

DRAFT

Approval of Previous Business Meeting Minutes:

April 4, 2019

BOARD OF COUNTY COMMISSIONERS BUSINESS MEETING MINUTES

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

<http://www.clackamas.us/bcc/business.html>

Thursday, April 4, 2019 – 10:00 AM

Public Services Building

2051 Kaen Rd., Oregon City, OR 97045

PRESENT: Commissioner Sonya Fischer, Serving as Chair
Commissioner Ken Humberston
Commissioner Martha Schrader
Housing Authority Commissioner Paul Reynolds

EXCUSED: Commissioner Jim Bernard, Chair
Commissioner Paul Savas

CALL TO ORDER

■ Roll Call

Chair Bernard and Commissioner Savas are out of the office and will not be in attendance today, Commissioner Fischer will serve as Chair for this meeting.

■ Pledge of Allegiance

Chair Fischer announced the Board will recess as the Board of County Commissioners and convene as the Housing Authority Board for the next item, he introduced Housing Authority Commissioner Paul Reynolds.

I. HOUSING AUTHORITY CONSENT AGENDA

Chair Fischer asked the Clerk to read the Housing Authority consent agenda by title, then asked for a motion.

1. Approval of Resolution No. 1937: Housing Authority Annual Plan 2019-2020

MOTION:

Commissioner Reynolds: I move we approve the Housing Authority consent agenda.

Commissioner Humberston: Second.

all those in favor/opposed:

Commissioner Reynolds: Aye.

Commissioner Humberston: Aye.

Commissioner Schrader: Aye.

Chair Fischer: Aye – the Ayes have it, the motion carries 4-0.

Chair Fischer announced the Board will Adjourn as the Housing Authority Board and Reconvene as the Board of County Commissioners for the remainder of the meeting.

II. PRESENTATION

1. Proclaiming April as Child Abuse Prevention Month

Rod Cook, Children, Families & Community Connections presented the staff report. Rod introduced the following people who spoke in support of this proclamation.

- Beth Kersens, Healthy Families of Clackamas County
- Ian Friedrich, Family Stepping Stones Relief Nursery
- Tom Soma, Children's Center
- John Foote, Clackamas County District Attorney
- Lt. Mike Copenhaver, Family Justice Center

~Board Discussion~

Rod Cook announced there are several events during the month of April and directed forks to the County web page at www.clackamas.us read the proclamation.

MOTION:

Commissioner Schrader: I move we proclaim April as Child Abuse Prevention Month in Clackamas County.

Commissioner Humberston: Second.

all those in favor/opposed:

Commissioner Humberston: Aye.

Commissioner Schrader: Aye.

Chair Fischer: Aye – the Ayes have it, the motion carries 3-0.

2. Proclaiming April 2019 as Grange Month in Clackamas County

Commissioner Ken Humberston introduced Ed Luttrell, Pomona Grange President and Don Kingsborough, Oregon State Granges – they both spoke of the importance of granges in our communities and the history of granges. Mr. Kingsborough also spoke about legislative activities in Salem.

Commissioner Humberston read the proclamation.

MOTION:

Commissioner Humberston: I move we proclaim April as Grange Month in Clackamas County.

Commissioner Schrader: Second.

all those in favor/opposed:

Commissioner Humberston: Aye.

Commissioner Schrader: Aye.

Chair Fischer: Aye – the Ayes have it, the motion carries 3-0.

III. CITIZEN COMMUNICATION

<http://www.clackamas.us/bcc/business.html>

1. Les Poole, Gladstone – evening meetings, budget, CRC, issues in Salem, transportation issue.
2. Brainard Brauer, Oregon City – traffic safety on Redland Road.
3. Katie Farrell, Wilsonville – restoring embankments on the Willamette River due to wave vehicles damage.

~Board Discussion~

IV. PUBLIC HEARINGS

1. **Board Order No. 2019-33** for Boundary Change Proposal CL 17-015 Annexation to Tri-City Service District

Ken Martin, Boundary Change Consultant, presented the staff report.

