

## **Board of County Commissioners Business Meeting Minutes – APPROVED 03/09/2023**

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

**Thursday, March 2, 2023 – 10:00 AM**

In person and via virtual technology (Zoom)

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

### **CALL TO ORDER**

Chair Smith recessed the Board of County Commissioners and convened the Housing Authority Board of Commissioners.

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

- A. Approval to apply for an Affordable Housing Construction Grant from the City of Milwaukie for the Hillside Park Redevelopment Project. Anticipated Grant value is \$2,000,000. Funding is through the City of Milwaukie Construction Excise Tax. No County General Funds are involved.

Clerk to the Board Tony Mayernik read the consent agenda.

Chair Smith called for requests to remove items from the consent agenda. None were received. Commissioner Savas reserved time for a question after the vote.

Commissioner Shull: "I move for approval of the Housing Authority consent agenda." Commissioner Schrader seconded the motion.

Chair Smith called for further discussion. None was heard.

Clerk Mayernik called the poll  
Commissioner Savas Aye  
Commissioner Schrader Aye  
Commissioner Shull Aye  
Chair Smith Aye; motion passes 4-0.

Commissioner Savas asked County Counsel about quorum and voting requirements for the Housing Authority in light of expected commissioner absences. County Counsel indicated they would prepare a response.

Chair Smith Adjourned the Housing Authority Board of Commissioners and reconvened the Board of County Commissioners.

#### **II. PUBLIC HEARING**

- A. Second Reading of Ordinance 01-2023, an Ordinance Amending Clackamas County Code Chapter 6.03, Emergency Regulations, and Declaring an Emergency. No fiscal impact. No County General Funds are involved.

County Counsel Stephen Madkour briefed the ordinance to the Board and the process for formal adoption.

Chair Smith opened the public hearing.

Shirley Morgan (Welches) – Support for the proposed changes

Chair Smith closed the public hearing.

Commissioner Shull: "I move we read Ordinance 01-2023 by title only." Commissioner Schrader seconded the motion.

Chair Smith called for further discussion. None was heard.

Clerk Mayernik called the poll  
Commissioner Shull Aye  
Commissioner Savas Aye  
Commissioner Schrader Aye  
Chair Smith Aye; motion passes 4-0.

Chair Smith directed Clerk Mayernik to read the ordinance by title only.

Clerk Mayernik: "Ordinance 01-2023, an Ordinance amending Clackamas County Code Chapter 6.03, Emergency Regulations, and declaring an Emergency."

Chair Smith called for amendments or changes to the draft ordinance. None were received.

Commissioner Shull: "I move we approve Ordinance 01-2023, an Ordinance Amending Clackamas County Code Chapter 6.03, Emergency Regulations, and Declaring an Emergency." Commissioner Schrader seconded the motion.

Chair Smith called for further discussion. Commissioner Savas made comments regarding opposition from elected officials to the original changes amending Chapter 6.03 that the ordinance is undoing. Chair Smith made comments regarding the intent of those original changes and inquired with County Counsel if any elected officials had been impacted by the changes. County Counsel indicated that the powers granted had not been utilized.

Clerk Mayernik called the poll  
Commissioner Schrader Aye  
Commissioner Savas Aye  
Commissioner Shull Aye  
Chair Smith Aye; motion passes 4-0.

County Counsel indicated that they had further information regarding the Housing Authority Board's quorum and voting requirements. The Housing Authority has a quorum requirement of 4 commissioners, out of 6 total, and the voting requirement is a majority of the commissioners present for motions to pass.

### **III. CONSENT AGENDA**

#### **A. Elected Officials**

1. Approval of Previous Business Meeting Minutes – *BCC*
2. \*Approval of a Board Order authorizing issuance of a Purchase Order to Axon Enterprise, Inc. for the Justice Premier software system under a Cooperative Contract. Purchase order value is \$650,190 for 5 years. Funding is through budgeted County General Funds. – *DA*

#### **B. County Administration**

1. Approval of a Subrecipient Agreement with Mercy Corps for American Rescue Plan Act Capacity Building Recovery Assistance. \$1.25M for 19 months. Funding through County American Rescue Plan Act Funds. No County General Funds are involved.

