

# AGENDA

**Thursday March 8, 2018 - 10:00 AM**  
**BOARD OF COUNTY COMMISSIONERS**

Beginning Board Order No. 2018-16

**CALL TO ORDER**

- Roll Call
- Pledge of Allegiance

**I. PRESENTATION** *(Following are items of interest to the citizens of the County)*

1. Presentation of the Dee Lewitz Community Commitment Award (John Foote, District Attorney)

**II. CITIZEN COMMUNICATION** *(The Chair of the Board will call for statements from citizens regarding issues relating to County government. It is the intention that this portion of the agenda shall be limited to items of County business which are properly the object of Board consideration and may not be of a personal nature. Persons wishing to speak shall be allowed to do so after registering on the blue card provided on the table outside of the hearing room prior to the beginning of the meeting. Testimony is limited to three (3) minutes. Comments shall be respectful and courteous to all.)*

**III. CONSENT AGENDA** *(The following Items are considered to be routine, and therefore will not be allotted individual discussion time on the agenda. Many of these items have been discussed by the Board in Work Sessions. The items on the Consent Agenda will be approved in one motion unless a Board member requests, before the vote on the motion, to have an item considered at its regular place on the agenda.)*

**A. Health, Housing & Human Services**

1. Approval of Intergovernmental Agreement No. 154752-1 with the State of Oregon, Department of Human Services, Aging and People with Disabilities Division for the Provision of Services to Clackamas County Residents age 60 and over – *Social Services*

**B. Elected Officials**

1. Approval of Previous Business Meeting Minutes – *BCC*

**C. Business & Community Services**

1. Approval to Apply for a Grant with State of Oregon to Study Potential Formation of Land Bank Authority in Clackamas County

**IV. COUNTY ADMINISTRATOR UPDATE**

**V. COMMISSIONERS COMMUNICATION**

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. [www.clackamas.us/bcc/business.html](http://www.clackamas.us/bcc/business.html)



## John S. Foote, District Attorney for Clackamas County

Clackamas County Courthouse, 807 Main Street, Room 7, Oregon City, Oregon 97045  
503 655-8431, FAX 503 650-8943, [www.co.clackamas.or.us/da/](http://www.co.clackamas.or.us/da/)

March 1, 2018

Board of County Commissioner  
Clackamas County

Members of the Board:

### Recognition of The Overland Park Coalition for the 2017 Dee Lewitz Community Commitment Award

<b>Purpose/Outcomes</b>	The Dee Lewitz Community Commitment Award was created in 2015 to recognize the community member who has demonstrated outstanding and sustained commitment to making Clackamas County a stronger and safer community by improving the quality of life in our county.
<b>Dollar Amount and Fiscal Impact</b>	None.
<b>Duration</b>	For the year 2017 the award will be given to Overland Park Coalition and 5 named individual members of the Coalition: Norbert Loske, Mary Renfrow, Don Rowley, Joyce Winkelhake, and Caroline Conner.
<b>Contact Person</b>	Bob Willson, Administrative Analyst 2 – District Attorney's Office, 503-650-3011

#### **BACKGROUND:**

The Dee Lewitz Community Commitment Award was created in 2015 and the first recipient was Dee Lewitz. For 2017, the Clackamas County DA's Office has chosen the Overland Park Coalition to receive the award. The Overland Park Coalition has made Clackamas County a safer and stronger community by their efforts as a community organization. Specifically, The Coalition has led or had a critical role in...

- **Addressing the quality of life issues in the Overland Park neighborhood since 2001.**  
The Coalition was the first community partner to work with the DA's Office to address drug houses and other sources of disorder in a very troubled community. They specifically organized and participating in...
  - Annual Garbage cleanups where residents brought debris to a central point for disposal;
  - Work groups to clean up trash from around the neighborhood on specific streets once per month;
  - Sponsored and organized a National Night celebration at Mill Park since 2002;
  - Developed the initial Johnson Creek Clean Up in 2007. They now partner with the Johnson Creek Watershed organization to support the clean-up effort every August;
  - Participate in the Johnson Creek Watershed planting event each March;
  - For the past 14 years, they have provided an information drop to over 1500 homes in the Overland Park Neighborhood every May with important information to improve community safety and livability;
  - The Coalition participates in a monthly breakfast meeting with the DA's Office and other community partners to identify community issues and come up with solutions to address those problems.
- **The Coalition was a founding partner of the Overland Park Community Court program.**  
The Coalition helped plan and launch our Community Court in 2004 and continue to be a key contributor to this day. In 2008, when the Clackamas County Circuit Court could no longer provide a court clerk for Community Court, they Coalition stepped up and has provided at least 3 volunteers for every court session and serve as greeters for participants as well as the court clerks.



