

AGENDA REVISED

Added Consent Item E.1

Thursday, April 14, 2016 - 10:00 AM BOARD OF COUNTY COMMISSIONERS

Beginning Board Order No. 2016-34

CALL TO ORDER

- Roll Call
- Pledge of Allegiance

I. 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.)*

II. PUBLIC HEARINGS *(The following items will be individually presented by County staff or other appropriate individuals. Persons appearing shall clearly identify themselves and the department or organization they represent. In addition, a synopsis of each item, together with a brief statement of the action being requested shall be made by those appearing on behalf of an agenda item.)*

1. Second Reading and Adoption of Ordinance No. 02-2016 Ratifying an Intergovernmental Agreement Creating the Oregon Association of County Engineers and Surveyors AND Approval of the New Intergovernmental Agreement Creating the Oregon Association of County Engineers and Surveyors (Nate Boderman, County Counsel) *first reading was 3-24-16*
2. Public Hearing on the Proposed Housing and Community Development 2016 Action Plan (Chuck Robbins, Community Development)

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 a Contract with Clackamas Children's Commission, Inc. for Healthy Families Screening and Home Visiting Services for High Risk Families – *Children, Youth & Families*
2. Approval of HOME Loan Agreement with Fenton Rondel Court LP for the Rondel Court Apartments Project – *Housing & Community Development*

B. Department of Transportation & Development

1. Approval of Amendment No. 1 to the Intergovernmental Agreement with Metro for the Clackamas Regional Center Area Performance Measures and Multi Modal Area Project

C. Elected Officials

1. Approval of Previous Business Meeting Minutes – BCC

D. Community Corrections

1. Approval of an Intergovernmental Agreement between Clackamas County Community Corrections and Clackamas Community College to Provide GED Instructional Services
2. Acceptance of Grant Award from Care Oregon to Help Fund the Creation of a Community Garden to Supply Healthy Food Baskets for Clients of the Transition Center

***E. Finance Department**

1. Resolution No. _____ Approving the Submission the Assessor's CAFFA Grant Application for Fiscal Year 2016-2017

IV. WATER ENVIRONMENT SERVICES

(Service District No. 1, Tri-City Service District & Surface Water Management Agency of Clackamas County)

1. Approval of the Intergovernmental Agreement between Clackamas County Service District No. 1 and the City of West Linn for Environmental Lab Services

V. COUNTY ADMINISTRATOR UPDATE

VI. 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



M. BARBARA CARTMILL
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

April 14, 2016

Board of County Commissioners
Clackamas County

Members of the Board:

Second Reading and Adoption of Ordinance No. 02-2016 Ratifying an Intergovernmental Agreement Creating the Oregon Association of County Engineers and Surveyors
AND Approval of the New Intergovernmental Agreement Creating the
Oregon Association of County Engineers and Surveyors

Purpose/Outcomes	Ordinance to ratify an IGA between Oregon counties to create a formal governmental entity known as the Oregon Association of County Engineers and Surveyors and approval of a new IGA.
Dollar Amount and Fiscal Impact	N/A
Funding Source	N/A
Duration	The duration of the IGA is perpetual, subject to termination conditions.
Previous Board Action	March 31, 2016- First Reading
Strategic Plan Alignment	1. Build Public Trust Through Good Government. 2. Build a Strong Infrastructure.
Contact Person	Mike Bezner, 503-742-4651

BACKGROUND:

Clackamas County currently belongs to an organization known as the Oregon Association of County Engineers and Surveyors (OACES), which is an informal affiliate of the Association of Oregon Counties (AOC). The purpose of the OACES is to promote public works activities, including the construction and maintenance of roads and appurtenances to recognized engineering standards in the counties; to promote the professional application of land surveying; to promote the ethical practices of the professions; and, by the exchange of ideas, give all counties in Oregon the advantages of these professions in all phases of county services.

While AOC currently manages the assets of OACES, the membership decided recently that it would be appropriate to set up a formal entity to manage assets and to assist with carrying out the purpose and mission of the organization.

ORS 190 allows units of local government to create an intergovernmental entity by way of intergovernmental agreement. Formation of this intergovernmental entity will formalize the status of OACES as a legal entity and enable the organization to better fulfill its purpose and mission.

The intergovernmental agreement that will be used to form the entity is attached. ORS 190.085(1) requires that each party to the intergovernmental agreement shall enact an ordinance ratifying the creation of the intergovernmental entity prior to the effective date of the intergovernmental agreement.

RECOMMENDATION:

Staff recommends the Board of County Commissioners read the proposed ordinance by title only and proceed to adoption.

Respectfully submitted,

Mike Bezner, Assistant Director
Department of Transportation and Development

Attachments:
Proposed Ordinance (#02-2016)
Intergovernmental Agreement



Intergovernmental Agreement
creating the
Oregon Association of County Engineers and Surveyors

Section 1. Creation, purpose, voting membership, and governing body

(1) Upon execution of this agreement by at least 10 counties, there is hereby created an intergovernmental entity entitled the Oregon Association of County Engineers and Surveyors (hereafter “OACES”).

(2) The purpose of OACES is to promote public works activities, including the construction and maintenance of roads and appurtenances to recognized engineering standards in the counties; to promote the professional application of land surveying; to promote the ethical practices of the professions; and, by the exchange of ideas, give all counties in Oregon the advantages of these professions in all phases of county services.

(3) There are two divisions of OACES, the Public Works Division and the Surveyors Division. There shall be two voting members of OACES for each county that is a party to this agreement, one from each division. The voting member of the Public Works Division shall be the County Public Works Director, Engineer, Roadmaster, or designee. The voting member of the Surveyors Division shall be the County Surveyor or designee.

(4) The governing body of OACES shall consist of a Board of Directors of officers from among the membership, elected to those positions annually by the membership.

Section 2. Expenses, fees, accounting, personnel, term, and termination of party

(1) OACES shall be funded by annual dues paid by its members, and other financial resources obtained by OACES.

(2) The apportionment of dues shall be determined by the OACES membership, and all OACES revenue shall be accounted for by accounting and support services provided to OACES by intergovernmental agreement with the Association of Oregon Counties (AOC).

(3) OACES shall not have personnel.

(4) OACES shall not hold title to real property, but may acquire, own, and transfer personal property as necessary to carry out the purposes of OACES.

(5) The duration of this agreement is perpetual.

(6) Any party to this agreement may terminate their participation in this agreement upon 30 days’ notice to OACES and AOC. Any liabilities accrued prior to termination are shared equally with all parties.

Section 3. Bonds, installment purchases, bylaws, and taxes

(1) OACES shall not issue revenue bonds or enter into financing agreements.

(2) OACES shall not enter into agreements with vendors, trustees or escrow agents for the installment purchase or lease of real or personal property.

Crook County Date
County Judge, Crook County Court

Morrow County Date
County Judge, Morrow County Court

Curry County Date
Chair, Board of Commissioners

Multnomah County Date
Chair, Board of Commissioners

Deschutes County Date
Chair, Board of Commissioners

Polk County Date
Chair, Board of Commissioners

Douglas County Date
Chair, Board of Commissioners

Sherman County Date
County Judge, Sherman County Court

Gilliam County Date
County Judge, Gilliam County Court

Tillamook County Date
Chair, Board of Commissioners

Grant County Date
County Judge, Grant County Court

Umatilla County Date
Chair, Board of Commissioners

Harney County Date
County Judge, Harney County Court

Union County Date
Chair, Board of Commissioners

Hood River County Date
Chair, Board of Commissioners

Wallowa County Date
Chair, Board of Commissioners

Jackson River County Date
Chair, Board of Commissioners

Wasco County Date
Chair, Board of Commissioners

Jefferson River County Date
Chair, Board of Commissioners

Washington County Date
Chair, Board of Commissioners

Josephine County Date
Chair, Board of Commissioners

Wheeler County Date
County Judge, Wheeler County Court

Klamath County Date
Chair, Board of Commissioners

Yamhill County Date
Chair, Board of Commissioners

ORDINANCE NO. 02-2016

Ordinance Ratifying Intergovernmental Agreement Creating the Oregon Association of County Engineers and Surveyors

WHEREAS the Oregon Association of County Engineers and Surveyors (OACES) has existed as an informal association and affiliate of the Association of Oregon Counties (AOC), a governmental entity created in 1906 by intergovernmental agreement of Oregon's counties; and

WHEREAS the purpose of OACES is to promote public works activities, including the construction and maintenance of roads and appurtenances to recognized engineering standards in the counties; to promote the professional application of land surveying; to promote the ethical practices of the professions; and, by the exchange of ideas, give all counties in Oregon the advantages of these professions in all phases of county services; and

WHEREAS AOC manages the assets of OACES and assists OACES in carrying out and fulfilling their mission; and

WHEREAS OACES has accumulated financial assets such that it is desirable for OACES to have its own legal identity, and yet continue to have AOC manage their assets and assist with carrying out and fulfilling their mission; therefore, in accordance with ORS 190.085,

The Board of Commissioners of Clackamas County ordains as follows:

(1) It is the intent of this governing body to create a governmental entity by intergovernmental agreement known as the Oregon Association of County Engineers and Surveyors (hereafter "OACES").

