

## **Board of County Commissioners Business Meeting Minutes – DRAFT**

A complete video copy and packet including staff reports of this meeting can be viewed at <https://www.clackamas.us/meetings/bcc/business>.

**Thursday, May 4, 2023 – 10:00 AM**

In person and via virtual technology (Zoom)

**PRESENT:** Chair Tootie Smith  
Commissioner Mark Shull  
Commissioner Paul Savas  
Commissioner Martha Schrader  
Commissioner Ben West  
Commissioner Ann Leenstra (I only)

### **CALL TO ORDER**

Chair Smith recessed the Board of County Commissioners and convened the Housing Authority of Clackamas County Board of Commissioners. Commissioner Ann Leenstra joined the meeting.

### **I. HOUSING AUTHORITY CONSENT AGENDA**

- A. Approval to apply for additional Veteran Administration Supportive Housing vouchers to assist veterans with housing stability. Anticipated grant value is \$300,000. Funding is through the US Department of Housing and Urban Development. No County General Funds Involved.

Clerk to the Board Tony Mayernik read the consent agenda.

Chair Smith asked if any commissioner wished to remove any item from the consent agenda. No requests were received.

Commissioner Leenstra: “I move we approve the Housing Authority consent agenda.” Commissioner Schrader seconded the motion.

Chair Smith asked if there was any further discussion. None was heard.

Clerk called the poll

Commissioner Leenstra Aye

Commissioner West Aye

Commissioner Shull Aye

Commissioner Savas Aye

Commissioner Schrader Aye

Chair Smith Aye; motion passes 6-0.

Chair Smith adjourned the Housing Authority Board and convened the Water Environment Services Board of Directors. Commissioner Ann Leenstra left the meeting.

### **II. WATER ENVIRONMENT SERVICES PUBLIC HEARINGS**

- A. Second Reading and Adoption of Ordinance 02-2023 Adopting Rules and Regulations for Water Environment Services. No fiscal impact. No County General Funds are involved.

Director Greg Geist and Assistant Director Ron Wierenga gave a presentation on the Ordinance.

Director Savas asked a series of questions about conveyance line slopes, specifically around a variance allowed in circumstances where target slope could not be achieved, and the process of approval of the technical standards for storm water management and sanitary sewer systems. Assistant Director Wierenga and Director Geist explained the technical discussions held by staff around the pipe slope rules and that the technical standards are adopted by the director of Water Environment Services, not the Board of Directors. At the end of the discussion, Director Savas expressed his concern that the technical standards should be reviewed and approved by the Board of Directors.

Director Shull thanked Water Environment Services staff for their work on the rules and regulations and recommended their approval during this hearing.

Chair Smith opened the meeting for public testimony.

Preston Korst (Lake Oswego) – Recommending approval

Diana Helm (Damascus) – Recommending approval

Chair Smith closed the meeting for public testimony and asked for further discussion.

Director Savas expressed his appreciation for staff's work on this, but continues to object to the variance allowed for pipe slope in certain circumstances.

Director Shull indicated that those concerns were valid.

Director West asked whether local contractors involved in the build process had been included in the discussions that resulted in the Ordinance before the Board today and the technical standards. Assistant Director Wierenga explained that they had not been included because they are not generally involved in the maintenance of the system after its construction, but that staff could reevaluate that decision in future amendments to the rules and regulations and the technical standards.

Director Shull: "I move we read the Ordinance by title only." Director Schrader seconded the motion.

Chair Smith asked if there was any further discussion. None was heard.

Clerk called the poll

Director Schrader Aye

Director Savas Aye

Director West Aye

Director Shull Aye

Chair Smith Aye; motion passes 5-0.

Clerk to the Board read Ordinance 02-2023 by title only.

Chair Smith called for amendments to the Ordinance. None were heard.

Director Shull: "I move we approve Ordinance 02-2023, an Ordinance Adopting Rules and Regulations for Water Environment Services." Director Schrader seconded the motion.

Chair Smith asked if there was any further discussion. None was heard.

Clerk called the poll

Director Schrader Aye

Director Shull Aye

Director West Aye

Director Savas Nay

Chair Smith Aye; motion passes 4-1.

### **III. WATER ENVIRONMENT SERVICES CONSENT AGENDA**

- A. Approval of an Amendment for Contract 6881 with Michels Trenchless, Inc. for Additional Scope for Early Work on the Tri-City Water Resources Recovery Facility Outfall Project. Amendment value is \$453,536.60, contract value is increased to \$2,158,083.60. Funding through Water Environment Services Construction Fund. No County General Funds are involved.