## John S. Foote, District Attorney for Clackamas County

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- **The Coalition supports the Attendance Court program.** Here again, the Coalition provides volunteer court clerks for our court sessions. The court would probably not exist except for their support.

Respectfully submitted,

John S. Foote  
District Attorney

March 8, 2018

Board of County Commissioner  
Clackamas County

Members of the Board:

Approval of Intergovernmental Agreement #154752-1 with The State of Oregon,  
Department of Human Services, Aging and People with Disabilities Division for the  
Provision of Services to Clackamas County Residents age 60 and over

<b>Purpose/Outcomes</b>	To provide State and Federally funded No Wrong Door services for residents of Clackamas County
<b>Dollar Amount and Fiscal Impact</b>	The total agreement is \$285,387. Funded by State General Fund and Federal Medicaid funds.
<b>Funding Source</b>	Funded by State General Fund and Federal Medicaid funds. No County General funds involved.
<b>Duration</b>	Amendment Effective January 1, 2018 and terminates on June 30, 2019
<b>Previous Board Action</b>	071317-A8
<b>Strategic Plan Alignment</b>	1. This funding aligns with the strategic priority to increase self-sufficiency for our clients. 2. This funding aligns with the strategic priority to ensure safe, healthy and secure communities by addressing needs of older adults in the community.
<b>Contact Person</b>	Brenda Durbin, Director, Social Services Division 503-655-8641
<b>Contract No.</b>	8387

**BACKGROUND:**

The Social Services Division of the Health, Housing and Human Services request approval of Amendment #1 to the Subrecipient Intergovernmental Agreement #154752 with the State of Oregon, Dept. of Human Services, Aging and People with Disabilities, State Unit on Aging. This agreement provides funding for the Social Services Division Aging & Disabilities Resource Center (ADRC) Unit to administer the “No Wrong Door” approach to providing access to public and private long term care services and support, including Person Centered Options Counseling. This service model links residents to resources and support to assist them in making informed Long Term Care decisions. This helps them to remain independent and involved in the community as long as possible.

Social Services Division is the designated ADRC for the Clackamas Planning and Service area designated by the State of Oregon, Department of Human Services, Aging and People with Disabilities Division, State Unit on Aging. This amendment reflects the reallocated funding for January 1, 2018 through June 30, 2019 of the 2017-2019 biennial agreement period and was delayed by due to State and Federal budget processes. The original agreement was reviewed and approved by County Council on June 29, 2017. This Amendment is retroactive to January 1, 2018

**RECOMMENDATION:**

Staff recommends the Board approval of this agreement and authorizes Richard Swift, H3S Director to sign on behalf of Clackamas County.

Respectfully submitted,

Richard Swift, Director  
Health Housing & Human Services



**Agreement Number 154752**

**STATE OF OREGON  
INTERGOVERNMENTAL AGREEMENT  
AMEND AND RESTATE**

In compliance with the Americans with Disabilities Act, this document is available in alternate formats such as Braille, large print, audio recordings, Web-based communications and other electronic formats. To request an alternate format, please send an e-mail to [dhs-oha.publicationrequest@state.or.us](mailto:dhs-oha.publicationrequest@state.or.us) or call 503-378-3486 (voice) or 503-378-3523 (TTY) to arrange for the alternative format.

This Amendment number 1 to Agreement number 154752 is between the State of Oregon, acting by and through its Department of Human Services, hereinafter referred to as "DHS" and

**Clackamas County Social Service Division (CCSS)  
PO Box 2950/2051 Kaen Road  
Oregon City, OR 97045  
Contact: Brenda Durbin  
Telephone: 503-655-8640  
Facsimile: 503-655-8889  
E-mail address: [brendadur@co.clackamas.or.us](mailto:brendadur@co.clackamas.or.us)**

hereinafter referred to as "County" or "AAA".