(2) The effective date of this intergovernmental agreement is July 1, 2016.

(3) The purpose of OACES is to promote public works activities, including the construction and maintenance of roads and appurtenances to recognized engineering standards in the counties; to promote the professional application of land surveying; to promote the ethical practices of the professions; and, by the exchange of ideas, give all counties in Oregon the advantages of these professions in all phases of county services.

(4) The powers, duties and functions of OACES are to facilitate and conduct meetings and conferences related to county public works and surveyor activities, including promoting best practices in county public works, the professional application of land surveying, and the ethical practices of those professions.

(5) A copy of this ordinance shall be sent to OACES and the Association of Oregon Counties (AOC), a governmental entity created in 1906 by intergovernmental agreement of Oregon's counties. An intergovernmental agreement creating OACES is being executed concurrently with this ordinance. Not later than 30 days after the effective date of the intergovernmental agreement creating OACES, AOC shall file with the Secretary of State a copy of this ordinance and the intergovernmental agreement, together with a statement containing the name of OACES, the parties to the agreement, the purpose of the agreement and the effective date of the agreement.

ADOPTED this 14th day of April, 2016.

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary

April 14, 2016

Board of County Commissioners
Clackamas County

Members of the Board:

Public Hearing on the Proposed Housing and Community Development 2016 Action Plan

Purpose/Outcomes	A Public Hearing before the Board of County Commissioners to review the past performance of the County's Housing and Community Development programs, and to review the Proposed 2016 Housing and Community Development Action Plan.
Dollar Amount and Fiscal Impact	Application for \$2,019,843 in Community Development Block Grant (CDBG) funds, \$746,028 in HOME funds, and \$179,957 in Emergency Solutions Grant (ESG) funds during the 2016 program year.
Funding Source	U.S. Department of Housing and Urban Development No County General Funds are involved.
Duration	Effective July 1, 2016 and terminates on June 30, 2017
Previous Board Action	2015 Action Plan and the 2-Year Funding Recommendations were approved by the BCC on April 30, 2015 - agenda item 043015-A1
Strategic Plan Alignment	1. Build a strong infrastructure 2. Ensure safe, healthy and secure communities
Contact Person	Chuck Robbins, Community Development Director - (503) 655-8591
Contract No.	N/A

BACKGROUND:

The Housing and Community Development Division of the Health, Housing and Human Services Department request a public hearing on the Proposed Housing & Community Development 2016 Action Plan. This hearing will satisfy a U.S. Department of Housing and Urban Development (HUD) requirement that the public annually be given an opportunity to review the performance of the County's Housing and Community Development programs.

The Action Plan implements the goals and objectives of the 2012-2016 Consolidated Plan and serves as the application for HUD funding. The Plan also includes a list of the projects selected for funding in the program years 2015 and 2016. The Action Plan is currently out for public comment until Monday, April 25. The hearing will consist of three parts:

- 1) A review of the past performance of the County's Housing and Community Development programs;
- 2) A review of the Proposed 2016 Housing and Community Development Action Plan; and

Healthy Families. Strong Communities.

- 3) An open discussion period during which citizens may testify on the plan or the County's housing and community development needs.

RECOMMENDATION:

Staff recommends that the Board of County Commissioners take the following actions:

- 1) Hold a Public Hearing to review past performance of the County's Housing and Community Development program and to review the Proposed 2016 Action Plan;
- 2) Direct the Community Development Division staff to make any changes necessary as a result of the Board's consideration of testimony to the Proposed Plan, and prepare for Board approval of the Final 2016 Action Plan and other materials necessary for applying for FY 2016 CDBG, HOME, and ESG funds; and
- 3) Place approval of the 2016 Action Plan on the Board of County Commissioners' consent agenda for adoption at the May 5, 2016 meeting.

Respectfully submitted,

Richard Swift, Director
Health, Housing & Human Services

PUBLIC HEARING

The Clackamas County Board of County Commissioners will hold a

PUBLIC HEARING

At the Public Services Building

Hearings Room - 4th Floor, Room 409

2051 Kaen Road, Oregon City, Oregon

Thursday, April 14, 2016 at 10:00 A.M.

This hearing will satisfy a U.S. Department of Housing and Urban Development requirement that the public annually be given an opportunity to review the past performance of the County's Housing and Community Development programs. The hearing is also to review the Proposed 2016 Housing and Community Development Action Plan.

The Proposed 2016 Action Plan consists of projects selected for funding in 2016 and will become the basis for the County's annual applications under the three grant programs.

Submission of grant application materials will enable the County to receive an estimated \$2,000,000 in Community Development Block Grant (CDBG) funds, an estimate \$700,000 in Home Investment Partnership (HOME) funds, and an estimated \$180,000 in Emergency Solutions Grant (ESG) funds during the 2016 fiscal year.

The hearing will consist of three parts:

- 1) A review by the Community Development Director, Chuck Robbins, of the past performance of the County's Housing and Community Development programs;
- 2) A review of the Proposed 2016 Housing and Community Development Action Plan; and
- 3) An open discussion period during which citizens may testify on the plan or the County's housing and community development needs.

The draft 2016 Action Plan has been posted at this website:

<http://www.clackamas.us/communitydevelopment/maps.html>. Copies of the Plan have also been distributed to your local library for review. For additional information, or to submit comments, contact Kevin Ko or Mark Sirois at the Clackamas County Community Development Division, (503) 655-5891, Public Services Building – Suite 245, 2051 Kaen Road, Oregon City, Oregon 97045. Comments will be accepted until 5:00 p.m., Monday, April 25, 2016.

Reasonable accommodation will be provided for any individual with a disability

Pursuant to the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, any individual with a disability who requires reasonable accommodation to attend or participate in this meeting may request assistance by contacting the Section 504 Coordinator. Determinations

on requests for reasonable accommodation will be made on a case-by-case basis. All requests must be made at least 5 days before the meeting date.

Contact: Chuck Robbins, Clackamas County Community Development, 2051 Kaen Road, Suite 245, Oregon City, Oregon 97045. Telephone: (503) 655-8591. E-Mail: chuckrob@co.clackams.or.us.

CLACKAMAS COUNTY

HOUSING AND COMMUNITY DEVELOPMENT

2016 ACTION PLAN

DRAFT - MARCH 29, 2016 - DRAFT



Clackamas County
Housing and Community Development Division
Public Services Building
2051 Kaen Road – Suite 245
Oregon City, Oregon
(503) 655-8591
www.clackamas.us/communitydevelopment/

DRAFT - MARCH 29, 2016 - DRAFT

CLACKAMAS COUNTY BOARD OF COMMISSIONERS

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Commissioner: Jim Bernard

Commissioner: Paul Savas

Commissioner: Martha Schrader

Commissioner: Tootie Smith

County Administrator
Don Krupp

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Kay Mordock, City of Johnson City
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Chris Jordon, City of West Linn
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Scott Lazenby, City of Lake Oswego
Bill Monahan, City of Milwaukie
Mike Barnett, City of Barlow
Sherilyn Lombos, City of Tualatin

DEPARTMENT OF HEALTH, HOUSING AND HUMAN SERVICES

Director of Health, Housing and Human Services
Rich Swift

Housing and Community Development
Chuck Robbins, Director

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Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

Each year Clackamas County submits an Action Plan explaining how the U.S. Department of Housing and Urban Development (HUD) resources will be used to improve communities throughout the County. This is the annual implementation plan of the 5-Year Consolidated Plan addressing the Housing and Community Development needs in Clackamas County. The needs, goals and objectives were identified through collaboration with participating cities, County agencies and other public and private project sponsors. The goals of the Consolidated Plan are primarily targeted to low- and moderate-income residents of Clackamas County and were developed to:

1. Provide decent housing;
2. Establish and maintain a suitable living environment; and
3. Expand economic opportunities.

