

Draft

Approval of Previous Business Meeting
Minutes:
October 28, 2021

BOARD OF COUNTY COMMISSIONERS BUSINESS MEETING MINUTES

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

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

Thursday, October 28, 2021 – 10:00 AM

Virtual Meeting via Zoom and in Person

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

CALL TO ORDER

- Roll Call
- Pledge of Allegiance

COVID-19 Updates

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

1. Approval to execute a contract between Housing Authority of Clackamas County (HACC) and Impact NW to provide Supportive Housing Case Management and Housing Navigation and Placement. Contract value not to exceed \$267,225.00 funded through Supportive Housing Services Program funds. No County General Funds Involved.
2. Approval of a 3 year lease of the HACC owned office space at 146 Molalla Ave, Oregon City to Central City Concern for the administration of the LEAD® program in Clackamas County generating lease revenue of \$5,400 annually with an annual increase of 3%. No County General Funds Involved.

Commissioner Leenstra: I move we approve the Housing Authority Consent Agenda.

Commissioner Fischer: Second

Clerk Bork called the Poll

Commissioner Leenstra: Aye.

Commissioner Savas: Aye

Commissioner Fischer: Aye

Commissioner Shull: Aye

Commissioner Schrader: Aye

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

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

A. Elected Officials

1. Approval of Previous Business Meeting Minutes – *BCC*

B. Health, Housing and Human Services

1. Approval of Amendment #03 to Subrecipient Agreement with Cascadia Behavioral Healthcare, Inc. for Residential Treatment Services. Amendment extends the term of the Agreement to December 31, 2021, with no change to Agreement cost. No County General Funds involved – *Behavioral Health*
2. Approval of Change Order #6 between Clackamas County and Ankrom Moisan Associated Architect, Inc. for the Sandy Health Clinic Project. This change order adds \$21,534.64. New total contract value is \$314,785.64. Funded through the Health Centers Fund Balance. No County General Funds Involved – *Health Centers*

3. Approval to accept funding from Oregon School-Based Health Alliance (OSBHA) for School Based Health Center program funds. Funding agreement is for \$8,000. No County General Funds are involved. – *Health Centers*
4. Approval to apply for the University of Baltimore – Combating Overdose through Community – Level Intervention (COCLI) to expand Project Hope. Maximum grant award is \$300,000. No County General Funds are involved. – *Public Health*

C. Technology Services

1. Approval of a Contract with CenturyLink Communications LLC to establish an updated Master Service Agreement for external connections to the Public Telecommunications Network and enhanced services in all Clackamas County buildings and offices. Total contract value is \$840,000 funded through direct billings to Departments, some of which are funded through County General Funds, and external agency billings.

D. Finance

1. Approval of Public Improvement Contract with R.L. Reimers Company for the Secure Parking Lot Expansion Project at the Central Utility Plant. Total contract value is \$319,225, funded through County General Funds.

E. Business and Community Services

1. Approval of Contract Amendment #3 between Clackamas County and Oregon City Chamber of Commerce to provide Business Recovery Center services in support of the local business community impacted by the COVID-19 pandemic. Amendment #3 adds \$50,000 for a new total contract value of \$155,026. Funded through Oregon State Lottery Funds. No County General Funds are involved.
2. Approval of Contract Amendment #3 between Clackamas County and Sandy Area Chamber of Commerce to provide Business Recovery Center services in support of the local business community impacted by the COVID-19 pandemic. Amendment #3 adds \$50,000 for a new total contract value of \$152,320. Funded through Oregon State Lottery Funds. No County General Funds are involved.
3. Approval of Contract Amendment #3 between Clackamas County and Canby Area Chamber of Commerce to provide Business Recovery Center services in support of the local business community impacted by the COVID-19 pandemic. Amendment #3 adds \$50,000 for a new total contract value of \$162,366. Funded through Oregon State Lottery Funds. No County General Funds are involved.
4. Approval of Contract Amendment #3 between Clackamas County and Lake Oswego Chamber of Commerce to provide Business Recovery Center services in support of the local business community impacted by the COVID-19 pandemic. Amendment #3 adds \$50,000 for a new total contract value of \$163,520. Funded through Oregon State Lottery Funds. No County General Funds are involved.
5. Approval of Contract Amendment #4 between Clackamas County and North Clackamas County Chamber of Commerce to provide Business Recovery Center services in support of the local business community impacted by the COVID-19 pandemic. Amendment #4 adds \$50,000 for a new total contract value of \$193,145. Funded through Oregon State Lottery Funds. No County General Funds are involved.
6. Approval of the Sale and Transfer of a remnant parcel of County Property adjacent to SW Frog Pond Lane to Donnie L. Martin for \$1000. No County General Funds are involved.

