

DRAFT

Approval of Previous Business Meeting Minutes:
July 19, 2018

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, July 19, 2018 – 10:00 AM

Public Services Building

2051 Kaen Rd., Oregon City, OR 97045

**PRESENT: Commissioner Jim Bernard, Chair
Commissioner Sonya Fischer
Commissioner Ken Humberston
Commissioner Paul Savas
Commissioner Martha Schrader
Housing Authority Commissioner Paul Reynolds**

CALL TO ORDER

- Roll Call
- Pledge of Allegiance

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

This item was taken out of order

II. HOUSING AUTHORITY CONSENT AGENDA

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

MOTION:

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

Commissioner Humberston: Second.

all those in favor/opposed:

Commissioner Reynolds: Aye.

Commissioner Fischer: Aye.

Commissioner Humberston: Aye.

Commissioner Schrader: Aye.

Commissioner Savas: Aye.

Chair Bernard: Aye – the Ayes have it, the motion carries 6-0.

1. Approval of Professional Services Contract with Scott Edwards Architecture (SEA) for Master Planning Services at Hillside Park

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

This item was taken out of order

I. PRESENTATION

1. Equity, Diversity and Inclusion Council (EDIC) Presentation of Youth Artwork Awards
Maria Magallon, H3S - Children, Youth and Families stated that the EDIC reached out to youth in Clackamas County for help in designing artwork that brings to mind artistically the County commitment to equity, diversity and inclusion. Selected artwork was displayed in the lobby of the Public Services Building in Oregon City April through June 2018. The winning artwork was prominently displayed on the EDIC banner at the Oregon's PRIDE festival. She recognized the youth that participated in this County sponsored activity. The Commissioners posed for a picture with the young artists.

III. CITIZEN COMMUNICATION

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

1. Adam Taylor-Kunduleon, Lake Oswego – request for a second amendment preservation ordinance to be added to a business meeting agenda.
2. Rob Reynolds, Milwaukie – request for a second amendment preservation ordinance to be added to a business meeting agenda.
3. Les Poole, Gladstone – changing the intro music for the opening, adding nonpartisan to core values, and the need for evening meetings.

~Board Discussion~

IV. CONSENT AGENDA

Chair Bernard asked the Clerk to read the consent agenda as amended by title only, 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 Fischer: Aye.
Commissioner Savas: Aye.
Commissioner Schrader: Aye.
Chair Bernard: Aye – the Ayes have it, the motion carries 5-0.

A. Health, Housing & Human Services

1. Approval to Sign an Intergovernmental Agreement for Rent Guarantee Funding through Oregon Housing & Community Services (OHCS) – *Social Services*
2. Approval of an Intergovernmental Agreement with the City of Oregon City for System Diversion, Homelessness Prevention and Rapid Re-Housing – *Social Services*
3. Approval of a Professional, Technical, and Personal Services Contract with Cascadia Behavioral Healthcare, Inc., for Supported Employment Services – *Behavioral Health*
4. Approval of an Agreement with Clackamas Women’s Services for Shelter/Advocacy/Crisis/Rural Domestic Violence Services – *Children, Youth & Families*
5. Approval of an Agreement with Los Niños Cuentan for Culturally-Specific Domestic Violence Emergency Shelter and Supportive Services – *Children, Youth & Families*

B. Department of Transportation & Development

1. Approval of a Maintenance Agreement with the State of Oregon for the US Hwy. 26: SE 282nd Ave (Boring Rd.) Project
2. Approval of a Contract with Conway Construction Company for Foster Creek (at Bakers Ferry Road) Crossing Scour Repair Project - *Procurement*

C. Finance Department

1. Approval of a Five-Year Cooperative Service Agreement with United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Wildlife Services (WS) for Predator Management – County Trapper

2. Approval of a FY 18/19 Work and Financial Plan with United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Wildlife Services (WS) for Predator Management – County Trapper

D. Elected Officials

1. Approval of Previous Business Meeting Minutes – BCC

E. County Counsel

1. Approval of an Intergovernmental Agreement with Multnomah County for HIPAA and Part 2 Privacy Officer

F. Business & Community Services

1. Approval of an Infrastructure and Additional Shared Cost Funding Agreement with the Clackamas Workforce Partnership (CWP)

G. Technology Services

1. Approval of a Service Level Agreement Amendment No. 2 between Clackamas Broadband eXchange and Clackamas Fire District No. 1 for a New Dark Fiber Connection on 130th Ave.

V. COUNTY ADMINISTRATOR UPDATE

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

VI. COMMISSIONERS COMMUNICATION

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

MEETING ADJOUNED – 10:53 AM

NOTE: Regularly scheduled Business Meetings are televised and broadcast on the Clackamas County Government Channel. These programs are also accessible through the County's Internet site. DVD copies of regularly scheduled BCC Thursday Business Meetings are available for checkout at the Clackamas County Library in Oak Grove. You may also order copies from any library in Clackamas County or the Clackamas County Government Channel. <https://www.clackamas.us/meetings/bcc/business>

**Memorandum of Understanding
Between Clackamas County Board of County Commissioners and
Clackamas County Tourism Development Council**

I. Purpose

This Memorandum of Understanding (MOU) is entered into between Clackamas County, through its governing body, the Board of County Commissioners (BCC) and the Clackamas County Tourism Development Council (TDC) as established pursuant to Section 8.02.160(B) of the Clackamas County Code (Code) as provided by County Ordinance passed by voters in 1992 and designated County Measure 3-6 Section 17.