To accomplish these goals the County has engaged the following long-term housing and community development objectives:

- (1) Revitalization of distressed neighborhoods;
- (2) Expansion and improvement of community services and facilities;
- (3) Expansion and conservation of the housing stock;
- (4) Expansion of employment opportunities for low and moderate income persons; and

(5) Elimination of conditions detrimental to the community's health and welfare.

The current Consolidated Plan covers the 5-year period beginning July 1, 2012 and ending June 30, 2017. This is the fifth (5th) of five annual action plans for this period and covers the 12-month period beginning July 1, 2016. The action plan, developed with the input of citizens and community groups, serves four major functions:

(1) It is the County's application for funds available through the three HUD formula grant programs: the Community Development Block Grant (CDBG), the HOME Investment Partnerships Program (HOME), and the Emergency Solutions Grant (ESG) programs;

(2) It is the annual planning document, built through public input and participation, for CDBG, HOME, ESG, and other related programs;

(3) It lays out expected annual funding resources, the method of fund distribution, and the actions the County will follow in administering HUD programs; and

(4) It provides accountability to citizens for the use of the funds and allows HUD to measure program performance.

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

The 5 year goals described briefly here are listed in detail in AP 20 Annual Goals and Objectives on page XXX of this Action Plan.

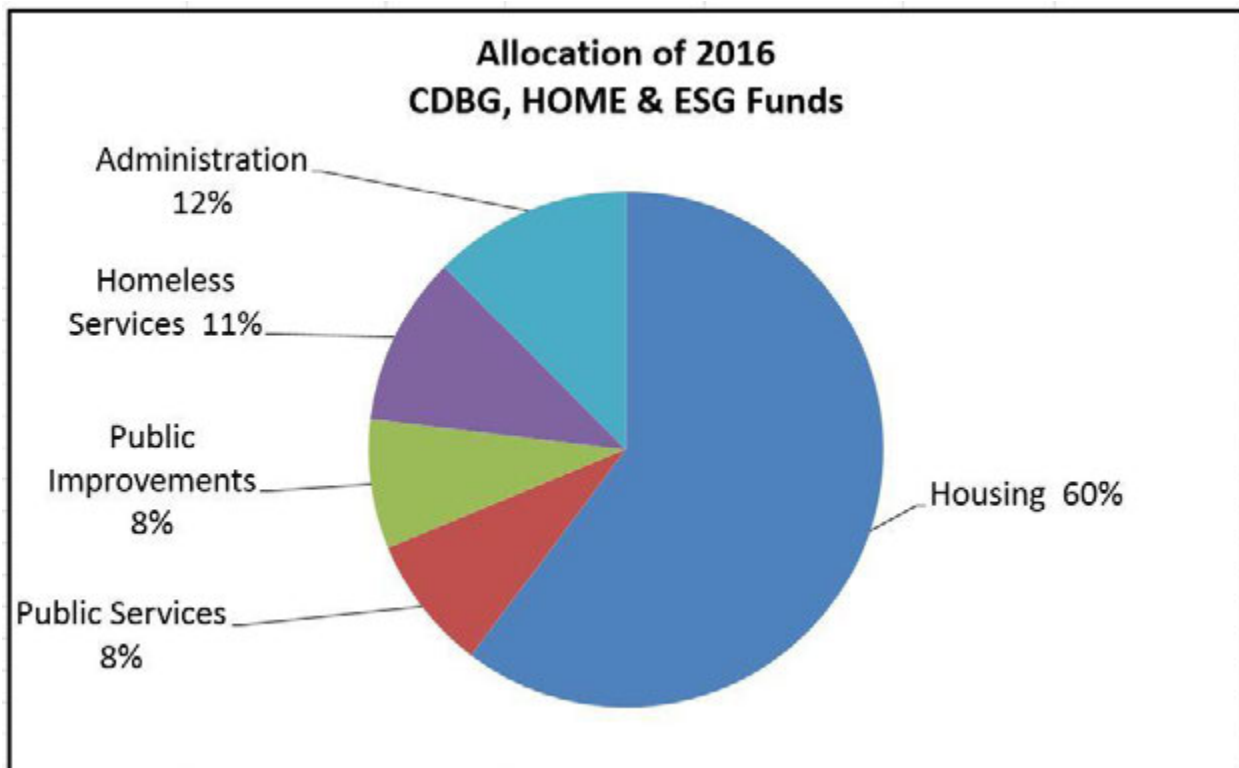
Clackamas County HCD has four (4) housing related goals to assist a total of 10,820 households over 5 years with housing units and information. On these 4 goals HCD has assisted a total of 16,571 households to date during 4 Action Plan Years (2012 to 2015) and plans to assist 2,985 in program year 2016.

HCD has two (2) human services related goals to assist 750 households over 5 years with services. For the human services goal area HCD has assisted 3349 persons in approximately 790 households during 4 Action Plan Years (2012 to 2015) and plans to assist 190 people in 80 households in program year 2016. Lastly HCD has two (2) community development related goals to improve neighborhoods and facilities that have resulted in improved access to facilities for 8,515 households during 4 Action Plan Years (2012 to 2015). In the 2016 program year HCD plans to complete projects and neighborhood facilities to benefit over 1,350 people in over 540 households.

Specific projects for program year 2016 are listed in the 2016 Objectives and Outcomes chart.

Number	Project Name	Objective	Outcome
2016/0005	2016-2017 Homeless Count	Decent Housing	Availability/Accessibility
2016/0008	Annie Ross House Family Shelter	Suitable Living Environment	Availability/Accessibility
2016/0001	Clackamas County Housing Rehabilitation Programs	Decent Housing	Affordability
2016/0006	Employment Connection	Creating Economic Opportunities	Availability/Accessibility
2016/0004	Housing Rights & Resources	Suitable Living Environment	Availability/Accessibility
2016/0014	Installation Subsidy for Fiber Optic Service	Suitable Living Environment	Availability/Accessibility
2016/0017	Jennings Lodge Pedestrian Improvements	Suitable Living Environment	Availability/Accessibility
2016/0007	Mentor Athletics	Suitable Living Environment	Availability/Accessibility
2016/0010	Mobile/Manufactured Home Roof Project	Suitable Living Environment	Availability/Accessibility
2016/0009	NCRA Sewer Hook-Up Grant Program	Suitable Living Environment	Availability/Accessibility
2016/0016	Optional Emergency Assistance	Suitable Living Environment	Availability/Accessibility
2016/0011	Red Lodge Transition House for Women	Suitable Living Environment	Availability/Accessibility
2016/0018	Tiny Houses Community	Decent Housing	Availability/Accessibility
2016/0015	CHDO Operating Support Grant	Decent Housing	Availability/Accessibility
2016/0012	2016 Multifamily Housing Project	Decent Housing	Affordability
2016/0020	TBRA HOME	Decent Housing	Affordability
2016/0019	CWS Shelter Operation & Programs	Suitable Living Environment	Availability/Accessibility
2016/0019	ESG HMIS	N/A	N/A
2016/0019	Los Ninos Cuentan/Casa Hogar	Decent Housing	Availability/Accessibility
2016/0019	NHA - HomeBase	Decent Housing	Availability/Accessibility
2016/0019	NHA Shelter Operation & Programs	Suitable Living Environment	Availability/Accessibility
2016/0019	Springwater Shelter Operation & Programs	Suitable Living Environment	Availability/Accessibility