F. Disaster Management

1. Approval of a Contract with AshBritt, Inc. for On-Call Disaster Debris Removal and Disposal Services. As an on-call disaster response contract, funding is not identified in advance. General funds may be used, but will be identified and approved by the Board as needed.
2. Approval of Amendment #1 to the State Homeland Security Grant Agreement #19-214 between Clackamas County and the State of Oregon for 3 Shelter Trailers. Amendment #1 extends the duration of the existing agreement to July

31, 2022. Total agreement value remains \$36,300 funded through the Oregon Office of Emergency Management. No County General Funds are involved.

G. Transportation and Development

1. Approval of Annual Intergovernmental Agreement with Metro to Implement the FY 21-22 Annual Waste Reduction and Recycle at Work Program. This will provide \$506,422 in funding to the County for Fiscal Year 20-21. No County General Funds are involved.
2. Approval of the Second Amendment to an Intergovernmental Agreement for Provisions of Permit Processing and Building Inspection/Plan Review (BI/PR) Services. Clackamas County's Building Codes Division pays a rate of \$57.89 per hour for work performed by the City of Beaverton and the total dollar amount is based on the hours worked during the timeframe of this agreement. Funding is through revenue from fees for permitting and plan reviews. No County General Funds are involved.
3. Approval of Amendment #4 with David Evans and Associates, Inc. for the South End Road at Milepost 3.8. Amendment #4 adds \$366,982.82 for a new total of \$996,024.29 with funding through the federal emergency relief funds (\$329,293.68) and a County Road Fund Match of 10.27% (\$37,689.14). No County General Funds are involved.

Commissioner Schrader: I move we approve the Consent Agenda.

Commissioner Shull: Second

Clerk Bork called the Poll

Commissioner Schrader: Aye.

Commissioner Savas: Aye

Commissioner Fischer: Aye

Commissioner Shull: Aye

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

III. WATER ENVIRONMENT SERVICES CONSENT AGENDA

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

1. Approval of Contract Amendment #2 between Water Environment Services and Otak, Inc for the Water Environment Services & Happy Valley Storm System Master Plan. Amendment #2 adds \$215,602 for targeted basin planning and expanded Capital Improvement Plan development. New Contract total is \$692,601 funded through WES Surface Water Operating Funds. No County General Funds are involved.

Commissioner Shull: I move we approve the Water Environment Services Consent Agenda.

Commissioner Schrader: Second

Clerk Bork called the Poll

Commissioner Fischer: Aye

Commissioner Shull: Aye

Commissioner Schrader: Aye

Commissioner Savas: Aye

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

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

Open Public Comment

General Public Comment in Person:

1. Elvis Clark - Milwaukie
2. Les Poole - Damascus

General Public Comment Zoom:

1. Angela Nylund – Boring
2. Cris Waller – Jennings Lodge
3. Christine Kennedy – Lake Oswego

Closed Public Hearing

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

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

Adjourned 11:18 AM

Dear Honorable Chair Smith; Vice Chair Savas; Commissioners Schrader, Fischer, and Shull; Administrator Schmidt:

Re: Agenda IV, Public Communication, Board of County Commissioners Business Meeting, October 28, 2021

Re: Oak Lodge Governance Project study by EcoNorthwest released September 2021

It is being said by Oak Lodge Governance Project spokespersons that this economic study shows it is feasible to incorporate the Oak Grove and Jennings Lodge areas.

But I would ask feasible for whom?

This study also shows homeowners would incur **higher property taxes if incorporated**. If annexed into the City of Milwaukie, typical homeowners in the Oak Grove and Jennings Lodge area (Oak Lodge) would see property taxes increased by **\$1,000 per year** (over 15% increase). If Oak Lodge were instead incorporated into its own city, it is estimated property taxes would increase by a few hundred dollars per year.

