

July 21, 2022

Housing Authority Board of Commissioners  
Clackamas County

Approval of an Amendment 2 of the Intergovernmental Agreement (IGA) with Metro for the Affordable Housing Bond Program adding \$25,967 in funding to purchase software to report workforce demographics on at least two bond funded projects. New total Eligible Share of \$115,180,061. Funding through Regional Metro Housing Bond.

No County General Funds are involved.

<b>Purpose/Outcome</b>	Approval Amendment 2 of IGA with Metro for the Affordable Housing Bond Funds to purchase software to monitor workforce labor demographics for contractors and subcontractors on affordable housing bond projects.
<b>Dollar Amount and Fiscal Impact</b>	Amendment 2 adds an additional \$25,967, for a new total Eligible Share of \$115,180,061.
<b>Funding Source</b>	Regional Metro Housing Bond Funds
<b>Duration</b>	Effective upon signature of all parties through Metro Affordable Housing Bond period (2026)
<b>Previous Board Action/Review</b>	July 19, 2022 – Amendment 2 presented at Issues May 19, 2022 – Amendment 1 approved adding indoor cooling units for Bond funded projects funded through Bond proceeds. May 17, 2022 – Amendment 1 presented at Issues December 10, 2019 – Affordable Housing Bond Program Intergovernmental Agreement Fully Executed November 14, 2019 - Affordable Housing Bond Program IGA and Local Implementation Strategy was approved by the HACC board.
<b>Strategic Plan Alignment</b>	This funding aligns with the County's strategic priority to ensure safe, healthy, and secure communities by increasing the inventory of affordable housing units in Clackamas County.
<b>Counsel Review</b>	Reviewed by County Counsel 5/31/22 by Andrew Naylor
<b>Procurement Review</b>	1. Was the item processed through Procurement? yes <input type="checkbox"/> no <input checked="" type="checkbox"/> 2. If no, provide brief explanation: Item is an IGA Amendment.
<b>Contact Person</b>	Devin Ellin, Director of Housing Development, HACC 971-227-0472
<b>Contract No.</b>	Amendment 2 of the Affordable Housing Bond Program IGA H3S #9530 (Metro Contract No.936551)

**BACKGROUND:**

Housing Authority of Clackamas County (HACC), entered into the Affordable Housing Bond Program Intergovernmental Agreement (IGA) with Metro regional government, effective December 10, 2019. Amendment 2 will provide additional Affordable Housing Bond funds, totaling \$25,967, to be used to purchase software, LCPTTracker, to monitor contractor and subcontractor workforce demographics on bond funded projects and report demographic data to the funder.

One goal of the Affordable Housing Bond is to increase the diversity of the work force on affordable housing projects and specifically increase participation in construction workforce by minorities, women, and disabled veterans. The LCPTTracker software package will allow HACC to track the demographics for the workforce of their contractors and subcontractors on bond funded projects and report on actual workforce demographics. By tracking actuals overtime, trends can be analyzed, and this data can be used to develop measures to increase participation on future projects.

Approval of Amendment 2 will provide \$25,967 in funding for the purchase of the workforce software and will commit HACC to reporting data on workforce labor hours for at least two bond funded projects and report such data collected to the funder.

**RECOMMENDATION:**

Staff recommends the Board approve Amendment 2 of the Affordable Housing Bond Program Intergovernmental Agreement adding \$25,967 in funding for the purchase of workforce software and to report data on workforce demographics on at least two bond funded projects. Staff also recommends authorizing Commissioner Tootie Smith, Chair to sign on behalf of the Housing Authority Board of Commissioners.

**ATTACHMENTS:**

Amendment 2 of the Affordable Housing Bond Program IGA

Respectfully submitted,



Rodney A. Cook, Director  
Health, Housing and Human Services

## 2<sup>nd</sup> Amendment to Intergovernmental Agreement Affordable Housing Bond Measure Program IGA

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Metro Contract No. 936551

This Second Amendment to Affordable Housing Bond Measure Program Intergovernmental Agreement (“Amendment”) is entered into as of \_\_\_\_\_, 2022 and is attached to and made a part of the Intergovernmental Agreement (the “IGA”) between Metro, a metropolitan service district organized under Oregon Revised Statutes Chapter 268 and the Metro Charter, and the Housing Authority of Clackamas County (“Local Implementation Partner” or “LIP”), dated as of December 10, 2019, providing the terms and conditions under which Metro provides Ballot Measure 26-199 Bond Proceeds for the acquisition and construction of affordable housing. The provisions set forth in this Amendment supplement the terms of the IGA but are not intended to modify any contrary provisions in the terms of the IGA.