Work to be performed under this Agreement relates principally to DHS'

**Aging and People with Disabilities  
State Unit on Aging  
500 Summer Street N.E.  
Salem, OR 97301  
Agreement Administrator: Sarah D Odell or delegate  
Telephone: 503-945-6029  
Facsimile: 503-373-1133  
E-mail address: [Tatia.A.Halleman@state.or.us](mailto:Tatia.A.Halleman@state.or.us)**

**RECITALS**

WHEREAS, DHS and County entered into that certain Agreement number 154752 effective on July 1, 2017 incorporated herein by this reference;

WHEREAS, DHS and County desire to amend and restate the Agreement in its entirety as of January 1, 2018 and otherwise modify it as set forth herein;

NOW, THEREFORE, in consideration of the premises, covenants and agreements contained herein and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

## **AGREEMENT**

### **1. Effective Date and Duration.**

This restated Agreement when fully executed every party and, when required, approved by Department of Justice shall become effective **January 1, 2018**, regardless of the date of execution by every party. Unless extended or terminated earlier in accordance with its terms, this Agreement shall expire on **June 30, 2019**. Agreement termination or expiration shall not extinguish or prejudice either party's right to enforce this Agreement with respect to any default by the other party that has not been cured.

### **2. Agreement Documents.**

a. This Agreement consists of this document and includes the following listed exhibits which are incorporated into this Agreement:

- (1) Exhibit A, Part 1: Statement of Work
- (2) Exhibit A, Part 2: Payment and Financial Reporting
- (3) Exhibit A, Part 3: Special Terms and Conditions
- (4) Exhibit B: Standard Terms and Conditions
- (5) Exhibit C: Subcontractor Insurance Requirements
- (6) Exhibit D: Federal Terms and Conditions
- (7) Attachment A: ADRC – NWD Quarterly Invoice Sample

This Agreement constitutes the entire agreement between the parties on the subject matter in it; there are no understandings, agreements, or representations, oral or written, regarding this Agreement that are not specified herein.

b. In the event of a conflict between two or more of the documents comprising this Agreement, the language in the document with the highest precedence shall control. The precedence of each of the documents comprising this Agreement is as follows, listed from highest precedence to lowest precedence: this Agreement without Exhibits, Exhibits D, B, A, C and Attachment A.

c. For purposes of this Agreement, "Work" means specific work to be performed or services to be delivered by County as set forth in Exhibit A.

### **3. Consideration.**

a. The maximum not-to-exceed compensation payable to County under this Agreement, for the period of July 1, 2017 through December 31, 2017; which includes any allowable expenses, is \$310,245.00.

- b. The maximum not-to-exceed amount payable to County under this Agreement, for the period of January 1, 2018 through June 30, 2019, which includes any allowable expenses, is \$285,387.00, of which \$142,693.50 is Federal Funds (FF) and \$142,693.50 is General Funds (GF). DHS will not pay County any amount in excess of the not-to-exceed amount for completing the Work, and will not pay for Work until this Agreement has been signed by all parties.
- c. DHS will pay only for completed Work under this Agreement, and may make interim payments as provided for in Exhibit A.

**4. Vendor or Subrecipient Determination.**

In accordance with the State Controller's Oregon Accounting Manual, policy 30.40.00.102, DHS' determination is that:

County is a subrecipient     County is a vendor     Not applicable

Catalog of Federal Domestic Assistance (CFDA) #(s) of federal funds to be paid through this Agreement: 93.778

**5. County Data and Certification.**

- a. **County Information.** This information is requested pursuant to ORS 305.385 and OAR 125-246-0330(1).

**PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION:**

County Name (exactly as filed with the IRS): Clackamas, County of

Street address: 2051 Kaen Rd

City, state, zip code: Oregon City, OR 97045

Email address: stefanierai@co.clackamas.or.us

Telephone: (503) 655-8330 Facsimile: (503) 655-8889

**Proof of Insurance:** County shall provide the following information upon submission of the signed Agreement, All insurance listed herein and required by Exhibit C, must be in effect prior to Agreement execution.

