

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Policy Session Worksheet

Presentation Date: 8/10/2021 **Approx. Start Time:** 1:30 p.m. **Approx. Length:** 15 minutes

Presentation Title: Sale and Purchase of County-Owned Property Policy

Department: Finance and County Counsel

Presenters: Christa Wolfe, Finance Deputy Director and Kathleen Rastetter, Asst. County Counsel

Other Invitees: Elizabeth Comfort

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD? We ask that the Board approve adoption of this policy, which will apply to all employees, elected officials, and others.

EXECUTIVE SUMMARY: As a result of a complaint of a potential conflict of interest received by the Board, the County Administrator asked County Counsel to draft a policy prohibiting the sale of county-owned property to employees, elected officials and others to promote the County's strategic goal of Building Public Trust through Good Government through transparency and to avoid any appearance of a conflict of interest. This policy is needed to address the issue that arose and to avoid any appearances of conflicts in future sales of county-owned property.

The concept came before the Board in Executive Session on April 6, 2021. The policy then was approved by the county's policy committee on May 20, 2021. The policy came before the Board again at issues on June 15, 2021 and the board approved moving forward with the policy.

Is this item in your current budget? YES NO

What is the cost? There is no cost since this is a policy. What is the funding source? Not applicable since this is a policy.
FINANCIAL IMPLICATIONS (current year and ongoing):

STRATEGIC PLAN ALIGNMENT:

- How does this item align with your Department's Strategic Business Plan goals?
This meets the Finance Department's goal to provide quality professional financial and facilities services by putting county policies and procedures in place.
- How does this item align with the County's Performance Clackamas goals?
As noted, this policy supports the County's Strategic Goal of Building Public Trust through Good Government by promoting transparency and fairness in the sale of county-owned property and avoiding any appearance of a conflict of interest in such sales.

LEGAL/POLICY REQUIREMENTS: The policy has been vetted and approved by the County's Policy Committee. The union has also been provided with the policy and provided no input.

PUBLIC/GOVERNMENTAL PARTICIPATION: N/A

OPTIONS: 1. Approve the policy. 2. Opt not to adopt the policy.

RECOMMENDATION: Staff respectfully recommend that the Board adopt option 1.

ATTACHMENTS: Sale and Purchase of County-Owned Property Policy FIN 1.206

SUBMITTED BY:

Division Director/Head Approval _____

Department Director/Head Approval __ EComfort _____

County Administrator Approval _____

For information on this issue or copies of attachments, please contact Christ Wolfe @ 503-758-5407 _____



<input checked="" type="checkbox"/> Administrative Policy <input type="checkbox"/> Operating Policy
--

Clackamas County Property Sale Policy

Name of Policy	Sale and Purchase of County-Owned Property	Policy #	FIN 1.206
Policy Owner Name	Christa Wolfe	Effective Date	
Policy Owner Position	Finance Deputy Director	Approved Date	
Approved By	Board of County Commissioners	Next Review Date	

I. PURPOSE

The purpose of this policy is to establish a standard governing the County’s sale of county-owned property to county employees, elected officials, volunteers, interns, their household members and relatives.

II. AUTHORITY

The Board of County Commisioners has the authority to promulgate polices for the management and operation of Clackamas County government. (ORS 203.035)

III. GENERAL POLICY

To avoid an appearance of a conflict of interest and to ensure transparency and fairness to the public, Clackamas County will not sell county-owned property to current County employees, elected officials, volunteers and interns, or to any member of their households or relatives. The only exception to this policy is for the purchase of foreclosed property when the property is that of the employee, official, volunteer or intern (i.e. their own property has been foreclosed on and is being redeemed out of foreclosure by the employee, elected official, volunteer, or intern.)

IV. DEFINITIONS

“County-owned property” is real or personal property that is owned by the county.

“Household member” means any person who resides with the public official, employee, volunteer or intern.

“Relative” includes a spouse, domestic partner, parent, stepparent, child, sibling, stepsibling, son-in-law or daughter-in-law, and any individual for whom the county employee, official, volunteer and intern is financially responsible.

V. POLICY GUIDELINES

Employees, elected officials, interns and volunteers are responsible for complying with this policy.

All suspected abuse of this policy will be referred to the County Internal Auditor for investigation.

VI. ACCESS TO POLICY

This policy will be available for viewing on the Clackamas County intranet policy page.
<http://web1.clackamas.us/bccadmin/county-policies>

VII. RELATED POLICIES

BCS Property Disposition Policies, which follow Oregon Revised Statutes, governing the process for the disposition of County-owned real property.

Local Contract Review Board Rules C-046-0610 et seq. governing the sale of personal property

###