2016 Objectives and Outcomes



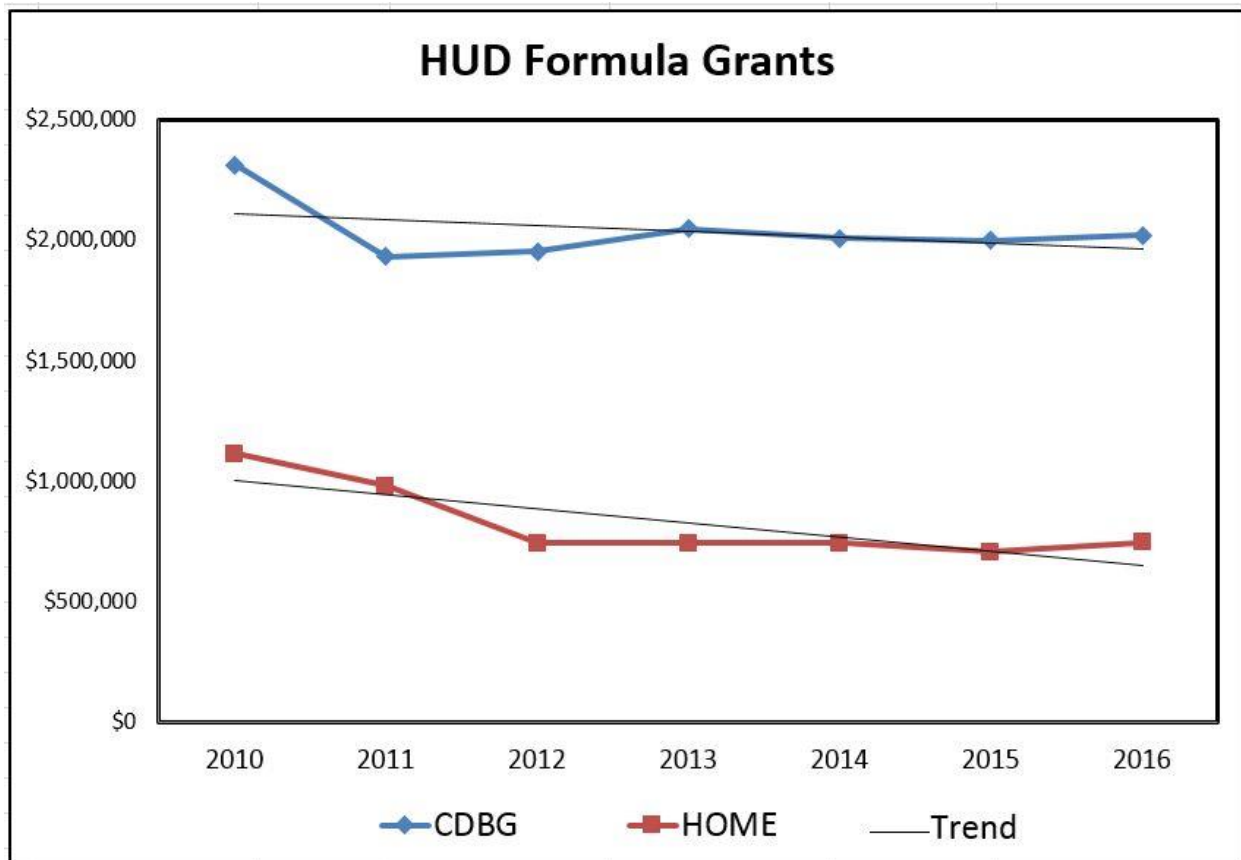
Allocation of Funds

3. Evaluation of past performance

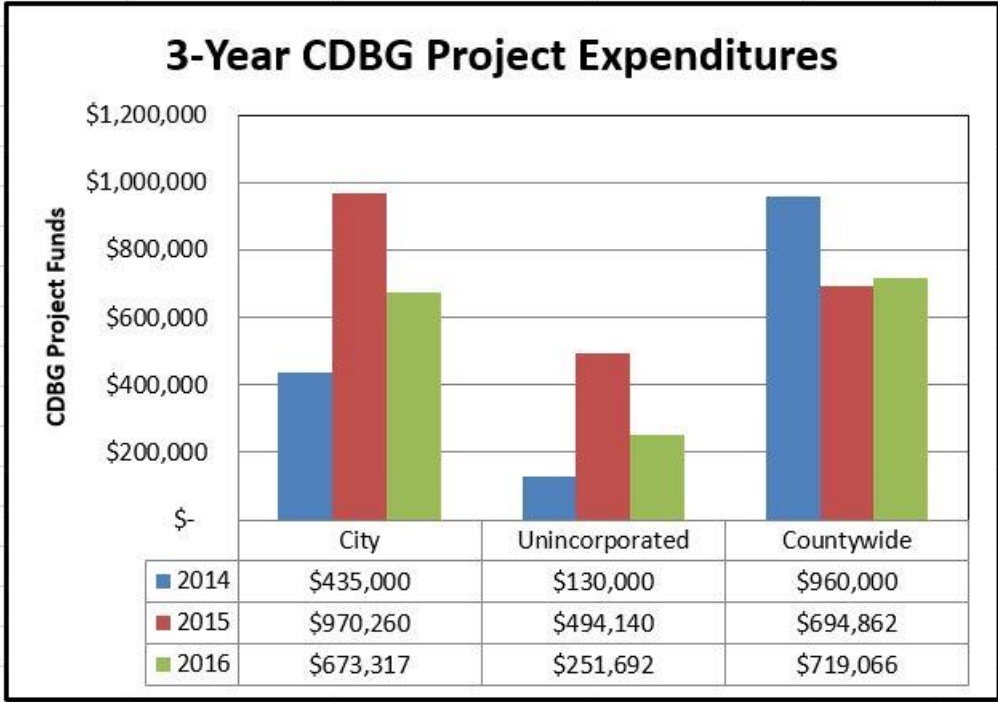
This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

Clackamas County's Housing and Community Development Division has met each of the annual goals established during the 2012-2016 Consolidated Plan development process. Slow moving projects that required additional community planning have been cancelled and sponsors have been encouraged to re-apply in the next funding cycle.

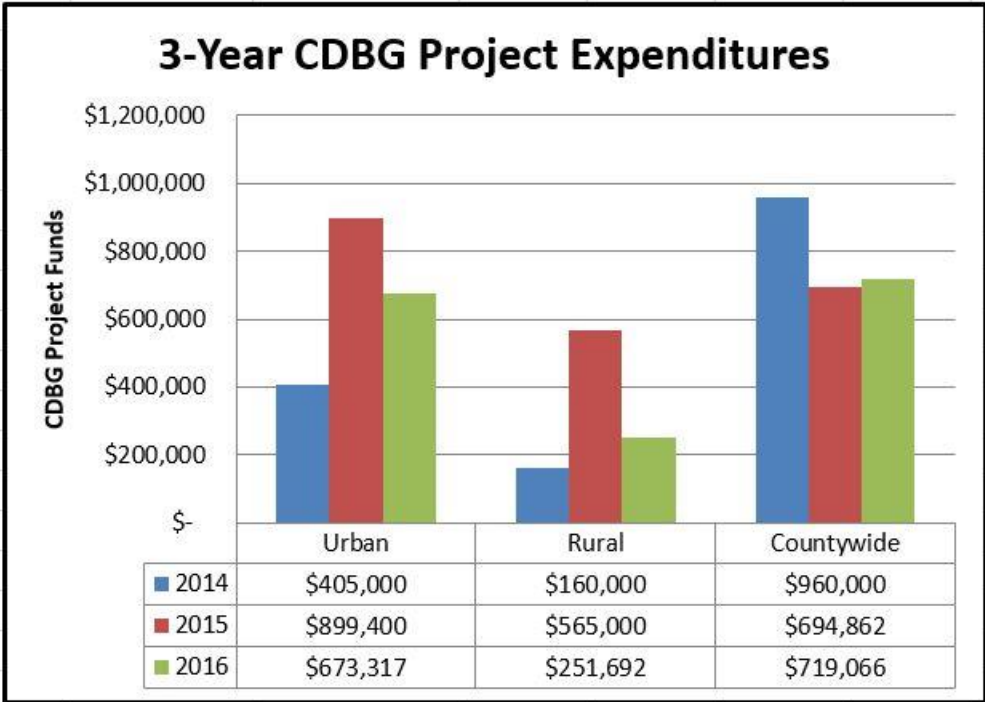
The Chart below demonstrates a trend of declining CDBG and HOME funds for Clackamas County:



HUD Formula Grant trends



City and Unincorporated Areas



Urban and Rural Areas

4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

Summary from citizen participation section of plan.