Clerk to the Board Mayernik read the consent agenda.

Chair Smith asked if any director wished to remove any item from the consent agenda. No requests were received.

Director Schrader: "I move we approve the Water Environment Services consent agenda." Director West seconded the motion.

Chair Smith asked if there was any further discussion. None was heard.

Clerk called the poll  
Director West Aye  
Director Shull Aye  
Director Schrader Aye  
Director Savas Aye  
Chair Smith Aye; motion passes 5-0.

Chair Smith adjourned the Water Environment Services Board and reconvened the Board of County Commissioners.

#### **IV. PUBLIC HEARINGS**

- A. Public Hearing to Determine Number of Written Requests for an Election or to Adopt Final Order to Withdraw Territory from the Canby Area Parks and Recreation District. No fiscal impact. No County General Funds are involved.

Assistant County Counsel Jeffrey Munns made a presentation to the Board.

Commissioners Schrader and Shull indicated their support for the withdrawal request.

Chair Smith opened the meeting for public testimony. None was received.

Chair Smith closed the meeting for public testimony.

Chair Smith called for the total number of written requests for an election. Clerk to the Board Mayernik indicated that zero had been received.

Commissioner Schrader: "I move we adopt the Final Order Withdrawing Territory from the Canby Area Parks & Recreation District." Commissioner Shull seconded the motion.

Chair Smith asked if there was any further discussion. None was heard.

Clerk called the poll  
Commissioner Shull Aye  
Commissioner Schrader Aye  
Commissioner Savas Aye  
Commissioner West Aye  
Chair Smith Aye; motion passes 5-0.

Chair Smith asked County Administrator Gary Schmidt to brief the Board on the status of a letter of support and press release for Oregon House Bill 3614. County Administrator Schmidt briefed the Board and proposed that staff send the press release in its current form and hold on the letter of support given the status of the bill in the Oregon Legislature.

Chair Smith made comments in support of the press release and asked Public & Government Affairs staffer Trent Wilson about the status of Oregon Governor Kotek's proposed pause on tolling. Trent Wilson explained the current understanding and that staff continue to learn more throughout the day.

Commissioner Savas expressed concerns that the press release needs to speak specifically to the need for local jurisdictions and partners to be a part of the subcommittee being established by the Oregon Legislature. Staff and the Board discussed these concerns and reviewed a draft version of the press release including language to that effect.

Chair Smith called for a motion to send the press release as written and to hold on the letter of support until next week.

Commissioner Schrader "So moved." Commissioner Savas seconded the motion.

Clerk called the poll  
Commissioner West Aye  
Commissioner Shull Aye  
Commissioner Schrader Aye  
Commissioner Savas Aye  
Chair Smith Aye; motion passes 5-0.

## V. CONSENT AGENDA

### A. Elected Officials

1. Approval of Previous Business Meeting Minutes – BCC

### B. \*Transportation & Development

1. Approval of an Intergovernmental Agreement with the City of Oregon City to transfer a portion of S Caufield Road. Total value \$94,845. Funding through Community Road Fund. No County General Funds are involved.
2. Approval of an Intergovernmental Agreement with Clackamas River Water for the Redland Rd Turn Lanes at Ferguson and Bradley Improvement Project. Total value is \$348,698 until project completion. Funding through Clackamas River Water. No County General Funds are involved.

### C. \*Health, Housing & Human Services

1. Approval of the Final 2023 Community Development Action Plan. No fiscal impact. No County General Funds are involved.
2. Approval of the Federal Community Development Block Grant annual application. Grant value is \$2,203,585 for 1 year. Funding is through the US Department of Housing and Urban Development. No County General Funds are involved.
3. Approval of the HOME Investment Partnerships Grant annual application. Grant value is \$1,088,143 for 1 year. Funding is through the US Department of Housing and Urban Development. No County General Funds are involved.
4. Approval of the Emergency Solutions Grant annual application. Grant value is \$193,644 for 1 year. Funding is through the US Department of Housing and Urban Development. No County General Funds are involved.
5. Approval of a Subrecipient Agreement with the City of Milwaukie for ADA Ramps & Sidewalk Improvements. Total value is \$145,000 for one year. Funding through Federal Community Development Block Grant. No County General Funds are involved.
6. Approval of Amendment # 1 increasing funding and change in the reimbursement rate to a Local Subrecipient agreement with Zoar Evangelical Lutheran Church of Canby for providing services during Extreme Weather. The amendment value is \$13,400 for 6 months. Agreement value is increased to \$73,905 for 9 months. Funding is through the Oregon Housing & Community Services Department and \$5,050 of Budgeted County General Funds.
7. Approval of Amendment #1 increasing funding and duration of Intergovernmental Revenue Agreement with Clackamas Fire District #1 for Medical Direction. Amendment value is \$72,000 for 1 year. Agreement value is increased to \$144,000 for 2 years. Funding is through Clackamas Fire District #1. No County General Funds are involved.
8. Approval for a Revenue Intergovernmental Agreement for Job Placement and Job Retention Services with Oregon Department of Human Services Office of Vocational and Rehabilitation. Agreement value is \$500,000 for 2 years. Funding is through the Oregon Department of Human Services. No County General Funds are involved.
9. Approval of a Grant Agreement with the Oregon Housing & Community Services Department for programs related to the Governor's State of Emergency Due to Homelessness. Total value is \$4,435,294. Funding through the State of Oregon. No County General Funds are involved.

