best interest of Clackamas County or Oregonians.

Moreover, consideration of this measure during the 35-day legislative session only further limits opportunity for public discourse. The proposal also fails to allow for a comprehensive assessment on the future of the Aurora Airport. The changes being sought through this legislation are significant, and appropriate time should be given to comprehensively study the economic benefits of the airport while allowing for a robust public process.

Clackamas County would strongly support an opportunity to participate in a process on the future of the airport that involves all stakeholders, convened by a neutral party. We believe that such an approach would help to ensure more informed decision-making that considers all potential ramifications stemming from expansion of the airport.

We urge a “no” vote on HB 4092.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



February 21, 2018

**Clackamas County Board of Commissioners  
Policy Position  
HB 4127: Regarding Qualification Based Selection**

**Clackamas County supports HB 4127:** The Board of County Commissioners supports HB 4127, which allows public contracting agencies the ability to request pricing information from already selected qualified firms before engaging into negotiations.

Current QBS practices, found in ORS 279C.110, says that public construction project contractors can only be chosen based on qualifications, and not on other merits such as pricing. HB 4127 would still utilize the QBS process, but include the ability to request pricing information after no more than 3 qualified firms have been identified.

HB 4127 improves the public construction contracting process in the following ways:

- Adds transparency to the selection process by allowing local agencies to see all relevant information pertaining to the contract and better understand budget needs before firms are selected.
- Increases competition and encourages new and local businesses by amending a process that favors well-established and larger firms, thus preventing small and/or local firms from achieving consideration to perform work they may be equally capable of doing, often at reduced costs.
- Increases efficiencies in the public contracting process by providing public agencies with relevant information before the negotiation process, saving weeks of staff time.

HB 4127 is good for local governments, good for businesses, and good for taxpayers.

We urge a “YES” vote for HB 4127.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.





## Improving Accountability and Transparency in Public Contracting Support HB 4127

**HB 4127 will provide increased transparency and accountability, better access and competition, and promote government efficiency in the procurement of certain professional services by allowing public contracting agencies to compare pricing information from qualified consultants prior to making a selection and committing public dollars.**

### How We Got Here

Qualification-Based Selection (QBS), found in ORS 279C.110, is a procurement process for the selection of professional services<sup>1</sup> for public construction projects. QBS was originally established by Congress in 1972 in the *Brooks Act* (40 USC 1101) and many states, including Oregon, have adopted their own versions in subsequent years.

Prior to 2012, QBS applied to state contracts and was only required for local contracts if a local government received state funding for any portion of the design and construction of the project, and the state funding for the project exceeded 10 percent of the value of the project for projects over \$900,000. In 2011, HB 3316 passed and was signed into law extending mandatory use of QBS to local governments.

*(Continued on page 2)*

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<sup>1</sup> ORS 279C.110 applies to the procurement of engineering, architecture, photogrammetric mapping, transportation planning, and land surveying services.

**Andy Smith**  
Government Relations Manager, City of Hillsboro  
503-616-6675/andy.smith@hillsboro-oregon.gov

**Michael Van Dyke**  
Deckert Jillions LLP  
503-313-5898/michael@deckertjillions.com

## What We Are Proposing?

HB 4127 will provide a more transparent, accountable, and efficient process for purchasing professional services while preserving the current law for jurisdictions that choose to use the current system. Specifically, HB 4127 allows public contracting agencies to issue an RFQ and select up to five (5) qualified firms. After an initial qualification-based selection is made, just as it is done currently, public contracting agencies may then request pricing information prior to opening negotiations.

## Policy Issues Addressed

- ✓ **Increased Transparency and Accountability** – QBS makes it difficult for public employees to be transparent or accountable to elected local leaders for the contracts they sign. Without the ability to consider pricing information prior to selecting a consultant, public employees can only say they negotiated the contract as required by law. Similarly, elected officials who are charged with ensuring public dollars are being spent efficiently and effectively cannot fairly evaluate whether a contract represents the best overall value for the community.
- ✓ **Increased Small Business Competition and Access** – Emerging small businesses are disadvantaged when competing on qualifications alone. QBS results in large and well-established firms being awarded lucrative government contracts without meaningful competition. HB 4127 increases opportunities for small businesses who are qualified for the job to compete on price.
- ✓ **Increased Efficiency in Government** – It takes about 6 – 8 weeks to negotiate a contract with a consultant. Public contracting agencies have a disincentive to move through the list of qualified firms, which can jeopardize project timelines and may result in a less favorable outcome. HB 4127 allows public contracting agencies to have more information prior to negotiating with a qualified consultant and creates a level playing field for negotiations.