It is the intent of this MOU to clarify roles and responsibilities among and between the BCC and the TDC.

II. Roles & Responsibilities

1. The Board of County Commissioners agrees:

- a. To direct the County Administrator to provide support for the TDC through the operations of the Clackamas County Department of Tourism and Cultural Affairs (TCA), directed by an Executive Director appointed by the County Administrator with the advice of and substantial deference to the TDC;
- b. That the County Code affords the TDC the substantive authority to direct Transient Room Tax (TRT) to programs and projects intended to carry out the adopted Tourism Development and Promotion Master Plan (Master Plan). In adopting an annual budget for the TCA, the BCC role is to assure that Transient Room Tax funds are expended according to the Master Plan and are legally allowed;
- c. To provide all necessary internal support services, common to all County offices and departments, including but not limited to, budgeting, accounting and financial management; personnel and labor relations services; risk management, telecommunications and information technology support and infrastructure; legal counsel; and other services as mutually negotiated. Rates for such internal support services shall be the same as that provided for all other County offices and departments;
- d. To direct the County Administrator to appoint a Tax Administrator pursuant to Chapter 8.02.010(K) of the Code to provide tax collection, reporting and compliance services for the TRT established by Section 8.02.020 of said Code;
- e. To dedicate the entire 2% administrative fee described in Section 8.02.160(A) of the Code entirely to the duties of the Tax Administrator as set forth by Chapter 8.02. Under the direction of the County administrator, the Tax Administrator will provide to the TDC a monthly report on TRT collections, distributions and compliance;
- f. To meet with the TDC once annually to review the TDC's Annual Report of the preceding year's activities and results; and review the TDC's proposed business plan and budget for the ensuing year to assure compliance with the Master Plan;

- g. Through the County Administrator and the TCA Executive Director, ensure compliance with Appendix C, Local Contract Review Board Rules, of the Code and its attendant administrative policies and procedures.
- h. To develop and support County policies and procedures that are responsive to the unique needs and necessity of the TDC to carry out its role in advancing programs and projects to implement the Master Plan, without creating new barriers to performing the TCA's mission through the adoption of new or revised county rules or policies. Special attention will be made to assuring the TCA has the authority and capacity to conduct activities similar to those conducted by other Destination Management Organizations in the State of Oregon including but not limited to certain entertainment, marketing and promotional activities;

2. The Tourism Development Council agrees:

- a. To maintain a close working relationship with the BCC and County Administrator on an annual review of operations and expenditures for programs and projects to carry out the Master Plan;
- b. To provide the BCC recommended TDC members to be considered for appointment in compliance with the TDC approved operating bylaws;
- c. To work closely with the County Administrator regarding the selection and performance evaluations of the TCA Executive Director. The TDC and Administrator will annually jointly evaluate the performance of the Executive Director and work to mutually agree upon needed direction, professional development objectives, goals for the ensuing year and performance-based remuneration;
- d. To provide policy guidance to the TCA Executive Director on all matters related to tourism and the implementation of the Master Plan; and,
- e. In working directly with the County Administrator, TCA Executive Director and TCA Department, the TDC will support compliance and consistency with the County's administrative protocols, including but not limited to: budget and financial management; contracting and procurement; personnel and labor relations; risk management; legal counsel; and other services as mutually negotiated as provided for in the Clackamas County Code and attendant administrative policies and procedures with the commitment by the BCC to work closely with the TDC to ensure that the ability of the TCA to carry out its mission is not adversely impacted by changes to the County Code.

III. Dispute Resolution

In the event of a dispute between the BCC and the TDC regarding the application of Chapter 8.09 of the County Code to the policy and decision-making authority of the TDC and/or the operational practices of the TCA, each agrees to participate in mediation among and between the parties. Said mediation shall be facilitated by an independent mediator selected with the joint approval of both parties. The parties will work in good faith to resolve their differences through mediation.

If the dispute involves a difference of opinion regarding specific legal advice, the two parties shall jointly select an outside attorney to research the matter and provide an independent legal opinion for consideration by both parties. If, upon receipt of such independent legal counsel a difference remains, the parties will pursue mediation as described herein.

The expenses for both mediation and/or independent legal counsel shall be split evenly between the County's General Fund and the TRT Fund.

CLACKAMAS COUNTY
BOARD OF COUNTY COMMISSIONERS

Jim Bernard, Chair

Date

CLACKAMAS COUNTY
TOURISM DEVELOPMENT COUNCIL

Jody Carson, Chair

Date