Clerk to the Board Mayernik read the consent agenda.

Chair Smith asked if any commissioner wished to remove any item from the consent agenda. No requests were received.

Commissioner West: "Chair, I move that we approve the consent agenda as read." Commissioner Schrader seconded the motion.

Chair Smith asked if there was any further discussion. None was heard.

Clerk called the poll

Commissioner Schrader Aye

Commissioner Shull Aye

Commissioner West Aye

Commissioner Savas Aye

Chair Smith Aye; motion passes 4-0.

Chair Smith recessed as the Board of County Commissioners and convened as the Water Environment Services Board of Directors.

## **VI. PUBLIC COMMUNICATION**

Chair Smith opened the meeting for public testimony

Janet Davis (Sandy) – Bull Run Bridge Replacement

Julie Stephens (Sandy) – Bull Run Bridge Replacement

Jon Stewart (Corbett) – Bull Run Bridge Replacement

Clair Guy (Sandy) – Bull Run Bridge Replacement

Janette Kunkel (Oregon City) – Bull Run Bridge Replacement

Kellen Bateham (Sandy) – Bull Run Bridge Replacement

Sister Krista (Beaverton) – Bull Run Bridge Replacement

Chair Smith closed the meeting for public testimony.

## **VII. COUNTY ADMINISTRATOR UPDATE**

County Administrator Schmidt yielded his time and left the meeting. County Operations Officer Nancy Bush assumed the County Administrator's duties in the hearing room.

## **VIII. COMMISSIONER COMMUNICATION**

Commissioner Savas offered comments on tolling and gas tax revenues.

Commissioner West offered comments on tolling, the Bull Run Bridge, and local governance.

Commissioner Schrader offered comments on the arts, pollinator gardens, and her interest in seeing both at the new County Courthouse building.

Commissioner Shull offered comments on Oregon House Bill 2002, the cost of government, Multnomah County Measure 26-238, voting, the Bull Run Bridge, the 2023 Regional Transportation Plan, community preparedness, and Measure 110.

Chair Smith offered her comments on the Multnomah County discussions around a capital gains tax, the Courthouse Arts Committee, the County budget, the County Fair, and her recent attendance at a Canby Chamber of Commerce event.

Chair Smith adjourned the meeting at 11:57 AM.

May **DRAFT**, 2023

Dear Clackamas County State Legislators and Members of the Joint Committee on Transportation:

We write to express our full support for the Oregon State Legislature to initiate a pause on Oregon's toll program, aside from bridges over the Columbia River, as proposed by HB 3614.

Clackamas County supports the passage of HB 3614, which compliments the Governor's recent announcement. We also look forward to hearing more details about the tolling pause and new Subcommittee.

The proposed toll project on I-205 does not have the support of the public. Every affected community has asked questions and raised concerns for nearly two years. ODOT has failed to provide answers and has failed to integrate feedback into their proposal.

Our message has been clear and consistent: any capital project must reduce diversion and improve safety in local communities. Therefore, the construction of Phase II must continue without delay.

ODOT's current proposed tolling plan would result in the exact opposite—our communities would experience more diversion, dramatically decreased safety regardless of travel mode, significant economic impacts for both travelers and businesses near the proposed tollway, and increased pollution and congestion in neighborhoods. Our recent comments on ODOT's Draft Environmental Assessment reflect those and other concerns.