But – as to the latter - in studying incorporating Oak Lodge into its own City, the **study** very likely **underestimates the increase in property taxes**. I say this because at the October 19th presentation of this study to the Milwaukie City Council, the **Mayor of Milwaukie states the estimate for the required general fund for this new City is seemingly very low**; the mayor noting, for example, that the cost of police services alone eats up more of Milwaukie's general fund budget than the study's entire General Fund estimate for this hypothetical new City.

Also at this October 19 meeting, the study's analysts note there is likely substantial **start-up costs for forming a completely new City, and that these costs were not a part of the estimated property tax impacts**.

Other troubling aspects to this Oak Lodge Governance project:

The Oak Lodge Governance Project spokesperson reveals a bias towards policies generally antithetical to the freedom and wellbeing of existing Oak Lodge residents.

First, this spokesperson talks about too many cars along McLoughlin Boulevard - as in I think what this spokesperson really means is: I don't like other people having cars.

Second, this spokesperson wants to burden existing residents with a private property tree code. This smacks of a lack of trust in homeowners managing their own property, and the desire to invoke the hand of government force.

Third, this spokesperson fantasizes about bringing more sidewalks to Oak Lodge via incorporation; but I can tell you the City of Milwaukie by comparison lacks much of these same improvements, as the City Engineer rates about 50% of Milwaukie's roads as being of poor and deteriorating quality.

The Oak Lodge Governance Project is relatively few in membership size; and yet that these few planning and bigger government enthusiasts can receive over \$100,000 in grant monies from Metro regional government for this study seems unfair to those who do not wish incorporation. **Where is the \$100,000 to study the benefits of being free from an additional layer of government – run by a handful of people with a tendency to layer on new burdens and costs onto its residents?**

As to the latter, in last week's Portland Tribune (10/20/21) it is reported that in Washington County, the fastest population growing areas are in un-incorporated areas. It is reported the reason for the attraction to settling in unincorporated areas is the American Dream – A Single Family House and Yard. I should say the latter is true prosperity, and it should be encouraged more regionally - by building out the urban area and not just in and up.

For these underlying reasons, **I am supportive of Thelma Haggemiller**, long time Oak Grove community activist; and **her pursuit of having the Oak Lodge Water Services District made an Authority.**

p.s I have friends in the Oak Grove study area which oppose their incorporation.

Sincerely,
Elvis Clark
Milwaukie, Oregon 97222

Dear Honorable Chair Smith; Commissioner Savas, Schrader, Fischer, Shull and Administrator Schmidt,

Re: Agenda IV, Public Communication, Board of County Commissioners Business Meeting, Oct 28, 2021

Re: Oak Lodge Governance Project study by EcoNorthwest released September 2021

Oak Grove people like their privacy, they like living close to a major roadway (Superhighway 99 – McLaughlin Blvd.) for an easy drive to work and easy access to shops. Oak Grove residents enjoy this quiet suburb community. We enjoy varied housing styles, from huge senior high-rise facilities, trailer home parks, apartments, single family homes and a few old estates. We are diverse economically and socially. We like small privately owned business, like Olson's garage, who has thrived for many years, like family restaurants - Rigobertos, auto detail businesses and even the famous dealerships the Trailblazers -Seaport Auto dot com - have advertised on McLaughlin auto row. These businesses make money, employ many people and pay taxes to keep government services going. We don't want to pay for another layer of government which a city (we hope it is honest) I currently pay Clackamas County \$400. a month in property taxes to live here. Do not take the bait of the Metro planners who funded this incorporation study project and want us to incorporate so they can run the Metro light rail up to Oregon City. Transportation data shows Metro is a financial black hole. Ridership is way down. We do not need sidewalks. We do not have a walking problem here. We do not have a roadway congestion here. We have a "control" problem with the government - that is the only thing that needs fixing. These studies were conducted with little Oak Grove citizen input over zoom. It is hard to say how many true residents even responded to the Survey monkey type questions, fewer than 100 out of a 30,000 population. Other Portland neighborhoods exist well unincorporated, like Cedar Mill - functions fine - unincorporated. They have their own newsletter, businesses etc.