Citizens, community members and agencies participate through community meetings and inclusion on the Citizen Participation email distribution list. Meeting notices, application information and project information is distributed using this list and through the posting of public notices in the newspapers of record. A meeting notice, a schedule of dates for the Action Planning process and a list of Community Development projects were distributed to persons on the Citizen Participation list. Clackamas County now allocates CDBG funds for first 3 years of a 5-Year Consolidated Plan and a second allocation for 2 years of funding. Public meetings to discuss community needs for the two-year Plan period were held on October 29 and November 13, 2014 before the CDBG project applications were released. HCD staff provided technical assistance to community members while the project applications were available beginning on November 5, 2014. Completed project applications were due by December 18, 2014. HCD staff reviewed each project application and considered the applicants' ability to complete each project. HCD staff met with the CDBG Policy Advisory Board to review funding recommendations on March 11, 2015. The Board of County Commissioners held a public hearing to review and approve the 2015 Action Plan on April 9, 2015. A public meeting notice for the 2016 Action Plan was published in the newspapers of record, Oregon City/Clackamas Review on March 16, 2016 and in the Lake Oswego Review on March 16, 2016. The Board of County Commissioners held the public hearing on April 14, 2016 to receive feedback and testimony on the 2016 Action Plan.

All comments were accepted.

In reviewing the proposals the County used a selection process that emphasizes communication, compromise, and consensus. Working closely with all of the project sponsors Community Development program staff helped to prioritize each project and evaluate actual project costs. With a commitment to local match participation the County ensures a high degree of leveraging and maximizes the impact CDBG funds have on local communities throughout the County. 2016 is the last year of our 5-year Consolidated Plan. If projects are cancelled the funds allocated for those projects are carried forward for the following year to support new projects that will be selected as part of the next program year CDBG application funding cycle.

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

INSERT PUBLIC COMMENTS SUMMARY HERE>>>>>Clackamas County uses public meetings, emails and surveys to interact with stakeholders. HCD maintains a list of interested persons: the Citizen

Participation list to communicate via email with stakeholders about meetings, dates, applications and recommendations for funding.

6. Summary of comments or views not accepted and the reasons for not accepting them

All public comments were accepted during the February 24, 2016 Public meeting and the April 14, 2016 Public Hearing.

Comments were accepted verbally, by email and in written letters. Most of the comments during the February 24th meeting were concerning the need for homebuyer assistance programs and services.

A summary of comments is included in Appendix D of this plan.

7. Summary

The Housing and Community Development Division is identifying appropriate projects and completing those projects in a timely manner. Community Development staff working with 16 cities and towns, community partners and non-profit agencies are identifying projects and completing those projects within project budgets. Projects that do not make progress due to various factors are cancelled and the funds re-allocated based on Priority Needs areas and according to Funding Policies. Only 1 project was identified as a slow moving project from 2012. This health clinic rehabilitation project is now under construction with an anticipated completion date of July 30, 2016.

This past year Clackamas County HCD responded to a local emergency by amending our 2015 Action Plan to redirect Community Development Block Grant (CDBG) funds to provide assistance to tenants forced to leave their homes at Forest Edge Apartments and the Berryhill Park Apartments in Oregon City. Tenants needed to leave to avoid a weather related landslide event. Forms of moving and relocation assistance for low-income households included; moving and storage expenses, rental assistance, security deposit assistance, assistance locating alternative housing, emergency lodging expenses and other related and eligible costs. As a result of this experience, HCD plans to include an Optional Emergency Assistance activity in all future actions plans, which will allow the County to provide more timely and effective optional relocation assistance to victims of similar catastrophes.

PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
Lead Agency	CLACKAMAS COUNTY	
CDBG Administrator	CLACKAMAS COUNTY	Housing and Community Development Division
HOPWA Administrator		
HOME Administrator	CLACKAMAS COUNTY	Housing and Community Development Division
ESG Administrator	CLACKAMAS COUNTY	Housing and Community Development Division
HOPWA-C Administrator	CLACKAMAS COUNTY	Community Development Division

Table 1 – Responsible Agencies

Narrative (optional)

HOPWA funds are granted to nearby City of Portland for distribution through a six-county area that includes Clackamas County.

The Clackamas County Community Development Divisions works with 16 incorporated cities and towns and unincorporated rural areas to represent 386,000 citizens over 1800 square miles. Clackamas County is considered an urban county since most of the population lives in urban incorporated and unincorporated areas east of the Willamette river and just south of the City of Portland, Oregon.

Consolidated Plan Public Contact Information

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The Consolidated Plan is also posted at <http://www.clackamas.us/communitydevelopment/maps.html>

AP-10 Consultation – 91.100, 91.200(b), 91.215(I)

1. Introduction

The Clackamas County Community Development consultation process is an ongoing discussion with members of the community through our Citizen Participation List. When a person or agency has a project idea or program in need of funding, that person or organization generally contacts the Community Development Division to discuss how to apply for CDBG funding and whether or not their project would be eligible for CDBG or other types of funding. Community members are invited to join the Citizen Participation List and to attend annual public meetings to discuss needs in their community. Housing and Community Development staff sometimes attend community meetings or nonprofit board meetings to discuss eligible and ineligible project ideas, the project application process and the schedule of proposals and awards.

Annual public hearings also provide an opportunity for citizens, advocates and organizations to discuss community needs with the elected Board of County Commissioners. The 2012-2016 Consolidated Planning process also included an online community survey which was open to all county residents. This past community needs survey was even advertised in the Citizen News, a county-wide publication sent to all county residents on a quarterly basis. The individual members of the homeless Continuum of Care also participated in consultation and in the online community needs survey to establish our Priority Needs.

Provide a concise summary of the jurisdiction’s activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(I))

Clackamas County Housing and Community Development Division (HCD) coordinates activities between public housing and assisted housing agencies through funding and reporting outcomes to state and federal agencies. The local public housing authority is a part of Clackamas County's Health, Housing and Human Services Department. Nonprofit and for profit housing developers and housing providers are in regular contact with HCD staff about project ideas and potential state and federal grants that could be combined with CDBG and HOME funds for a successful housing project proposal. The HOME program provides vital funding to affordable housing providers that also apply for state tax credit funding as one of few sources of funds available to develop affordable housing units in the rural parts of Clackamas County.

The Clackamas County Health, Housing and Human Services (H3S) Department includes; a public housing authority, a community development division, a public health division, a social services division, a behavioral health division and a primary care division. H3S is often a convener of agencies to apply for funding, build facilities and provide services to vulnerable populations. In some cases the county provides the services, and in other cases non-profit agencies provide the housing or services. CDBG

funds also provide support for the Housing Rights and Resources program, an H3S program in the Social Services Division. This program provides housing referral and information on all available housing services and resources to residents in need of affordable housing and related services.

HCD consults directly with the county primary care health facilities and health services to coordinate services and projects.

HCD consults directly with local governments (16 cities and towns in Clackamas County) regarding public facilities and infrastructure projects. Adjacent governments including City of Portland, Multnomah County and Washington County are contacted regularly regarding public meetings however due to scheduling conflicts staff from these governments rarely attend our public meetings.