#### **C. Juvenile**

1. Approval of Amendment #2 adding funding and extending duration of the Intergovernmental Agreement with Oregon Health Authority for Behavioral Rehabilitation Services Reimbursements. Amendment value is approximately \$4,000 and 1.5 years, agreement value is now \$73,452.60 for 3.5 years. Funding is through the Oregon Health Authority. No County General Funds are involved.

#### **D. Transportation & Development**

1. Approval of the Resolution Declaring the Public Necessity and Purpose for Acquisition of Rights of Way, Easements and Fee Property, and Authorizing Good Faith Negotiations and Condemnation Actions for the SE Johnson Creek Blvd: 79th PI – 82nd Ave Project. Project value is \$2,856,705. Funding through Community Road Fund, Development Agency, Federal Funds and HB 2017. No County General Funds are involved.

2. Approval of Amendment #3 to a Supplemental Project Agreement with the Oregon Department of Transportation for the Canby Ferry Intelligent Transportation System Project. Amendment value is \$268,913.77, project value is increased to \$1,039,278.77. Funding through Ferry Boat Discretionary Program matched by County Road Funds. No County General Funds are involved.
3. Approval of the Annual Intergovernmental Agreement with Metro to implement the FY 22-23 Annual Waste Reduction and Recycle at Work Program Plan. Total revenue is \$685,495 for Fiscal Year 2022-23. Funding through the Regional System Fees collected on tons of waste disposed in the Metro Service District. No County General Funds are involved.
4. Approval of a Contract with Harper Houf Peterson Righellis Inc., for the SE 172nd Avenue Improvements Project. Total contract value is \$6,322,672.07 for 4.5 years. Funding is through the City/County Transportation System Development Charges Joint District Fund, Cash Acknowledgement Funds, and City of Happy Valley Funds. No County General Funds are involved.

**E. \*Health, Housing, & Human Services**

1. Approval of a Local Subrecipient Grant Agreement with Raices de Bienestar for education and outreach to the Latino/a/x community for the Commercial Tobacco Prevention Community Grant. Grant value is \$20,000 for 6 months. Funding is through the Oregon Health Authority. No County General Funds are involved.
2. Approval of a Local Subrecipient Grant Agreement with DATAHS International for education and outreach to the Latino/a/x community for the Commercial Tobacco Prevention Community Grant. Grant value is \$20,000 for 6 months. Funding is through the Oregon Health Authority. No County General Funds are involved.
3. Approval of a Local Subrecipient Grant Agreement with Northwest Family Services for education and outreach to migrant farmworkers for the Commercial Tobacco Prevention Community Grant. Grant value is \$20,000 for 6 months. Funding is through the Oregon Health Authority. No County General Funds are involved.
4. Approval of a Local Subrecipient Grant Agreement with Portland Refugee Support Group for education and outreach to refugees for the Commercial Tobacco Prevention Community Grant. Grant value is \$20,000 for 6 months. Funding is through the Oregon Health Authority. No County General Funds are involved.
5. Approval of a Local Subrecipient Grant Agreement with the Korean Society of Oregon for education and outreach to the Korean community for the Commercial Tobacco Prevention Community Grant. Grant value is \$20,000 for 6 months. Funding is through the Oregon Health Authority. No County General Funds are involved.
6. Approval of a Local Subrecipient Grant Agreement with Centro Cultural del Condado for education and outreach to the Latino/a/x community for the Commercial Tobacco Prevention Community Grant. Grant value is \$20,000 for 6 months. Funding is through the Oregon Health Authority. No County General Funds are involved.
7. Approval of a Local Subrecipient Grant Agreement with Oregon Chinese Coalition for education and outreach to the Chinese American community for the Commercial Tobacco Prevention Community Grant. Grant value is \$20,000 for 6 months. Funding is through the Oregon Health Authority. No County General Funds are involved.
8. Approval of a Local Subrecipient Grant Agreement with According to His Word Outreach for education and outreach to the Black and African American communities for the Commercial Tobacco Prevention Community Grant. Grant value is \$20,000 for 6 months. Funding is through the Oregon Health Authority. No County General Funds are involved.
9. Approval of a Services Agreement with Ride Connection for transportation services to disabled or elderly Clackamas County residents provided by Volunteer Drivers through the Ride Together Program. Agreement value is \$4,182 for 1 year. Funding is through TriMet and Federal Transit Administration 5310 Funding. No County General Funds are involved.
10. Approval of a Services Agreement with Ride Connection for transportation services to disabled or elderly Clackamas County residents provided by Community Centers and Transportation Reaching People. Agreement value is \$206,670 for 1 year. Funding is through TriMet and Federal Transit Administration 5310 Funding. No County General Funds are involved.