Workers' Compensation Insurance Company: self-insured

Policy #: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

- b. **Certification.** Without limiting the generality of the foregoing, by signature on this Agreement, the County hereby certifies under penalty of perjury that:



- (1) The County is in compliance with all insurance requirements in Exhibit C of this Agreement and notwithstanding any provision to the contrary, County shall deliver to the DHS Agreement Administrator (see page 1 of this Agreement) the required Certificate(s) of Insurance within 30 days of execution of this Agreement. By certifying compliance with all insurance as required by this Agreement, County acknowledges it may be found in breach of the Agreement for failure to obtain required insurance. County may also be in breach of the Agreement for failure to provide Certificate(s) of Insurance as required and to maintain required coverage for the duration of the Agreement;
- (2) The County acknowledges that the Oregon False Claims Act, ORS 180.750 to 180.785, applies to any “claim” (as defined by ORS 180.750) that is made by (or caused by) the County and that pertains to this Agreement or to the project for which the Agreement work is being performed. The County certifies that no claim described in the previous sentence is or will be a “false claim” (as defined by ORS 180.750) or an act prohibited by ORS 180.755. County further acknowledges that in addition to the remedies under this Agreement, if it makes (or causes to be made) a false claim or performs (or causes to be performed) an act prohibited under the Oregon False Claims Act, the Oregon Attorney General may enforce the liabilities and penalties provided by the Oregon False Claims Act against the County.
- (3) The information shown in Section 5a. “County Information”, is County’s true, accurate and correct information;
- (4) To the best of the undersigned’s knowledge, County has not discriminated against and will not discriminate against minority, women or emerging small business enterprises certified under ORS 200.055 in obtaining any required subcontracts;
- (5) County and County’s employees and agents are not included on the list titled “Specially Designated Nationals” maintained by the Office of Foreign Assets Control of the United States Department of the Treasury and currently found at: <https://www.treasury.gov/resource-center/sanctions/SDN-List/Pages/default.aspx>;
- (6) County is not listed on the non-procurement portion of the General Service Administration’s “List of Parties Excluded from Federal procurement or Non-procurement Programs” found at: <https://www.sam.gov/portal/public/SAM/>;
- (7) County is not subject to backup withholding because:
  - (a) County is exempt from backup withholding;

- (b) County has not been notified by the IRS that County is subject to backup withholding as a result of a failure to report all interest or dividends; or
  - (c) The IRS has notified County that County is no longer subject to backup withholding; and
- (8) County Federal Employer Identification Number (FEIN) provided is true and accurate. If this information changes, County is required to provide DHS with the new FEIN within 10 days.

**EACH PARTY, BY EXECUTION OF THIS AGREEMENT, HEREBY ACKNOWLEDGES THAT IT HAS READ THIS AGREEMENT, UNDERSTANDS IT, AND AGREES TO BE BOUND BY ITS TERMS AND CONDITIONS.**

**COUNTY: YOU WILL NOT BE PAID FOR WORK PERFORMED PRIOR TO NECESSARY STATE APPROVALS**

1. **Signatures.** This Agreement and any subsequent amendments may be executed in several counterparts, all of which when taken together shall constitute one agreement binding on all parties, notwithstanding that all parties are not signatories to the same counterpart. Each copy of the Agreement and any amendments so executed shall constitute an original.

**Clackamas County Social Service Division (CCSS)**

**By:**

_____	<b>Richard Swift</b>
Authorized Signature	Printed Name

Director, Health Housing & Human Services Dept.

_____	_____
Title	Date

**State of Oregon, acting by and through its Department of Human Services**

**By:**

_____	_____
Authorized Signature	Printed Name

_____	_____
Title	Date

**Approved for Legal Sufficiency:**

Via email by Jeffrey J. Wahl	February 16, 2018
Department of Justice	Date

**DHS, Seniors & People with Disabilities, State Unit on Aging**

Reviewed and approved for release by Tatia Halleman on February 16, 2018

DRAFT

Approval of Previous Business Meeting Minutes:  
February 15, 2018

# BOARD OF COUNTY COMMISSIONERS BUSINESS MEETING MINUTES

A complete video copy and packet including staff reports of this meeting can be viewed at

<http://www.clackamas.us/bcc/business.html>

**Thursday, February 15, 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 asked for a moment of silence for the victims and families of the school shooting in Florida.