Chair Fischer opened the public hearing and asked if anyone wished to speak, seeing none she closed the public hearings and asked for a motion.

MOTION:

Commissioner Humberston: I move we approve the Board Order for Boundary Change Proposal CL 17-015 Annexation to Tri-City Service District.

Commissioner Schrader: Second.

all those in favor/opposed:

Commissioner Humberston: Aye.

Commissioner Schrader: Aye.

Chair Fischer: Aye – the Ayes have it, the motion carries 3-0.

2. **Board Order No. 2019-34** for Boundary Change Proposal CL 17-018 Annexation to Sunrise Water Authority

Ken Martin, Boundary Change Consultant, presented the staff report.

Chair Fischer opened the public hearing and asked if anyone wished to speak, seeing none she closed the public hearings and asked for a motion.

MOTION:

Commissioner Humberston: I move we approve the Board Order for Boundary Change Proposal CL 17-018 Annexation to Sunrise Water Authority.

Commissioner Schrader: Second.

all those in favor/opposed:

Commissioner Humberston: Aye.

Commissioner Savas: Aye.

Commissioner Schrader: Aye.

Chair Bernard: Aye – the Ayes have it, the motion carries 3-0.

3. **Board Order No. 2019-35** for Boundary Change Proposal CL 18-013 Annexation to Clackamas County Service District No. 1

Ken Martin, Boundary Change Consultant, presented the staff report.

Chair Fischer opened the public hearing and asked if anyone wished to speak, seeing none she closed the public hearings and asked for a motion.

MOTION:

Commissioner Humberston: I move we approve the Board Order for Boundary Change Proposal CL 18-013 Annexation to Clackamas County Service District No. 1.

Commissioner Schrader: Second.

all those in favor/opposed:

Commissioner Humberston: Aye.

Commissioner Savas: Aye.

Commissioner Schrader: Aye.

Chair Bernard: Aye – the Ayes have it, the motion carries 3-0.

4. **Board Order No. 2019-36** for Boundary Change Proposal CL 18-014 Annexation to Clackamas River Water

Ken Martin, Boundary Change Consultant, presented the staff report.

Chair Fischer opened the public hearing and asked if anyone wished to speak, seeing none she closed the public hearings and asked for a motion.

MOTION:

Commissioner Humberston: I move we approve the Board Order for Boundary Change Proposal CL 18-014 Annexation to Clackamas River Water.

Commissioner Schrader: Second.

all those in favor/opposed:

Commissioner Humberston: Aye.

Commissioner Savas: Aye.

Commissioner Schrader: Aye.

Chair Bernard: Aye – the Ayes have it, the motion carries 3-0

V. BOARD DISCUSSION ITEMS

Disaster Management

1. **Resolution No. 2019-37** Adopting the Updates to the 2019 Clackamas County Multi-Jurisdictional Natural Hazards Mitigation Plan

Nancy Bush, Disaster Management presented the staff report. She also read the resolution.

~Board Discussion~

MOTION:

Commissioner Humberston: I move we approve the Resolution Adopting the Updates to the 2019 Clackamas County Multi-Jurisdictional Natural Hazards Mitigation Plan.
Commissioner Schrader: Second.

~Board Discussion~

all those in favor/opposed:
Commissioner Humberston: Aye.
Commissioner Savas: Aye.
Commissioner Schrader: Aye.
Chair Bernard: Aye – the Ayes have it, the motion carries 3-0

VI. CONSENT AGENDA

Chair Fischer asked the Clerk to read the consent agenda by title, then asked for a motion.

MOTION:

Commissioner Humberston: I move we approve the consent agenda.
Commissioner Schrader: Second.
all those in favor/opposed:
Commissioner Humberston: Aye.
Commissioner Schrader: Aye.
Chair Fischer: Aye – the Ayes have it, the motion carries 3-0.