11. Approval of a Services Agreement with Ride Connection for transportation services for disabled or elderly Veterans provided by Volunteer Drivers who are also Veterans. Agreement value is \$5,047 for 1 year. Funding is through TriMet and Federal Transit Administration 5310 Funding. No County General Funds are involved.
12. Approval of Amendment #2 with Molalla HOPE, Inc. increasing funding and changing the scope of work of a Non-Federal Subrecipient Grant to provide services during extreme weather conditions. Amendment value is \$122,210, grant value is increased to \$173,150 for 1 year. Funding is through Oregon Housing & Community Services and \$4,644 in budgeted County General Funds.
13. Approval of Amendment #1 increasing funding of a Subrecipient Grant with Clackamas County Children's Commission for Healthy Families home visitors. Amendment value is \$132,438.60, agreement value is increased to \$2,111,302.60 for 2 years. Funding is through the Oregon Department of Education. No County General funds are involved.
14. Approval of a Revenue Grant Award from the Oregon Business Development Department for Childcare Scholarships. Grant value is \$250,000 for 1 year. Funding is through the Oregon State Business Development Department. No County General Funds are involved.
15. Approval to Submit Final HOME American Rescue Plan Allocation Plan. Grant value is \$3,649,508 for 10 years. Funding is through a Federal HOME grant. No County General Funds are involved.
16. Approval of a Federal Subrecipient Agreement with the Clackamas County Circuit Court to provide a Court Clerk to assist with restraining orders at A Safe Place Family Justice Center. Grant Value is \$246,251 for 2 years & 9 months. Funding is through the US Department of Justice Office on Violence Against Women Fiscal Year 2022 Improving Criminal Justice Response Grant. No County General Funds are involved.
17. Approval of Amendment #1 increasing funding and duration of an Intergovernmental Agreement with the Oregon Health Authority for Choice Model Services. Amendment value is \$423,946.50 for six months, agreement value is increased to \$1,271,839.49 for 1.5 years. Funding is through Oregon Health Authority. No County General Funds are involved.
18. Approval of a Non-Federal Subrecipient Agreement with Cascade AIDS Project Blueprint Grant for Translation services. Grant value is \$25,000 for six months. Funding is from budgeted County General Funds allocated for Blueprint Grants.

Clerk Mayernik read the consent agenda.

Chair Smith called for requests to remove items from the consent agenda. None were received.

Commissioner Schrader: "I move we approve the consent agenda." Commissioner Shull seconded the motion.

Chair Smith called for further discussion. None was heard.

Clerk Mayernik called the poll

Commissioner Savas Aye

Commissioner Shull Aye

Commissioner Schrader Aye

Chair Smith Aye; motion passes 4-0.

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

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

- A. Approval of an Intergovernmental Agreement with the City of Milwaukie for the Kellogg Good Neighbor Program. Agreement value is approximately \$920,000 for 4.5 years. Funding through Water Environment Services Sanitary Sewer Operating Funds. No County General Funds are involved.

Clerk Mayernik read the consent agenda.

Chair Smith called for requests to remove items from the consent agenda. None were received.

Director Shull: "I move for approval of the Water Environment Services consent agenda." Director Schrader seconded the motion.

Chair Smith called for further discussion. None was heard.