A pause on tolling is intended to create the time necessary for ODOT to realign with the Legislature's vision and intent from HB 2017 and HB 3055, reengage with the community, and perform the additional analysis required to address concerns, namely:

- The I-205 Toll Project and the Regional Mobility Pricing Project must be analyzed together to show the cumulative impacts of regional tolling on the overall transportation system. This work must be done prior to implementing tolling on any one segment.
- The toll projects must have aligned implementation timelines.
- Safety on and off the toll corridor must be improved.
- Diversion impacts must be adequately mitigated, including pre-existing diversion caused by the bottleneck on I-205, which would be resolved with construction of Phase II of the I-205 Capital Project.
- Communities must have confidence in the plans and financial means to address proposed mitigation projects.
- Adequate alternative modes of travel must be established.

The outcome of the proposed Task Force on Tolling is to provide transparency and legislative oversight to ensure Oregonians that communities will not suffer undue safety impacts, isolation, or economic hardship.

We respectfully request HB 3614 be scheduled for a public hearing and work session before May 5.

## Reconsideration of 2025-2027 Local Bridge Program funding for SE Bull Run Road: Bull Run River Bridge (#06571)

From: Bull Run CPO (bullrunco@yahoo.com)  
To: odot.stip@odot.oregon.gov  
Cc: bcc@clackamas.us; rep.jeffhelfrich@oregonlegislature.gov  
Date: Friday, April 21, 2023 at 11:46 AM PDT

We request reconsideration of 2025-2027 Local Bridge Program funding for Clackamas County SE Bull Run Road: Bull Run River Bridge (#06571)

We appreciate the opportunity to update and expand on the data submitted in the STIP grant application on November 13, 2020.

Most importantly, there have been major changes in the condition of the Bull Run Bridge:

- 1) The sufficiency rating of the 129-year-old bridge was 12.1 but has been reclassified at 2. It is now tied for the worst-rated bridge in the state.
- 2) The load restriction is now limited to a maximum of 12 tons and one-way traffic only.
- 3) The projected useful life has decreased to 5-10 years – minimal time to plan and build a replacement.
- 4) The average daily trips (ADT) have increased from 895 to 1030 with commercial trucks accounting for 24% of all trips; the grant used a default of 4% as data was not previously available.

The following is additional information that was NOT included in the original grant application:

- 1) In addition to the Portland Water Bureau, agencies who rely on using the bridge for access to the Bull Run Watershed include: US Forest Service, Oregon Department of Forestry, US Geology Survey, NRCS, Oregon Department of Environmental Quality, Oregon Department of Fish and Wildlife, Bureau of Technology Services, PGE, Portland Fire & Rescue and several rural fire districts, Hydropower/FERC, Multnomah County Sheriff, Clackamas County Sheriff and Oregon State Police.
- 2) The bridge is along a route routinely used by commercial vehicles as a shortcut from I-84 at Corbett to OR-26 at Sandy. Taking other longer routes increases costs to a wide variety of logging, construction and other businesses.
- 3) Three residential camps in the area would be affected by a bridge closure or failure. They all have year-round guests in addition to the summer youth programs with several hundred participants during the peak wildfire season. This area has seen emergency level 2 “get set” due to wildfires twice within the last 5 years. A bridge closure/failure would reduce the evacuation options to a single route which would be catastrophic. In addition, all camps are required to be within 30 minutes of medical emergency response, or they can lose their certification to operate.
- 4) The alternative detour route to Sandy makes a one-way trip take approximately 45 minutes vs 15 minutes, too long for most emergency services to be effective and increasing costs to both residents and businesses.

The deficiencies of this bridge are too severe for repairs which makes replacement the only option. The final design and construction costs are too great for the county alone to bear.

On behalf of the Bull Run Community, we strongly urge you to fund all or a significant portion of the costs to replace this failing bridge.

*Thank you for this opportunity to comment on the Statewide Transportation Improvement Program.*

Janet Davis

President, Bull Run CACPO



So. Krista von Borstel  
Camp Howard

We had our admin meeting yesterday and discussed the probable effects of a total closure of the Bull Run Bridge, and the weight limits in place now, on Camp Howard.