### RECITALS

A. The electors of Metro (“Metro Council”) approved Ballot Measure 26-199 on November 6, 2018 (the “Bond Measure”), authorizing Metro to issue \$652.8 million in general obligation bonds to fund affordable housing (the “Bonds”).

B. On January 31, 2019, the Metro Council adopted Resolution No. 19-4956, approving the Metro Affordable Housing Bond Measure Program Work Plan (the “Work Plan”), which serves as the framework for the Bond Measure implementation activities, and calls for each LIP to adopt and agree to a bond Local Implementation Strategy (the “LIS”) consistent with the Work Plan.

C. Metro and LIP entered into the Affordable Housing Bond Measure Program IGA, effective December 10, 2019, providing the terms and conditions under which Metro provides Ballot Measure 26-199 Bond Proceeds for the acquisition and construction of affordable housing, including LIP’s approved LIS.

D. LIP’s LIS calls for LIP to work with Metro to explore ways to maximize the participation in the Projects’ construction workforce by minorities, women and disabled veterans.

E. The Metro Council and the Metro Housing Oversight Committee have repeatedly expressed a need to prioritize these outcomes.

F. Metro staff identified Administrative Funding availability in Metro’s current year’s budget to pay for technical assistance to LIP intended to lead toward increased participation as set forth above; and

## AGREEMENT


NOW THEREFORE, the Parties hereto agree as follows:

- 1. Additional Metro Administrative Funds.** Metro agrees to provide an additional TWENTY-FIVE THOUSAND, NINE HUNDRED AND SIXTY-SEVEN and No/100 Dollars (\$25,967.00) of Administrative Share funding to LIP for technical assistance (the "Technical Assistance Funds").
- 2. Use of Funds.** LIP agrees to use the Technical Assistance Funds to pay the costs of purchasing the software system "LCPTTracker," and use it to, among other things, track construction contractor and subcontractor workforce labor hours on at least two bond projects and more if possible, and to report the data to Metro for purposes of determining actual rates of minority and women workforce participation on LIP's Metro Bond Projects, with the intention of using the data so obtained to develop measures to increase said participation.
- 3. Source of Grant Funds.** The Technical Assistance Funds will be drawn from Metro's Administrative Funding allocation, which is subject to the Bond Measure's administrative funding cap. LIP's acceptance and use of the Technical Assistance Funds will be subject to and governed by the provisions of the IGA, including but not limited to Sections 7, 9 and 11.
- 4.** Metro and LIP hereby ratify and confirm this supplement to the terms of the IGA. All other terms and conditions set forth in the IGA are hereby confirmed and remain in full force and effect.
- 5. Counterparts.** This Amendment may be executed in any number of counterparts, each of which will be an original, but all of which will constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the Effective Date.

**Metro**

**LOCAL IMPLEMENTATION PARTNER**

By:  \_\_\_\_\_  
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By: \_\_\_\_\_

Name: **Marissa Madrigal** \_\_\_\_\_

Name: Tootie Smith \_\_\_\_\_

Title: **Chief Operating Officer** \_\_\_\_\_

Title: Chair, Housing Authority of Clackamas County \_\_\_\_\_

Date: 6/23/2022 \_\_\_\_\_

Date: \_\_\_\_\_

COVER SHEET

- New Agreement/Contract
- Amendment/Change/Extension to \_\_\_\_\_
- Other \_\_\_\_\_

Originating County Department: \_\_\_\_\_

Other party to contract/agreement: \_\_\_\_\_

Description:

After recording please return to: \_\_\_\_\_

- County Admin
- Procurement

If applicable, complete the following: \_\_\_\_\_

Board Agenda Date/Item Number: \_\_\_\_\_