**Andy Smith**  
Government Relations Manager, City of Hillsboro  
503-616-6675/andy.smith@hillsboro-oregon.gov

**Michael Van Dyke**  
Deckert Jillions LLP  
503-313-5898/michael@deckertjillions.com



# Vote YES on HB 4127A

## Ensure Qualifications and Taxpayer Value in Public Contracting

HB 4127A provides increased transparency and accountability, better access and competition, and ensures the best value to the taxpayer in the procurement of certain professional services by allowing public contracting agencies to compare pricing information from the most qualified consultants prior to making a final selection and committing public dollars.

### HB 4127A:

- **Maintains the focus on qualifications**—only qualifications are considered in selecting the three finalists.
- **Ensures the best taxpayer value**—allows local government to ask for hourly rates, level of effort and other pricing information from the most qualified finalists before a final selection is made.
- **Increases opportunities for qualified small businesses to compete for government contracts.**
- **Meets Qualifications-Based Selection best-practices, set by the American Public Works Association, an organization of professional services consultants and public agencies.**
- **Increases government efficiency**—ensures public contracting agencies have the right information prior to negotiating with a qualified consultant, helping keep project scope, budgets and timelines intact.

**Vote YES on HB 4127A**



February 2, 2018

**Clackamas County Board of Commissioners**  
**Policy Position**  
**HB 4069: Relating to lottery revenues**

**Clackamas County supports HB 4069:** The Board of County Commissioners supports HB 4069, which provides that a fixed percentage of certain forecasted video lottery revenues be transferred to counties for economic development.

Specifically, HB 4069 would provide that Lottery distributions to counties be adjusted to compensate for differentials between previous biennium's forecasted revenues and actual revenues. Clackamas County currently receives approximately \$1.7 million per year in Lottery dollars. As proposed, this bill could have a significant positive impact on critical economic development efforts throughout Clackamas County.

Clackamas County currently uses lottery revenues to support one of the County's most important Strategic Goals - *Build a Vibrant Economy* - which includes supporting projects such as the Willamette Falls Legacy Project, reopening of the Willamette Falls Locks, redevelopment of the North Milwaukie Industrial Area, and a Cross Laminated Timber (CLT) initiative. Lottery dollars are also used to support vital economic development throughout Clackamas County – through various programs including:

- Business Retention, Expansion and Recruitment
- Employment Land Evaluation
- Export Initiatives
- Economic Landscape
- Main Street
- Marketing
- Industry Cluster Development through New Technologies
- Community Economic Preparedness

We urge a “Yes” vote for HB 4069.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



February 7, 2018

**Clackamas County Board of Commissioners**  
**Policy Position**  
**HB 4007: Regarding the document recording fee**

**Clackamas County supports HB 4007:** The Board of County Commissioners supports HB 4007, which increases the document recording fee to \$75.

While Clackamas County utilizes several resources and programs to successfully prevent or end a family's homelessness, resources are not sufficient to meet the demand. Document recording fees support essential housing programs like the Emergency Housing Account (EHA), the Home Ownership Assistance Program, and the General Housing Account. This broad funding approach strategically supports housing on many levels, but also requires robust funding to accomplish this successfully.

Housing Needs in Clackamas County:

- 2,233 individuals were identified during the 2017 Homeless Point in Time Count.
- Of those, 1,165 were homeless children attending public schools in Clackamas County.
- 96 families have requested emergency shelters since September 1, 2017 – in the last 5 months – using the County's Coordinated Housing Access Line.
- 22% of County residents experience severe rent burden, meaning they spend more than 50% of their income on rent.
- 128 homeless veterans live in Clackamas County.

Clackamas County Social Services receives 6.5% of the statewide allocation of the Emergency Housing Account. The County uses this flexible source of funds to end homelessness for individuals and families through rent assistance, rapid rehousing, case management, and shelter diversion activities. But as our numbers show, the need is great and more resources are needed.

A \$55 increase to the existing document recording fee is a bold step towards addressing a crisis in Oregon, and supports programs that truly improve the lives of Oregonians and Clackamas County residents.

We urge a "yes" vote for HB 4007.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



February 9, 2018

**Clackamas County Board of Commissioners**  
**Policy Position**  
**HJR 201: Relating to proposed amendment to Oregon Constitution**  
**regarding Affordable Housing**

**Clackamas County supports HJR 201:** The Board of County Commissioners supports HJR 201, which would refer a constitutional amendment to the 2018 ballot to allow greater flexibility when local governments spend funds raised by general obligation bonds for affordable housing.