Chair Bernard announced the Board will recess as the Board of County Commissioners and convened as the Housing Authority of Clackamas County for the next item.

## **I. HOUSING AUTHORITY PUBLIC HEARING**

1. TEFRA Hearing on the Issuance of Private Activity Bonds for the Development of the Rosewood Terrace Apartment Project

Chuck Robbins, Housing Authority presented the staff report.

Chair Bernard opened the Public Hearing and asked if anyone wanted to speak on this item. Seeing none he closed the Public Hearing and announced there is no Board Action during this public hearing. Board Action for this issue will occur under the Housing Authority Consent Agenda item II.3 and Board Consent Agenda item Health, Housing & Human Services item A.1

## **II. HOUSING AUTHORITY CONSENT AGENDA**

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

~Board Discussion~ <http://www.clackamas.us/bcc/business.html>

### **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: No.

Chair Bernard: Aye – the Ayes have it, the motion passes 5-1.

1. **\*REMOVED** - In the Matter of Approval to Apply for a Homeless System Diversion, Prevention and Rapid Re-Housing Grant
2. In the Matter of Approval to Execute the General Depository Agreement, HUD Form 51999

3. Resolution No. 1925 - Approval of Amendment to Resolution No. 1923 for Additional Private Activity Bonds for the Rosewood Terrace Apartment Project
4. Resolution No 1926 - Approval of Amendment to Resolution No. 1924 to update the Name of the Limited Partnership to Pedcor Investments – 2016-CLV

Chair Bernard announced the Board will adjourn as the Housing Authority of Clackamas County and reconvene as the Board of County Commissioners for the remainder of the meeting.

### **III. CITIZEN COMMUNICATION**

<http://www.clackamas.us/bcc/business.html>

1. Yvonne Lazarus, Milwaukie – Called on the Commissioners to ask Chair Bernard to resign.
2. Timm Lussier, Estacada – Called on Chair Bernard to resign and asked Commissioners to sign Resolution 2017-93.
3. Les Poole, Gladstone – Spoke regarding behavior and leadership, asked Chair Bernard to resign – and thanked Chris Storey for his service at County Counsel.
4. Diane Gruber, West Linn – spoke regarding Clackamas County's Core Values of SPIRIT in reference to Chair Bernard's Facebook comments.

~Board Discussion~

NOTE: This item has been postponed until March 22, 2018.

### **IV. PUBLIC HEARING**

1. ~~Board Order No. \_\_\_\_\_~~ for a Boundary Change Petition to Transfer Property from Centennial School District to North Clackamas School District
- Chris Storey, County Counsel explained that this item will be continued until March 22, 2018. If anyone is here today to speak on this item, we will hear you and your testimony will be included in the record and you will not have to appear again on March 22<sup>nd</sup>. There will be no Board action on this item today.

Chair Bernard stated there are two people here to speak in this item, so he opened the public hearing.

1. Sharlene Giard, Gresham – Centennial School District Board Chair. Shared concerns about builders action and its impact on Centennial School District students and said they are opposed to the transfer of property.
2. Pam Shields, Gresham – Centennial School District Vice-Chair. Worried about the effects on children of transferring the property. Opposed to the transfer of school district property.

Chair Bernard closed the public hearing and announced this public hearing will be continued until March 22, 2018.

### **V. PUBLIC DISCUSSION ITEM**

#### **Business & Community Services**

1. ~~Resolution No. \_\_\_\_\_~~ Approving an Amendment to the City of Wilsonville's Year 2000 Urban Renewal Plan

Laura Zentner, Business & Community Services presented the staff report. She introduced Nancy Kraushaar, Community Development Director for the City of Wilsonville and Nick Popenuk, a consultant.

~Board Discussion~ <http://www.clackamas.us/bcc/business.html>

Chair Bernard opened the Public Discussion and asked if anyone would like to speak on this matter; seeing none he closed the Public Discussion and asked for a motion.

**MOTION:**

Commissioner Humberston: I move we table this item for a future date to be determined.

Commissioner Fischer: Second.