Currently HCD has business and civic leaders engaged in the community and housing development needs assessment through their activities on non-profit boards, planning councils and commissions. Some non-profit agencies are considered civic organizations. HCD will continue to reach out to community groups that include civic and business leaders in the community. HCD is currently nurturing business contacts on the Housing Advisory Board that guides the Housing Authority of Clackamas County and county-wide affordable housing policy.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

H3S Housing and Community Development Division (HCD) personnel administer the Continuum of Care (CoC) annual renewal application process and the Homeless Management Information System (HMIS). The same HCD office uses CDBG funds for the Homeless Point in Time (PIT) count of homeless persons. The PIT is conducted with over 150 volunteers coordinated by the Social Services Division. The CoC policies and ESG program policies were developed with both CoC and ESG homeless services providers. The CoC reviewed and adopted the CoC and ESG policies. ESG and CoC policies are included in Appendix B of this Action Plan.

HCD personnel also provide the HMIS training and support for CoC and ESG providers. The monthly CoC activities and quarterly performance reports are coordinated by the same Community Development Division staff that coordinates the ESG funding applications and awards process. The FY 2016 ESG funding recommendations were presented to the CoC Homeless Council (CoC) for discussion and review on March 23, 2016. CoC providers, the local public housing agency and all the agencies in the Continuum of Care are engaged in addressing the needs of homeless persons.

The CoC consults with Community Solutions, a Workforce Investment Act partner and division of H3S, to conduct employment related training for homeless persons.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

The CoC in Clackamas County meets monthly and is coordinated by the Housing and Community Development Division (HCD) personnel that also coordinate the ESG funding applications and awards. The ESG fund allocations are presented annually to members of the CoC for discussion and review. The CoC group has also designated Clackamas County HCD as the CoC HMIS administrator. HCD staff also provide the HMIS training and support for ESG providers. ESG providers are active in developing ESG and CoC performance measures as well as evaluating outcomes of CoC and ESG programs.

The CoC Steering Committee functions as the CoC governing board and provides ongoing guidance to the process of evaluating ESG outcomes and activities. The CoC Steering Committee was consulted on March 19, 2015 regarding the recommended FY 2015 and FY2016 ESG funding levels and activities. The CoC Steering Committee also oversees the policies of the HMIS system and data quality standards as part of the CoC activities. HCD staff also presented and discussed recommended funding for CDBG and ESG projects with CoC members on March 25, 2015. A list of local agencies that are actively involved in the ongoing process of setting priorities, establishing policies and evaluating outcomes is detailed in following the chart.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities

Table 2 – Agencies, groups, organizations who participated

1	Agency/Group/Organization	CASCADIA BEHAVIORAL HEATHCARE, INC.
	Agency/Group/Organization Type	Services-Persons with HIV/AIDS
	What section of the Plan was addressed by Consultation?	Homelessness Strategy HOPWA Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The agency is part of the Continuum of Care
2	Agency/Group/Organization	Housing Authority of Clackamas County
	Agency/Group/Organization Type	PHA Grantee Department
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Strategy Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Public Housing Authority is an active participant in Community Needs Assessments, Continuum of Care, public meetings and homeless strategy planning.
3	Agency/Group/Organization	CLACKAMAS WOMEN'S SERVICES
	Agency/Group/Organization Type	Services-Victims of Domestic Violence Services-homeless
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Families with children Homelessness Strategy

	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This agency is one of very few providers of services for survivors of domestic violence in this urban and rural county. This agency is active in the Continuum of Care planning and the ESG funding and policy discussions.
4	Agency/Group/Organization	NORTHWEST HOUSING ALTERNATIVES
	Agency/Group/Organization Type	Housing Services-homeless
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Families with children Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This agency is a provider of affordable housing units, homeless services and housing development. This agency often participates in housing and homeless needs strategic planning efforts.
5	Agency/Group/Organization	CENTRAL CITY CONCERN
	Agency/Group/Organization Type	Housing Services-homeless
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This agency provides services and housing through the homeless Continuum of Care.

6	Agency/Group/Organization	IMPACT NW
	Agency/Group/Organization Type	Services-homeless
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This Agency is part of our Continuum of Care.
7	Agency/Group/Organization	INN HOME
	Agency/Group/Organization Type	Housing Services-Children Services-homeless Services-Education Child Welfare Agency
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Families with children Homelessness Needs - Unaccompanied youth Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This agency is part of the homeless Continuum of Care that serves homeless youth.
8	Agency/Group/Organization	LEGAL AID SERVICES OF OREGON
	Agency/Group/Organization Type	Service-Fair Housing

	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Non-Homeless Special Needs Market Analysis Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Part of our Housing Rights and Resources and included in all planning efforts
9	Agency/Group/Organization	LIFEWORKS NORTHWEST
	Agency/Group/Organization Type	Services-homeless Services-Employment
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This agency provides outreach and health services to homeless adults. This agency is part of the Continuum of Care.
10	Agency/Group/Organization	OUTSIDE IN
	Agency/Group/Organization Type	Services-Children Services-homeless Services-Health
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy

	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This agency provides outreach and health services to homeless youth. This agency is part of the Continuum of Care.
11	Agency/Group/Organization	Proud Ground
	Agency/Group/Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This agency is the regional community land trust non-profit housing developer and also part of the Continuum of Care network in the region.
12	Agency/Group/Organization	UNITED WAY OF AMERICA
	Agency/Group/Organization Type	Services-Children Services-Victims of Domestic Violence Services-homeless Foundation
	What section of the Plan was addressed by Consultation?	Homeless Needs - Families with children
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This foundation provides funding to non-profit homeless services providers in our County.
13	Agency/Group/Organization	STATE OF OREGON DEPARTMENT OF HUMAN SERVICES
	Agency/Group/Organization Type	Other government - State

What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Anti-poverty Strategy
Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	This State of Oregon TANF agency has a local office in our county. A representative from this office participates in our Continuum of Care activities and planning.

Identify any Agency Types not consulted and provide rationale for not consulting

All agencies that expressed interest in participating were consulted. No agencies were excluded.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	H3S Community Development Division	The goals of the Continuum of Care are included as part of the Homeless Prevention Goals in the Action Plan
10 year Plan to Address Homelessness	H3S Social Services Division	The Goals of the 10 year Plan to Address Homelessness are included in both the Action Plan and the Continuum of Care annual goals and objectives.
Public Housing Annual Plan	Housing Authority of Clackamas County	The PHA improvements are included in the annual Action Plan

Table 3 – Other local / regional / federal planning efforts

Narrative (optional)

As a result of the demand for a Coordinated Housing Access (CHA) for homeless services, CDBG funds were awarded to the Social Services Division to provide staffing to the CHA system until other funds can be identified. The CoC application for funding in FY2016 included re-allocated funds to support the CHA system to provide information to the CoC Steering committee and additional assistance to CoC programs. Action Plan staff meet with the Continuum of Care members to discuss housing and community development needs and resources. CoC members are invited to attend public meetings and public hearings to provide testimony on homeless and homeless housing needs in Clackamas County.

AP-12 Participation – 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting

The Citizen Participation process for this Action plan began in 2011 with a community needs assessment, small group meetings with stakeholders, an online survey, public meetings and public hearings. The result of the community needs assessment was the development of our CDBG & HOME Funding Priority Needs Chart that is part of the Consolidated Plan (Consolidated Plan Appendix 8).

This Notice was posted to our website in 2011/2012:

What does your Community Need?

Clackamas County Community Development Division is preparing a Consolidated Plan to prioritize spending from several federal grants (CDBG, ESG and HOME) over the next 5-years (2012-2016). Citizen input will help in our county-wide needs assessment and will help us set priorities for selecting project activities. As part of that assessment, we would like to hear from you on what you see as the major needs in your community.

Important Dates:

- | | |
|------------------|---|
| October 18, 2011 | Public Hearing to receive public testimony on community needs throughout Clackamas County |
| November 2, 2011 | Applications for funding available/distributed |
| December 8, 2011 | Last day to submit applications for funding for next three years of projects. |

The 2016 Action Plan included a public meeting on February 24, 2016 and a public hearing with the Board of County Commissioners on April 14, 2016. An Advertisement about the April 14th public meeting was posted in the 2 county newspapers of record: The Lake Oswego Review and the Clackamas/Oregon City review. The same notice was distributed to the members on the Citizen Participation list. Also included with the email to members of the Citizen Participation list was a list of projects recommended for funding. The CoC members were also provided with an English and Spanish language public meeting notice for the April 14th Public Hearing.