A lack of affordable housing is an issue impacting every community in Oregon, particularly in the Portland metro area. The housing crisis that we are facing today reaches all households and limits housing opportunities for working families, seniors, people with disabilities, communities of color, and low income residents. In many cases, these barriers place additional pressure on those residents in our community who cannot find housing at all.

Clackamas County is working very hard on a number of key initiatives to address the housing crisis. Currently, Clackamas County operates 545 affordable housing units, and in spring 2018 the County will finalize a veteran's transitional housing shelter project, serving 30 homeless veterans at a time. Additionally, the county will initiate a housing coalition that will develop policy goals and key partnerships to tackle housing issues head on.

Clackamas County is also working with Metro and other regional partners to develop a potential regional affordable housing bond for the November, 2018 ballot. Affordable housing projects often involve complex partnerships and arrangements that include funding resources from government, private, and non-profit agencies. However, the Oregon Constitution would currently limit our ability to use general obligation bonds for affordable housing in conjunction with private and non-profit partners. If approved by voters, HJR 201 would make a modest change to address this constitutional barrier and enhance our efforts to address the current housing crisis.

**We urge a “yes” vote for HJR 201.**

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



February 12, 2018

**Clackamas County Board of Commissioners  
Policy Position  
SB 1562: Relating to Strangulation**

**Clackamas County supports SB 1562:** The Board of County Commissioners supports SB 1562, which expands on the definition of the act of strangulation.

Strangulation has serious long-term health implications for survivors. Compression of the neck that impedes the flow of blood and/or oxygen to the brain has short and long-term health consequences. Even though bruising is often not immediately evident, the underlying structures of the neck may be injured, including the soft tissues of the throat, larynx, and damage to vascular tissue. These injuries may result in a stroke occurring later in life due to damaged veins and arteries limiting blood flow to and from the brain. The loss of oxygen to the brain can also result in vision changes, seizures, amnesia, and other neurological effects that impact the survivor in devastating ways. Victims fortunate enough to survive strangulation frequently succumb to unrecognized and undiagnosed injuries well after these traumatic events.

Because we understand these realities, Clackamas County is investing resources to improve our coordinated efforts toward identifying strangulation victims, responding appropriately to survivors' physical and emotional needs, improving the medical attention to non-fatal strangulation victims, and improving the prosecution of these dangerous offenders. Clackamas County is committed to the safety and security of its residents through legislation that increases resources for victims of domestic violence and improved accountability for offenders. Strangulation is a public health issue that directly affects the wellbeing of survivors, families, first responders, and the community as a whole.

Clackamas County's current domestic violence work includes supporting the collaborative work of A Safe Place Family Justice Center, extensive funding for direct services to victims and their children, participation and leadership in various domestic violence projects and initiatives, and the provision of a Domestic Violence Systems Coordinator. A multi-disciplinary team of Clackamas County professionals very recently attended the Advanced Course at the Training Institute on Strangulation Prevention and will be working towards the implementation of a comprehensive response to survivors and those who perpetrate the crime of strangulation in our community.

We urge a "YES" vote for SB 1562.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



February 23, 2018

**Clackamas County Board of Commissioners**  
**Policy Position**  
**HB 4120A: Relating to transient lodging taxes**

**Clackamas County supports HB 4120A:** The Board of County Commissioners supports HB 4120A, which updates the statutory definition of “Transient Lodging Intermediaries” and provides additional clarity about who is responsible for collecting and remitting local transient lodging taxes (TLTs).

Clackamas County has had a TLT ordinance in place since 1993. With such attractions as Mt. Hood and the Mt. Hood National Forest, we are a popular destination for visitors. Last fiscal year Clackamas County collected \$4.5 million, allocating a majority of these funds toward tourism promotion and development programming.

Since the entrance of online intermediaries into the marketplace, compliance with our TLT program has become increasingly problematic. This issue is primarily due to intermediaries, and not individual property owners or property management companies, being unwilling to collect and remit. In one example, a large intermediary refuses to comply unless the county signs a “Voluntary Collection Agreement” that precludes any kind of meaningful audit. Meanwhile, all other program participants – hotels, motels, B&Bs, property management companies, guesthouses and individual vacation rental operators – are subject to full-book audits.