~Board Discussion~

all those in favor/opposed:

Commissioner Fischer: Aye.

Commissioner Humberston: Aye.

Commissioner Schrader: Aye.

Commissioner Savas: Aye.

Chair Bernard: Aye – the Ayes have it, the motion passes 5-0.

**VI. CONSENT AGENDA**

Chair Bernard asked the Clerk to read the consent agenda by title. Before the motion was made there was a request to remove consent item A.1 for a separate motion.

Chair Bernard asked for a motion for the Consent agenda with the exception of item A.1.

**MOTION:**

Commissioner Savas: So moved.

Commissioner Humberston: Second.

~Board Discussion~ Commissioner Humberston had a question on item B.1 and

Commissioner Fischer had a question on item E.1.

all those in favor/opposed:

Commissioner Fischer: Aye.

Commissioner Humberston: Aye.

Commissioner Savas: Aye.

Commissioner Schrader: Aye.

Chair Humberston: Aye – the Ayes have it, the motion passes 4-0.

**A. Health, Housing & Human Services**

1. **Resolution No. 2018-13** Approval of a TEFRA Resolution Declaring Clackamas County's Approval for the Housing Authority of Clackamas County (HACC) to Issue \$34 Million in Revenue Bonds for the Development of the Rosewood Terrace Apartments – Housing Authority

**MOTION:**

Chair Bernard asked for a motion to approve the TEFRA Resolution Declaring Clackamas County's Approval for the Housing Authority of Clackamas County to Issue \$34 Million in Revenue Bonds for the Development of the Rosewood Terrace Apartments

Commissioner Humberston: So moved.

Commissioner Schrader: Second.

all those in favor/opposed:

Commissioner Fischer: Aye.

Commissioner Humberston: Aye.

Commissioner Savas: No.

Commissioner Schrader: Aye.

Chair Bernard: Aye – the Ayes have it, the motion passes 4-1.

**B. Department of Transportation & Development**

1. **Resolution No. 2018-14** Declaring the Public Necessity and Purpose for Acquisition of Rights-of-Way and Easements for the Foster Creek (at Bakers Ferry Road) Bridge Scour Protection Project and Authorizing Negotiations and Eminent Domain Actions

2. Approval of a Federal Lands Access Program Match Agreement with Western Federal Lands Highway Division for the East Salmon River Road Surface Preservation Project
3. Approval of a Federal Lands Access Program Match Agreement with Western Federal Lands Highway Division for the Lolo Pass Road Stabilization and Surface Preservation Project
4. Approval of a Transfer of an Interest in the Clackamas Industrial Area Opportunities (CIAO) Site to the Clackamas County Development Agency

**C. Elected Officials**

1. Approval of Previous Business Meeting Minutes – BCC

**D. County Counsel**

1. Approval of Amendment No. 1 to the Settlement Agreement between the City of Gladstone and Clackamas County

**E. Business & Community Services**

1. Approval of a Purchase and Sale Agreement with Port Blakely US Forestry for the Exchange of Real Property

**VII. DEVELOPMENT AGENCY**

1. Acceptance of a Transfer of an Interest in the Clackamas Industrial Area Opportunities (CIAO) Site from Clackamas County

**VIII. COUNTY ADMINISTRATOR UPDATE**

<http://www.clackamas.us/bcc/business.html>

**IX. COMMISSIONERS COMMUNICATION**

<http://www.clackamas.us/bcc/business.html>

**Meeting Adjourned at 11:44 AM**

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March 8, 2018

Board of County Commissioners  
Clackamas County

Members of the Board:

Approval to Apply for Grant with State of Oregon  
to Study Potential Formation of Land Bank Authority in Clackamas County

<b>Purpose/Outcome</b>	Apply for Grant funds to hire a consultant to develop a business plan for a potential Clackamas County Land Bank Authority (CCLBA)
<b>Dollar Amount and Fiscal Impact</b>	\$25,000 (grant award)
<b>Funding Source</b>	\$25,000 State of Oregon Business Development Department \$25,000 Match of BCS Economic Development Staff Time
<b>Duration</b>	April 1, 2018 to October 1, 2018
<b>Previous Board Action</b>	Policy Session 2/20/2018 requesting approval of the Clackamas County Land Bank Authority Business Plan Proposal which included applying for the grant
<b>Strategic Plan Alignment</b>	<ul style="list-style-type: none"><li>• Grow a vibrant economy</li><li>• Build a strong infrastructure</li><li>• Ensure safe, healthy and secure communities</li></ul>
<b>Contact Person</b>	Catherine Grubowski-Johnson, BCS Business & Economic Development Manager Laura Zentner, BCS Interim Director