HCD staff will also be conducting community meetings to discuss Fair Housing Goals during the summer of 2016. HCD staff will use this opportunity to broaden citizen participation in the housing and community development goal setting process for the 2017-2021 Consolidated Planning process.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Public Meeting	Non-targeted/broad community Residents of Public and Assisted Housing Citizen Participation List	A total 15 persons attended both public meetings to voice their support of particular projects.	Persons spoke in support of eviction prevention services, elderly and disabled housing, a range of housing options for persons with mental illness, a rural food bank project, an accessibility project at a low-income community and family services center, a job training program for persons in public housing, domestic violence services and housing supports for unaccompanied teenage parents.	All comments were accepted.	

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (if applicable)
2	Newspaper Ad	Non-targeted/broad community	The public hearing before the Board of County Commissioners was held on April 9, 2015	Four (4) persons spoke in favor of the plan for funding street improvements, a food bank facility and homeless services funding.	All Comments were accepted	

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (if applicable)
3	Internet Outreach	Non-targeted/broad community	A survey was distributed online to any county residents who wanted to participate in the housing and community development needs survey. 492 people responded.	Overall support of affordable housing. Weatherization support by more than half of respondents. Private development of apartments was supported by less than half of respondents. Ranking projects: 1. Maintain existing affordable housing. 2 Services for low-income persons. 3. New affordable housing. 4. Street and sidewalk improvements. 5. New and existing public facilities.	All comments were accepted.	
4	Public Meeting	Residents of Public and Assisted Housing	Met with HACC resident group	Residents expressed the need for more affordable housing options.	All comments were accepted	

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (if applicable)
5	Public Meeting	Homeless Advocates CoC	Met with the Homeless Council (Continuum of Care) advocates at their monthly meeting on March 25, 2015 to present the project and public services funding recommendations and invite members to attend the Board of County Commissioners meeting on April 9th.	Members expressed the need for more funding for affordable housing projects and homeless services.	All comments were accepted.	

Table 4 – Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources – 91.220(c) (1, 2)

Introduction

Clackamas County Housing and Community Development Division works closely with the public housing authority, the County Behavioral Health Program, the Continuum of Care, non-profit agencies and the local County Social Service agencies to secure and administer many sources of

funding for services, programs and rent assistance to benefit low-income residents of Clackamas County.

These expected resources are estimates based on historical funding trends, amounts to be matched and leveraged.

Priority Table

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Reminder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	2,019,843	0	0	2,019,843	0	The next 5 year plan begins in July 2017.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Reminder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	746,028	0	251,000	997,028	0	The next 5 year plan begins in July 2017. \$251,000 of Prior Year carryover funds from the 2015 CHAP and TBRA projects
ESG	public - federal	Conversion and rehab for transitional housing Financial Assistance Overnight shelter Rapid re-housing (rental assistance) Rental Assistance Services Transitional housing	179,957	0	0	179,957	0	The next 5 year plan begins in July 2017.

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how

matching requirements will be satisfied

Resources reasonably expected to be made available to supplement CDBG funds include local matching to be contributed by project sponsors. Matching contributions (cash or in-kind) equivalent in value to a minimum of 20% of the project cost are required by County policies. It is anticipated that funding available to finance community development activities from local matching sources and will total at least \$579,457.

The Continuum of Care application process will renew \$1,707,422 of funding for homeless services, programs and rent assistance for homeless individuals and families. This year CoC was eligible to apply for an additional \$251,421 of funds as a bonus project. The awards for bonus projects have not yet been announced.

The HOME funded Multifamily project, Rondel Court, will secure an additional \$XXX,XXX of Low Income Housing Tax Credits LIHTC. HOME funds will be matched using cash from non-federal sources such as the state Housing Development Grant and other housing state funds, forbearance of property taxes, project grants, local fees and charges. ESG funds will be matched using private donations, local and state homeless prevention funds.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

No publically owned land is available for this purpose.

Discussion

The Housing and Community Development Division will continue to partner with the public housing authority, the County Behavioral Health Program, the County Health Centers, the Continuum of Care, non-profit agencies, for profit housing developers and the local County Social Service agencies to explore new programs, services and financial resources for programs and services that benefit our low-income and special needs residents.

Anticipated Resources amounts are based on anticipated funding levels, anticipated program income, prior year funds carried forward and

expected matching funds on individual community projects.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	HOUSING GOAL I	2012	2016	Affordable Housing	Countywide	Affordable Housing	HOME: \$775,426	Rental units constructed: 50 Household Housing Unit
2	HOUSING GOAL II	2012	2016	Affordable Housing	Countywide	Affordable Housing	CDBG: \$375,000 HOME: \$86,000	Homeowner Housing Added: 10 Household Housing Unit Homeowner Housing Rehabilitated: 60 Household Housing Unit
3	HOUSING GOAL III	2012	2016	Homeless	Countywide	Public Services Needs (People)	CDBG: \$68,317 HOME: \$165,000 ESG: \$166,461	Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit: 10 Households Assisted Public service activities for Low/Moderate Income Housing Benefit: 1000 Households Assisted Tenant-based rental assistance / Rapid Rehousing: 50 Households Assisted
4	HOUSING GOAL IV	2012	2016	Affordable Housing	Countywide	Public Services Needs (People)	CDBG: \$163,200	Public service activities other than Low/Moderate Income Housing Benefit: 2500 Persons Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
5	HUMAN SERVICES GOAL I	2012	2016	Homeless	Countywide	Public Services Needs (People)	CDBG: \$0	Public service activities for Low/Moderate Income Housing Benefit: 0 Households Assisted
6	HUMAN SERVICES GOAL II	2012	2016	Non-Homeless Special Needs	Countywide	Public Services Needs (People)	CDBG: \$130,000	Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit: 190 Households Assisted Homelessness Prevention: 25 Persons Assisted
7	COMMUNITY DEVELOPMENT GOAL I	2012	2016	Non-Housing Community Development	Countywide	Infrastructure Projects Public Facilities	CDBG: \$681,692	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 1050 Persons Assisted
8	COMMUNITY DEVELOPMENT GOAL II	2012	2016	Non-Housing Community Development	Countywide	Infrastructure Projects	CDBG: \$200,000	Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit: 50 Households Assisted

Table 6 – Goals Summary

Goal Descriptions

1	Goal Name	HOUSING GOAL I
	Goal Description	<p>Create new affordable housing for rent-burdened residents. Preserve and improve the quality of the affordable rental housing stock available to low-income families. Focus efforts to meet the housing needs of households with incomes below 50% of the area median. Support the development of housing for special needs populations and families with children while planning to meet the housing needs of a rapidly-growing senior population. Maintain strong partnerships between the County and private/public developers in the development and preservation of affordable rental housing. Assure that new affordable housing has accessibility to services and ease of access to public transit for travel to employment centers and other centers of opportunity. Support the County Department of Health, Housing and Humans Services Housing Initiatives strategies. Support the redevelopment of public housing units to improve the quality of housing. Develop a tenant-based rental assistance program. Housing Goal I Five-Year Performance Measurement: 307 households will have new or improved rental housing.</p>
2	Goal Name	HOUSING GOAL II
	Goal Description	<p>Stabilize existing homeownership and provide opportunities for new homeowners. Stabilize homeownership through housing repair, energy efficiency improvements, rehabilitation and assistance with sewer connections. Support the expansion of opportunities for low- and moderate-income households to become new homeowners, especially first-time homeowners. Support the use of manufactured homes and mobile home parks or subdivisions as a reasonable method of obtaining affordable housing, especially in rural areas. Between 2012 and 2016, 270 households will be assisted to maintain their housing or to become (or remain) homeowners. The 5 year goals is to assist 270 households with CHAP and Housing Rehabilitation program services.</p>