I am not in favor of Oak Grove becoming a city. If put to a fair vote, residents would vote no as they have in the past. Kathy Najdek - Oak Grove Oregon. 97267



November 10, 2021

Board of County Commissioners
Clackamas County

Members of the Board:

Approval of 2021 House Bill 5006 Resolution

Purpose/Outcomes	Board approval of the 2021 HB 5006 Resolution
Dollar Amount and Fiscal Impact	Provides for funds of \$562,997 to be distributed to wildfire impacted Clackamas County property tax districts.
Funding Source	A one-time General Fund appropriation by the Oregon legislature was approved for the Department of Revenue to make grants to impacted counties.
Duration	Distribution of grant funds by December 31, 2021.
Previous Board Action/Review	On November 3, 2021, the Board voted to adopt a county Resolution allowing receipt of HB 5006 grant funds and distribution per the County Tax Collector's recommendation.
Strategic Plan Alignment	Build public trust through good government
Counsel Review	11/3/2021
Procurement Review	1. Was the item processed through Procurement? yes <input type="checkbox"/> no X 2. If no, provide brief explanation: This is a grant allowed by legislation with approval by the County Commissioners. No procurement involvement is required.
Contact Person	Bronson Rueda, 503-655-8304

BACKGROUND:

During the 2021 legislative session, HB 5006 was passed allowing a one-time General Fund appropriation of \$23.2 million for the Department of Revenue (DOR) to make grants to counties for the reimbursement of lost tax revenue related to the 2020 wildfires. Distribution of these funds will be limited to counties included in Executive Order 20-60 that were impacted by the 2020 wildfires and that can



TAMI LITTLE
COUNTY ASSESSOR

demonstrate losses due to the September 2020 wildfires in property tax years beginning on or after July 1, 2020.

On October 11, 2021, the Department of Revenue issued HB 5006 guidance to the impacted counties. The guidance outlines steps for counties to take, in order to receive the grant money. The steps include drafting a resolution with the amount requested, instructions on how to calculate each counties grant amount, a requirement for each county to describe how the grant money will be distributed, and a commitment for each county to provide a follow up report. The DOR will disburse the entire approved grant amount by December 31, 2021.

Based on the DOR guidance, Clackamas County will receive \$562,997 for all four tax years in one lump sum. Note, during the 2021 session, the impacted counties worked with legislators to craft this bill and determine the reimbursements. The reimbursement amounts cannot be changed.

RECOMMENDATION:

Staff respectfully recommends adoption of the attached Resolution.

Sincerely,

Tami Little
Assessor

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

In the Matter of Distribution of funds
from 2021 House Bill 5006 for
Reimbursement of Lost Property Tax
Revenue Related to the 2020
Wildfires



Resolution No. _____
Page 1 of 2

WHEREAS, the 2021 Oregon legislature passed House Bill 5006 providing funds for grants to counties for the reimbursement of lost property tax revenue related to the 2020 wildfires;

WHEREAS, distribution of the funds appropriated by the Oregon legislature is limited to counties included in Executive Order 20-60 that were impacted by the 2020 wildfires;

WHEREAS, Clackamas County has been designated as a county impacted by the 2020 wildfires and thus is entitled to reimbursement for lost tax revenue;

WHEREAS, House Bill 5006 requires the County to apply for its available funds and provide its Resolution which shall include the amount requested, how the county will distribute the funds, and a commitment to provide a follow-up report;

WHEREAS, the Assessor and staff have reviewed House Bill 5006 and provided an overview of the measure to the Board of County Commissioners on November 2, 2021;

WHEREAS, 2021 House Bill provides for funds of \$562,997 for all four tax years to be distributed to wildfire impacted Clackamas County property tax districts;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CLACKAMAS COUNTY BOARD OF COMMISSIONERS that:

1. Clackamas County approves of and requests distribution of grant funds from 2021 House Bill 5006 to replace estimated lost property tax revenue due to the 2020 wildfires in the amount of \$562,997, as calculated per guidance from the Oregon Department of Revenue, which will be distributed to Clackamas County property tax districts as follows:
2. For the first year's distribution amount of \$116,831 Clackamas County will distribute the money to all taxing districts in the county using the uniform distribution schedule;
3. The County will distribute the remaining amount of the funds received by Clackamas County from 2021 House Bill 5006, estimated to be \$446,166, only to the property tax districts impacted by the 2020 wildfires, using the 2020-21 uniform distribution schedule; and

4. Clackamas County commits to provide a report of the amounts distributed to the Oregon Department of Revenue per its guidance.

DATED this ___ day of ___ 2021.

CLACKAMAS COUNTY BOARD OF COMMISSIONERS

Chair

Recording Secretary