**Background:**

BCS Business and Economic Development (B&ED) is seeking authorization to apply for a grant from Business Oregon Brownfield Redevelopment Fund for \$25,000 to hire a consultant to develop a business plan for a potential Clackamas County Land Bank Authority.

The State legislature passed HB 2724-(The Land Bank Authority Bill) in 2015 allowing for the formation of land banks. The proposed CCLBA Business Plan will be developed by the B&ED Division within Business and Community Services of the County. The CCLBA's primary role will be to acquire, remediate and position Brownfield properties for future development. B&ED would report back in September 2018 with a completed Business Plan that would identify sources of funding and proposed staffing along with potential projects for the CCLBA. At that time, the Board could decide whether to authorize staff to initiate the process to form the Clackamas County Land Bank Authority.

If the Board authorizes BCS Business and Economic Development to apply for the grant, the grant is awarded and the resulting business plan appears viable, staff would revisit this issue with the Board in September with a recommendation to form the Clackamas County Land Bank Authority. The following are some key features regarding formation of a land bank authority.

1. Land bank authorities are created by resolution/ordinance of the local government.
2. Once established, the Land bank authority is managed and controlled by a board of directors, the composition of which is made up of individuals from the local government and local community.
3. A land bank authority may also establish an advisory committee to provide guidance on the interest of the community in the actions of the board and the authority.
4. The land bank authority is a "municipal corporation" under Oregon law and is a legal entity separate and apart from the local government that created the land bank.
5. Land bank authorities are subject to all public records requirements.
6. Land bank authorities must give public notice of proposed dispositions of land.
7. Land bank authorities must prepare an annual report to the governor.

**Recommendation:**

Staff recommends the Board of County Commissioners of Clackamas County approve the application for a grant with Business Oregon Brownfield Redevelopment Fund State of Oregon.

Attachments:

- State of Oregon Business Development Department Grant Application

Respectfully Submitted,

Laura Zentner, Interim Director  
Business and Community Services



**APPLICATION - General**

**Oregon Business Development Department**  
**Attn: Karen Homolac**  
**775 Summer St. NE, Suite 200**  
**Salem, Oregon 97301-1280**  
**Mobile: (971) 239-9951**  
[karen.homolac@oregon.gov](mailto:karen.homolac@oregon.gov)

**Applicant:** Clackamas County

**Project Name:** Clackamas County Land Bank Authority Business Plan

Applicant Information		
<b>Applicant's Organization Type:</b>		
<input type="checkbox"/> City	<input type="checkbox"/> Special District, organized under ORS _____	<input type="checkbox"/> For-Profit, organized as a _____
<input checked="" type="checkbox"/> County	<input type="checkbox"/> Port District, organized under ORS _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Tribe	<input type="checkbox"/> Non-profit, organized as a _____	

<b>Contact Name:</b> Jon Legarza  <b>Title:</b> Business & Economic Dev. Coordinator	<b>Phone:</b> 503.742.4366
	<b>Fax:</b> 503.742.4349
	<b>Email:</b> jlegarza@clackamas.us
<b>Street Address:</b> 150 Beaver creek Road Oregon City, OR 97045	<b>Mailing Address:</b> 150 Beaver creek Road Oregon City, OR 97045

<b>Applicant's Federal Tax ID No:</b>	93-6002286
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Project Budget			
Budget Line Item	OBDD Funding	Other Funds	Total
Brownfield Land Bank Authority Bus. Plan	\$25,000.00		\$25,000.00

Project Budget			
<b>Totals</b>			\$25,000.00

Source of Other Funds	Amount	Status Committed, Application Submitted, Application Invited, or Potential Source
Clackamas County Business Economic Dev. Staff	\$25,000.00	Application Submitted
<b>Total</b>	\$25,000.00	

Problem/ Opportunity
Clackamas County has an opportunity to create a startup Land Bank Authority that will be focused on Brownfield remediation for Employment Land opportunities. The request for funding is to create a business plan that will provide a clear vision and understanding of the following: agency start-up costs, identification of project(s), project remediation costs, sources and uses for projects, timing of proposed project. The business plan will look geographically at areas within the region to meet the community needs for Employment opportunities.