In 2017, the Board of County Commissioners updated the county’s TLT ordinance to specifically include transient lodging intermediaries. After the update failed to encourage intermediaries who are known to be offering lodging in the county to come into compliance, the county filed suit in Clackamas County Circuit Court. The matter has yet to be resolved.

HB 4120A is needed to help Clackamas County and other municipalities address the problem of intermediaries continuing to refuse to participate in local TLT programs.

We urge a “YES” vote for HB 4120A.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.





February 7, 2018

**Clackamas County Board of Commissioners**  
**Policy Position**  
**HB 4075: Regarding Urban and Rural Reserves**

**Clackamas County opposes HB 4075:** The Board of County Commissioners opposes HB 4075, which proposes that certain real property in Washington County designated by Metro as rural reserve be redesignated as urban reserve.

The process to establish reserve designations in the Portland Metropolitan area was established by the Legislature in 2007, and Metro and Clackamas, Multnomah and Washington Counties began work to implement these designations nearly 10 years ago. The Legislature enacted the new authority in response to a call by the Partner Governments to improve the methods available to them for managing growth. HB 4075 undermines the primary policy and purpose of the Urban and Rural Reserve designations, which is to provide certainty by identifying those areas where growth is, and is not, appropriate in the region over the next 40-50 years.

While the lands at issue are located exclusively within Washington County, the impacts of this legislation will have significant consequences on Clackamas and Multnomah Counties. Clackamas County's primary concern is that changes to the reserves map will further delay and confuse the process to resolve the remaining reserve designations in Clackamas County and Multnomah County. Such delays have prevented cities like Wilsonville from advancing their own growth strategies, and have had impacts on other communities as well.

A secondary concern is the shared acreage of urban reserve lands that exist for Metro communities. Adding new urban reserve lands in Washington County increases the possibility that urban reserve lands elsewhere in the Metro area are passed over when the Urban Growth Boundary is expanded in the future. Legislative changes to the existing agreed-upon reserve designations favors special interests over communities and disrupts the balance in the overall amount and distribution of urban and rural reserve lands across the entire Metro region.

We urge a "NO" vote for HB 4075.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.



February 23, 2018

**Clackamas County Board of Commissioners**  
**Policy Position**  
**Potential Amendment to HB 4031: Regarding Rural Industrial Up-zoning**

The Board of County Commissioners opposes a potential amendment to HB 4031, which would allow a single parcel of land in the rural reserves within Clackamas County to be up-zoned to rural industrial. Specifically, the potential amendment would address a single landowner's desire to enhance the type of uses that can occur on an 18-acre property currently zoned exclusive farm use (EFU) and designated as a Clackamas County rural reserve.

This amendment represents an egregious attempt to override both the state rules governing the Metro region's rural reserves, as well as Clackamas County's Comprehensive Plan. At the local level, jurisdictions develop and adopt comprehensive plans after robust public involvement and extensive review by planning commissions and elected officials. Legislative action to amend, overrule, or otherwise change a local jurisdiction's comprehensive plan is not in keeping with the local land use process, and it sets a dangerous precedent of the Legislature overriding local authority to benefit an individual landowner.

Both the adopted policies in the Clackamas County Comprehensive Plan and the state rules governing rural reserves do not authorize rezoning of land in the rural reserves or the creation of new lots smaller than 80 acres. Rezoning this property to rural industrial would allow both new uses and the creation of new lots, violating state and local regulations on the rural reserves.

In addition, a property zoned rural industrial could be used in many ways not limited to automobile storage, including but not limited to bus shelters, indoor recreational facilities, metal fabrication, lumber sales, veterinary hospitals, and even dwellings. These uses are a far cry from land currently known to have agriculturally-valuable soil and that has always been used for agricultural purposes. While Clackamas County's comprehensive plan does allow for land to be designated rural industrial, this is only for lands within an unincorporated community or where there is an historical commitment to a rural industrial use. The property in question meets neither of these criteria.

Finally, the urban and rural reserves of Clackamas and Multnomah Counties have yet to be finalized, pending final action by the Land Conservation and Development Commission. One-off changes within rural reserves by the Legislature would risk further delays and only serve to confuse the process of resolving the remaining reserve designations. Such delays have prevented cities like Wilsonville from advancing their own growth strategies and have had impacts on other communities as well.

We strongly urge a "NO" vote for this potential amendment to HB 4031.

Please contact Chris Lyons at [clyons@clackamas.us](mailto:clyons@clackamas.us) for more information.