A. Health, Housing & Human Services

1. Authorization to Sign Grant Award Documents from the US Department of Housing & Urban Development for 2019-2020 Continuum of Care Program Funding – *Housing & Community Development*

B. Department of Transportation & Development

1. Approval of an Intergovernmental Agreement with the City of Tualatin regarding a transfer of a portion of Borland Road
2. Approval of a Contract with D&D Concrete and Utilities, Inc. for the Torbank (River Road-Trolley Trail) Sidewalks Project – *Procurement*

C. Elected Officials

1. Approval of Personal Services Contract Amendment No. 1 with U.S. Bank to Provide Banking Services – *County Treasurer via Procurement*
2. Request by the Clackamas County Sheriff's Office to enter into an Intergovernmental Agreement with Oregon Department of Human Services for Funding to Conduct a Child Abuse & Family Violence Training – *Sheriff's Office*

D. Technology Services

1. Approval for a Service Level Agreement with Oregon City School District for the lease of Dark Fiber

VII. DEVELOPMENT AGENCY

1. Approval of an Intergovernmental Agreement for Right-of-Way Services with the Oregon Department of Transportation for the CRC Mobility Improvement Project

2. Execution of a Property Line Adjustment Deed with Pat Murphy and Dyan Murphy to Adjust Approximately 0.145 Acres on Property Located on Capps Rd. West of SE 120th Ave.
3. Execution of a Property Line Adjustment Deed with Pat Murphy and Dyan Murphy to Adjust Approximately 0.014 Acres on Property Located on Capps Rd. West of SE 120th Ave.
4. Acceptance of a Quitclaim Deed from Pat Murphy and Dyan Murphy Related to Property Located on Capps Road West of SE 120th Ave.

VIII. COUNTY ADMINISTRATOR UPDATE

<http://www.clackamas.us/bcc/business.html>

IX. COMMISSIONERS COMMUNICATION

<http://www.clackamas.us/bcc/business.html>

MEETING ADJOURNED 11:30 AM



Clackamas County Sheriff's Office

CRAIG ROBERTS, Sheriff

May 9, 2019

Board of County Commissioners
Clackamas County

Members of the Board:

Request by the Clackamas County Sheriff's Office to enter into an
Intergovernmental Agreement with
North Clackamas School District for School Resource Officers in the 2018-19 School Year

Purpose/Outcome	The Sheriff's Office will provide two Sheriff's Deputies to serve as School Resource Officers during the 2018-19 school year.
Dollar Amount and Fiscal Impact	The total billable amount under this agreement is \$230,898. Law enforcement activities will be billed at an hourly rate.
Funding Source	The North Clackamas School District is the source of funds for this agreement as billed by the Clackamas County Sheriff's Office.
Safety Impact	This agreement provides for the presence of one School Resource Officer at both Clackamas and Rex Putnam High Schools.
Duration	The agreement encompasses the school year beginning September 4, 2018 through June 18, 2019.
Previous Board Action/Review	The Board has approved the same request for several fiscal years
Contact Person	Nancy Artmann, Finance Manager – Office (503) 785-5012
Contract No.	None


BACKGROUND:

The Sheriff's Office will provide two Sheriff's Deputies to serve as School Resource Officers during the 2018-19 school year. This is a continuation of an existing agreement between Clackamas County and the North Clackamas School District. Both Clackamas and Rex Putnam High Schools will be assigned one School Resource Officer. This agreement reimburses the Sheriff's Office for the cost of the Deputies. Language is included prior to the signature lines of the agreement that indicates both parties acknowledge school resource officer services were performed prior to the execution of the agreement. Both parties agree that all services provided from September 4, 2018 through the execution of this document are bound by the terms of the agreement. County Counsel has reviewed and approved this agreement.

RECOMMENDATION:

Staff recommends the Board approve and sign this cooperative intergovernmental agreement and authorizes Craig Roberts, Sheriff, or his designee, to sign on behalf of Clackamas County.