Response to Problem/ Opportunity
The planning and implementation of a 5-year business plan that clearly outlays the necessary start-up costs and seed funding is vital to the success of the Land Bank Authority. The ability to communicate the vision of the Land Bank Authority to other agencies and partners is extremely important to move the Brownfield projects through the process. The business plan will outlay a logical progression of sites with a startup pilot project and identifying potential future sites for the Land Bank over the first five years. The business plan provides a tracking mechanism to ensure projects are identified, acquired and funded to meet the overall Land Bank vision. The business plan provides a long range plan to help staff communicate to Directors to understand the necessary funding requirements for the future identified Brownfield sites.

Detailed project description
The business plan will identify a pilot project for the startup Brownfield Land Bank Authority. The LBA will identify an acquisition model to be followed. A funding strategy for these projects and future projects. The Business plan will identify the seed funding need to start up the LBA along with continued funding for the LBA to sustain over the five years. Further, the LBA will identify future projects, timing and capacity to fund these projects moving forward for the first five years.

**If interim financing is needed – indicate the source(s)**

N/A

**Project Work Plan**

<b>Activity</b>	<b>Estimated Start Date</b>	<b>Estimated Completion Date</b>
Brownfield Land Bank Authority	4/1/2018	10/1/2018
Estimated First Draw Date (dd/mm/yy):10/1/2018		

**General Certification:**

I certify that to the best of my knowledge all information contained in this document and any attached supplements, is valid and accurate. I further certify that, to the best of my knowledge:

- 1) The application has been approved by the governing body or is otherwise being submitted using the governing body's lawful process, and
- 2) If signed by an official, other than the highest elected official, documentation is attached that verifies the official's authority to sign on behalf of the applicant. Such documentation can include a resolution, ordinance, order, governing body meeting minutes, or charter.

\_\_\_\_\_  
**Signature**

**(must be highest elected or authorized official)**

\_\_\_\_\_  
**Printed Name & Title**

\_\_\_\_\_  
**Date**

**This information may be found at: <http://www.leg.state.or.us/index.html>**

State Senator Name:

District Number:

State Representative Name:

District Number:

**FOR OBDD USE ONLY**

Intake approval date: \_\_\_\_\_

**Project Type**

- Environment Site Assessment ( i.e. Phase One, Phase Two)
- Brownfields Related Planning Activities (i.e. PPA)
- Integrated Planning Project
- RI/FS
- Cleanup

## Instructions for Application Form:

- **Applicant:** Entity that will be the applicant for Division assistance and will manage the project.
- **Project Name:** Name of the applicant and project (e.g., Somewhere Brownfields Cleanup Project).
- **Applicant's Organization Type:** Check the applicable applicant organizational type, and if a special district or port, identify the applicable ORS organizing authority, or identify other type.
- **Information for Contact Person:** Information for the person we should contact if we have questions about the project.
- **Detailed Project Budget:** List individual project budget line items with requested budgeted amounts by OBDD funding sources and other sources. Change the respective budget column labels to identify the specific requested OBDD funding sources.
- **Source of Other Funds:** List all sources, amounts and status of funds other than those requested from OBDD.
- **Problem/Opportunity:** Briefly describe the problem or opportunity facing the applicant.
- **Response to Problem/Opportunity:** Briefly describe the major alternatives considered by the applicant to address the problem or opportunity facing the applicant.
- **Detailed Project Description:** Clearly describe the proposed project work to be accomplished.
- **Interim Financing (if any):** Identify any interim financing needed by the applicant and list any committed or potential sources of interim financing.
- **Project Work Plan:** List project activity milestones with estimated start and completion dates. Identify estimated date of first cash draw.
- **Signature:** Must be highest elected official or authorized official. (Such documentation may include a resolution, ordinance, order, governing body meeting minutes, or charter).