- X We can house 360 campers and staff. We hire about 65 staff for a normal summer camp season. We have cooks and camp staff that work year around. We have rental groups that use camp year around. Even though we have a Corbett address, we are located in Clackamas County. We are approx. 8 miles north of Sandy and 14 miles south of Corbett. Our camp sits atop the Bull Run Canyon. Portions of our property goes nearly to the Bull Run River.
- Camp Namanu & Trout Creek Bible Camp
- X Our biggest concern regarding the Bull Run Bridge is safety for our campers. Fire jumps to the top of the list. We are protected by the Sandy Fire Dept. and ODF. Both are headquartered south of the bridge. Corbett has responded to Camp Howard to cover for Sandy, and we are very appreciative of that. If anyone is available to respond from the Baker fire dept., they do, and again we appreciate that quick response. It is not manned 24 hours though.
- X We do not have busses stationed on site. Summer camp campers and some staff arrive by bus on Sunday afternoons. They leave Friday afternoon by bus. Rental groups utilize either busses or private vehicles, usually parents, who drop the campers off for their overnight stays, and leave. In the event of a forest fire which required evacuation we would be evacuating the majority of our campers by foot. If the fire is coming from the north we would evacuate to Sandy. From the south, we would head to Corbett. Busses would be coming from Portland. We would use camp and staff vehicles to transport our smallest campers and any campers or staff who experience difficulty walking. All of these vehicles are just regular cars. Over the past few years we have been placed on a "be ready to evacuate" alert twice. Our summer campers range in ages from 5 to 14. Our staff are primarily 15 to 22. We also have staff over 75 years old. Obviously, we will have campers and staff that must be transported by vehicle in the event of an evacuation.

Since hearing from Clackamas County about the possibility of the Bull Run Bridge closing, we are actively trying to find an alternative route to get the campers safely on the south side of the Bull Run River if we have to. We have not found an emergency route as of this writing.

{ We also experience the need for first responders during the year. Accidents occur at times during rental groups and summer camp. We try to make camp available to as many children we feel we can properly care for. We have a nurse on site during summer camp. Some of our campers come to camp with serious medical problems. Camp is an experience we want them to be able to enjoy. We are an ACA (American Camp Association) camp. As such we have proven we have met the required ACA standards to maintain that certification. One of those standards require we have access to emergency medical system (EMS) in 30 minutes or less we need to have first aid and CPR - AED personnel on sight. If access to EMS is over 30 minutes certification from a recognized provider of training in Wilderness First Aid and CPR/AED is required. Sandy Fire Dept. response time is 30 minutes or less. Corbett is not.

{ In addition to the concern for safety of our campers, we also have a concern for fire protection for camp. Over the past 5 years we have built a new multi-million-dollar dining hall and a multi-million-dollar welcome center. We are beginning construction for a multi-million-dollar youth center this summer. We have participated in the ODF fuel reduction program during which they came to Camp Howard, cleared our fuel load, and established defensible spaces for our camp and the community at large. This was monumental for us, and we are so appreciative of their efforts. We have maintained the defensible spaces they established in 2011. We use a herd of goats to keep the fuels down in camp, in addition to our efforts at keeping brush at bay, trees limbed and thinned, and all down wood cleaned up.

Because of all of these efforts, ODF said they will put their first defense of a fire coming out of the Bull Run Canyon, here at Camp Howard. Prior to these efforts they would not have tried to stop a fire here. I mention this to

John  
5/20

Blumenau +  
Ron Wyden

demonstrate how aware we are of the fire threat, what we have done to mitigate it to the best of our ability here at Camp Howard, and how important response times are to us here on the breaks of the Bull Run Canyon.

[Camp Howard is a part of our community. We strive to use local businesses as much as we possible can, such as our plumber, electrician, carpenters, septic services, Ace Hardware in Sandy, Sandy Stihl shop, and all the other businesses we rely on. Our groceries are primarily purchased in Gresham, but we do make emergency runs to Fred Meyer and Safeway in Sandy.] I watch the specials at those 2 grocery stores and purchase groceries from them whenever possible. We purchase a lot of food to feed all of those campers 3 meals plus snacks per day. Our 65 summer staff take their 2 hour breaks in Sandy adding to the economy of Sandy. They go to the grocery stores and food establishments daily.

X Our propane comes out of Molalla. Waste Management was coming from the south side of the bridge, but since the weight reduction we have not been able to get a truck here. I have called for 6 weeks, numerous times, without success to get our garbage unloaded. The recycle truck finally came Wednesday, but not the garbage. I can only talk to Arizona, and even though they are trying, we have not seen the truck. The weight restriction is of course going to affect the cost of our new building dramatically. We can only get a half a load of gravel and concrete at this time coming from the north, which also has a weight restricted bridge. Our log trucks cannot go to the south, where most of the mills are located, adding more freight costs to the logs.]

We have attended our local CPO meetings, and have been kept updated by our local team concerning the bridge. Sister Krista von Borstel, our Executive Director of the Catholic Youth Organization and Camp Howard, has contacted Mark Meeks office, Daniel Bonham's office, and Jeff Helfrich's office in regards to the bridge. We are willing to attend and speak at a public hearing if possible. Please let us know when and where.

Thank you for all you are doing Julie. Karen

I hope I have painted a picture  
for you as to our dire need  
for this bridge  
Thank you