Respectfully submitted,


Craig Roberts
Sheriff

"Working Together to Make a Difference"

**INTERGOVERNMENTAL AGREEMENT
BETWEEN
CLACKAMAS COUNTY
AND THE
NORTH CLACKAMAS SCHOOL DISTRICT
FOR
SCHOOL RESOURCE OFFICERS**

I. Purpose

This agreement is entered into between Clackamas County (COUNTY) through the Clackamas County Sheriff's Office and the North Clackamas School District (NCSD) for the cooperation of units of local government under the authority of ORS 190.010. This agreement provides the basis for a cooperative relationship for the purpose of the COUNTY providing to NCSD, two Deputy Sheriffs to act as School Resource Officers as described in "Attachment A" to this agreement.

II. Scope of Service

- A. The COUNTY agrees to provide two Deputy Sheriffs beginning September 4, 2018 through June 14, 2019 to serve as School Resource Officers (SROs). The scope of service is detailed in "Attachment A" to this agreement. *18 pgm*
- B. NCSD agrees at their expense to provide the COUNTY office space and equipment at Rex Putnam and Clackamas High Schools where the SRO will be assigned.

III. Personnel

- A. The COUNTY agrees to provide two Deputy Sheriffs on a full-time basis. However, in the event of an emergency situation determined by the Sheriff, the Sheriff may rely upon the SROs as a resource to respond to an emergency; compensation under this agreement shall not be affected. In such an event the Liaison for NCSD will be notified and informed of the SRO leaving the school campus.
- B. Supervision and training of SRO personnel will be the responsibility of the COUNTY.

IV. Compensation

NCSD will pay the COUNTY compensation as described in "Attachment A" for the contract year. The COUNTY agrees to bill NCSD quarterly. NCSD agrees to pay within 30 days of the receipt of the COUNTY'S invoice.

V. Liaison Responsibility

A Clackamas County Patrol Division Lieutenant will act as liaison for the COUNTY on issues relating to supervision, scheduling, and SRO responsibilities; an Undersheriff will act as liaison on all other matters relating to this Agreement. The North Clackamas School District Superintendent or a designee will act as liaison for NCSD.

VI. Liability

- A. Subject to the limits of the Oregon Tort Claims Act and the Oregon Constitution, the COUNTY shall indemnify, defend and hold harmless NCSD, its officers, employees and agents from all claims, suits, actions or expenses of any nature resulting from or arising out of the acts, errors, omissions or negligence of COUNTY personnel acting pursuant to this agreement.
- B. Subject to the limits of the Oregon Tort Claims Act and the Oregon Constitution, NCSD shall indemnify, defend and hold harmless the COUNTY, its officers, employees and agents from all claims, suits, actions or expenses of any nature resulting from or arising out of the acts, errors, omissions or negligence of NCSD personnel acting pursuant to this agreement.

VII. Debt Limitation

This agreement is expressly subject to the debt limitation of Oregon counties set forth in Article XI, Section 10, of the Oregon Constitution, and is contingent upon funds being appropriated therefore. Any provisions herein, which conflict with law, are deemed inoperative to that extent.

VIII. Termination - Amendment

- A. This agreement may be terminated by either party upon thirty (30) days written notice to the other.
- B. This agreement and any amendments to it will not be effective until approved in writing by an authorized representative of the Board of County Commissioners of Clackamas County.
- C. This agreement supersedes and cancels any prior agreements between the parties hereto for similar services.

IX. Term of Agreement

The parties acknowledge services were performed prior to execution of this Agreement. The parties hereby approve and ratify those services performed on or after September 4, 2018, and agree to perform and be bound by the terms, conditions, and scope of this Agreement as to all such work.

By their signatures below, the parties to this agreement agree to the terms, conditions, and content expressed herein.