Clerk Mayernik called the poll

Director Schrader Aye

Director Savas Aye

Director Shull Aye

Chair Smith Aye; motion passes 4-0.

Chair Smith adjourned the Water Environment Services Board and convened the Development Agency Board of Directors.

## **V. DEVELOPMENT AGENCY CONSENT AGENDA**

- A. Approval of a Resolution Acknowledging Financial Statement Findings of a Material Weakness in Internal Control over Compliance for Fiscal Year 2022 and Describing Corrective Action in Accordance with ORS 297.466. No fiscal impact. No County General Funds are involved.
- B. Approval of a Bill of Sale to Clackamas River Water for the Conveyance of a New Water Main Extension completed as part of the D-Street Road project. Asset Value is \$287,435.54. No funding involved, conveyance of improvements. No County General Funds are involved.
- C. Approval of a Conveyance of Public Sanitary Sewer Main Extension to Water Environment Services Conveying a New Sewer Main Extension that was completed as part of the D-Street Road project. Total Asset Value is \$110,863. No funding involved, conveyance of improvements. No County General Funds are involved.

Clerk Mayernik read the consent agenda.

Chair Smith called for requests to remove items from the consent agenda. None were received.

Director Shull: "I move for approval of the Development Agency consent agenda." Director Schrader seconded the motion.

Chair Smith called for further discussion. None was heard.

Clerk Mayernik called the poll

Director Schrader Aye

Director Shull Aye

Director Savas Aye

Chair Smith Aye; motion passes 4-0.

Chair Smith adjourned the Development Agency Board and reconvened the Board of County Commissioners.

## **VI. PUBLIC COMMUNICATION**

Chair Smith opened the meeting for public communication.

Les Poole (Clackamas) – Engagement, HB 2017, Tolling

Chair Smith closed the meeting for public communication.

Commissioner Savas shared some comments on HB 3055 and HB 2017. Chair Smith made comments about tolling and transportation. Commission Shull made comments on HB 2017.

## **VII. COUNTY ADMINISTRATOR UPDATE**

County Administrator Gary Schmidt brought forward a draft letter supporting a Federal funding request for improvements at the Molalla wastewater treatment facility.

Commissioner Savas: "Move to approval." Commissioner Schrader seconded the motion.

Clerk called the poll  
Commissioner Shull Aye  
Commissioner Schrader Aye  
Commissioner Savas Aye  
Chair Smith Aye; motion passes 4-0.

County Administrator Gary Schmidt recognized DTD staff for their outstanding public service.

### **VIII. COMMISSIONER COMMUNICATION**

Commissioner Schrader distributed materials from her recent attendance at the National Association of Counties Legislative Conference in February 2023, including a number of handouts, specifically referencing a policy primer from NACo on the 2023 Farm Bill Reauthorization (<https://www.naco.org/resources/2023-farm-bill-primer>), an article from the Association of Oregon Counties titled "Oregon Counties Make Impact in Washington DC" (<https://oregoncounties.org/oregon-counties-make-impact-in-washington-d-c/>), NACo Federal Policy Priorities (<https://www.naco.org/sites/default/files/documents/2023-Policy-Priorities.pdf>), an email from the NACo Community, Economic & Workforce Development Steering Committee (attached), and a 2023 calendar featuring artwork from kids.

Commissioner Savas made general comments about the I-205 tolling environmental assessment and scheduling concerns for the Board over the coming weeks.

Commissioner Shull made comments on his attendance at recent meetings, including the County Fair Board, County Parks Advisory Board, Metro Policy Advisory Committee, 82<sup>nd</sup> Ave Transit Committee, and the Council on Forest Trust Lands.

Chair Smith made comments about the Board's busy schedule, the Oregon City Business Alliance forum she attended last week, the 1973 passage of Senate Bill 100 and growth in Oregon since then, work with the Oregon Legislature on the Federal CHIPS Act, land readiness, and her recent Tri-County Chairs meeting, along with the progress on the new courthouse and establishment of an arts committee to select artwork.

Chair Smith adjourned the meeting at 11:08 AM.