CLACKAMAS COUNTY

Jim Bernard, Chair
Board of County Commissioners

Date:

Craig Roberts

Sheriff Craig Roberts

Date: 5/1/2019

Scott Cieccko via e-mail

Approved as to form by County Counsel

Date: 3/7/19

NORTH CLACKAMAS SCHOOL DISTRICT

KJM

Kerensa Mauck

Director of Business Services

Date: 4/30/19

**INTERGOVERNMENTAL AGREEMENT
BETWEEN
CLACKAMAS COUNTY
AND THE
NORTH CLACKAMAS SCHOOL DISTRICT
FOR
SCHOOL RESOURCE OFFICERS**

"ATTACHMENT A"

SCOPE OF WORK / SCHOOL RESOURCE OFFICERS

The duty of a School Resource Officer may include the following:

The investigation and documentation of criminal activity at the schools; help provide a safe environment for students, staff, and parents on school property; work with administrators and staff on issues surrounding school safety and protection of the students and staff on campus; monitor and enforce traffic related matters in and around the school property; when authorized work with school staff in the enforcement of District and school policy; assist school staff in any emergency or disaster related events on school property; assist in reporting and investigating incidents that may have occurred off campus but are reported at the school; work with staff to provide information about law enforcement related topics and upon request act as a resource for teachers.

Salary Formula per Deputy Sheriff:

\$79.62 (hourly rate) X 10 hours per day X 145 school days= \$115,449
(This is a 0.0% hourly rate increase over the 2017-2018 school year)

Cost:

1 Deputy Sheriff position at Clackamas High School / 145 days:	\$115,449
1 Deputy Sheriff position at Rex Putnam High School / 145 days:	<u>\$115,449</u>
Total:	\$230,898

(Costs to be reconciled by actual hours worked)

Artmann, Nancy

From: Ciecko, Scott
Sent: Thursday, March 07, 2019 10:24 AM
To: Artmann, Nancy
Cc: Smith, Jeff (CCSO Capt.); Kollias, Anthony; Naylor, Andrew
Subject: RE: SRO Contract

Nancy – before we can send this to the BCC for signature we will want to change the last paragraph that talks about the term/effective date of the agreement. It is clear that the agreement contemplates served performed since last September, but then the language indicates that the agreement is effective upon signatures of both parties. That language needs to be changed to clarify that, once the agreement is signed by both parties, it becomes effective retroactively to September 4, 2018. Here is some suggested language:

“The parties acknowledge services were performed prior to execution of this Agreement. The parties hereby approve and ratify those services performed on or after September 4, 2018, and agree to perform and be bound by the terms, conditions, and scope of this Agreement as to all such work.”

One last note, I'm copying Andre Naylor on this email. He is another attorney in this office and he is really our contracting expert. We think it is going to make sense to involve him in SO contracts/agreements/IGAs going forward as he advises other County departments and we are trying to move towards uniform documentation of contracts County wide. I'm of course still happy to consult on contracts and can advise from a liability/risk perspective, but from a drafting and language standpoint, Andrew is the best resource.

Scott

From: Artmann, Nancy <nartmann@co.clackamas.or.us>
Sent: Wednesday, March 6, 2019 4:33 PM
To: Ciecko, Scott <SCiecko@co.clackamas.or.us>
Cc: Smith, Jeff (CCSO Capt.) <jeffsmi@co.clackamas.or.us>; Kollias, Anthony <anthonykol@co.clackamas.or.us>
Subject: FW: SRO Contract

Hi Scott,

I hope your week is going well. The School Resource Officer agreement has been bouncing around since the beginning of the school year. In order to get something in place sooner rather than later, both parties have agreed to stick with the current template. CCSO and NCSO will sit down this summer to look over revisions that will be acceptable to all involved. For the time being, will you please review the attached and sign-off as to the form? It is the same as the past several school years. Please either scan or interoffice a copy of the signature page to me so that I can prepare a memo and send things over to the BCC to get this on the Board's consent agenda.

Thanks much!
Nancy

Nancy Artmann | Finance Manager
Clackamas County Sheriff's Office
Desk: (503) 785-5012 | Fax: (503) 785-5027
Mail: 2223 Kaen Rd, Oregon City, OR 97045