3	Goal Name	HOUSING GOAL III
	Goal Description	Reduce homelessness and meet the housing needs of special needs populations. Support the goals of the Clackamas County Ten-Year Plan and Policies to Address Homelessness and the efforts of the Homeless Council to reduce homelessness in the County. Provide affordable housing and stabilizing services to persons who are at risk of homelessness. Support efforts to develop a flexible funding source to provide appropriate services and rental assistance to persons who are homeless or at risk of homelessness. Focus resources on the more vulnerable populations, including people with mental health problems, veterans, people with disabilities, people coming from institutions, people with addictions and victims of domestic violence. In partnership with private and public housing entities, develop a range of housing choices for vulnerable populations (including persons at risk of homeless, homeless persons and other special needs populations), including a focus on meeting the need of chronic homeless persons for permanent supportive housing. Develop a set of program policies to create a 15% set-aside in all new affordable housing developments specifically to assist the target populations. From 2012 to 2016, 250 homeless or at-risk households receive affordable housing. HomeBase, Homeless Count, ESG program
4	Goal Name	HOUSING GOAL IV
	Goal Description	Promote community awareness of the affordable housing needs of low-and moderate-income households, the needs of homeless persons and the ongoing need to ensure equal access of all households to housing resources. Support projects and programs, such as the Housing Rights and Resources Program, that affirmatively address and promote fair housing rights and further housing opportunities for all County residents in accordance with the Fair Housing Act. Promote public awareness of the issue of fair housing and support the education of tenants, prospective homeowners, landlords, developers, property managers and housing staff on the Fair Housing Act and the Americans with Disabilities Act. Update and support the recommendations in the Analysis of Impediments to Fair Housing. Promote Transit Oriented Development (TOD). Expand Project-based Rental Assistance programs (PBRA). Explore special voucher rent rates for high-rent areas (HACC). From 2012 to 2016, 10,000 households will receive assistance in understanding their rights.
5	Goal Name	HUMAN SERVICES GOAL I
	Goal Description	Stabilize the lives of families and individuals who are in crisis. Focus on the prevention of homelessness and other personal crises through intervention services tied to rental assistance. Rent-Well tenant training and supports for homeless families and families in crisis to repair negative credit and rental records.

6	Goal Name	HUMAN SERVICES GOAL II
	Goal Description	HomeBase and Rental Well programs to increase the self-sufficiency of residents, particularly low-and moderate-income families and individuals as well as other special needs populations who are in need of a range of community supports and services. From 2012 to 2016, 750 persons will receive self-sufficiency services. Support the preservation of basic community services and seek their expansion. Assure that special needs populations, people with mental illness, people with disabilities and the elderly have access to essential services so they can reach their potential for independence. Expand opportunities for employment at living wages for the unemployed and underemployed through vocational and job training, work skills development, counseling, continuing education and literacy, and job placement. Assure that youth are provided the services and support systems they need to mature into employment and community life.
7	Goal Name	COMMUNITY DEVELOPMENT GOAL I
	Goal Description	Revitalize low- and moderate-income neighborhoods. Provide safe and accessible neighborhood streets and walkways/bikeways, especially near schools. Support the revitalization of distressed neighborhoods through infrastructure and facilities improvements. Five-Year Performance Measurement: 690 households will benefit from community improvements.
8	Goal Name	COMMUNITY DEVELOPMENT GOAL II
	Goal Description	Improve community infrastructure and facilities by: Create or improve community facilities that deliver crisis/safety net or self-sufficiency services. Construct public improvements to support the development of affordable housing and/or support business development or retention. Support the removal of barriers to accessibility by persons with disabilities and senior population. Five-Year Performance Measurement: 300 households will benefit from neighborhood improvements.

Table 7 – Goal Descriptions

Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.215(b):

During the 2016 program year HOME funds will be used to assist approximately 150 low-income persons in at least 60 Households. HOME funds will also assist approximately 50 housing with Tenant Based Rent Assistance.

AP-35 Projects – 91.220(d)

Introduction

The projects for program years 2015 and 2016 were all selected through a Request for Proposals process conducted in November, December of 2014 and January and February of 2015.

Expenditure Limits: The calculation to determine the CDBG public services cap may include 15% of the preceding year's program income. As of March 28, 2016, \$189,109 of CDBG program income has been received in IDIS. Added to our 2016 CDBG entitlement amount of \$2,019,843 ($2,019,843 + 189,109 = 2,208,952 \times .15 = \$331,343$) the Public Services cap for PY2016 is \$331,343). The 3 public service projects total \$290,866.

#	Project Name
1	2016 Housing Rehabilitation Program
2	2016 CDBG Administration
3	2016 HOME Administration
4	2016 Housing Rights and Resources Program
5	2017 Homeless Count
6	2016 Employment Connections
7	2016 Mentor Athletics
8	Annie Ross House Family Shelter
9	NCRA Sewer Hook-up Grant program
10	Mobile/Manufactured Home Roof Project
11	Red Lodge Transition House for Women
12	2016 Multifamily Housing project
13	2016 CHAP Homebuyer Assistance Program
14	Installation Subsidy for Fiber Optic Service
15	CHDO Operating Support Grant
16	Optional Emergency Assistance 2016
17	Jennings Lodge Pedestrian Improvements
18	Tiny Houses Community
19	2016 HESG Program
20	Tenant Base rental Assistance TBRA

Table 8 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

Allocation Priorities are based on a Priority List developed through a community needs assessment

process completed in 2012 as part of the consolidated planning process. The Priority list is in the Funding Policies as Appendix 5 and in the Consolidated Plan as Appendix 8.

Projects

AP-38 Projects Summary

Project Summary Information

Table 9 – Project Summary

1	Project Name	2016 Housing Rehabilitation Program
	Target Area	Countywide
	Goals Supported	HOUSING GOAL II
	Needs Addressed	Affordable Housing
	Funding	CDBG: \$300,000
	Description	Housing Rehabilitation program serving low-income resident homeowners of Clackamas County with grants and low interest loans for home repairs and ADA accessibility improvements.
	Target Date	6/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	40 low-income households will benefit from these services.
	Location Description	

	Planned Activities	<p>The Housing Rehabilitation Program offers deferred-payment loans and grants to low-income owner-occupants. Current grants and loans include:</p> <ul style="list-style-type: none"> Sewer hook-up gra \$6,000 and up Single purpose (e.g. furnace) up to \$15,000 Exterior repairs up to \$25,000 Complete repairs up to \$35,000 <p>Clackamas County also offers a Home Access Grant to low-income persons who have physical or age-related disabilities and need to improve the access to or safety of their home. The maximum grant is \$5,000. Renters and property owners are eligible. A critical housing repair program may also be funded.</p>
2	Project Name	2016 CDBG Administration
	Target Area	Countywide
	Goals Supported	HOUSING GOAL I HOUSING GOAL II HOUSING GOAL III HOUSING GOAL IV HUMAN SERVICES GOAL I HUMAN SERVICES GOAL II COMMUNITY DEVELOPMENT GOAL I COMMUNITY DEVELOPMENT GOAL II
	Needs Addressed	Public Facilities Infrastructure Projects Public Services Needs (People) Affordable Housing
	Funding	CDBG: \$375,768

	Description	Funds for program administration, program development, management, personnel, accounting, and grant compliance expenses.
	Target Date	6/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	Funds for program administration, program development, management, personnel, accounting, and grant compliance expenses.
3	Project Name	2016 HOME Administration
	Target Area	Countywide
	Goals Supported	HOUSING GOAL I HOUSING GOAL II HOUSING GOAL III HOUSING GOAL IV
	Needs Addressed	Affordable Housing
	Funding	HOME: \$74,602
	Description	Grant administration, reporting, contract monitoring and management of the HOME program.
	Target Date	8/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	

	Location Description	
	Planned Activities	Grant administration, reporting, contract monitoring and management of the HOME program.
4	Project Name	2016 Housing Rights and Resources Program
	Target Area	Countywide
	Goals Supported	HOUSING GOAL IV
	Needs Addressed	Public Services Needs (People)
	Funding	HOME: \$135,000
	Description	Public Services funding for a Housing Rights and Resources program to provide tenants and landlords information and services on fair housing laws and programs.
	Target Date	8/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	2,500 low-income households will benefit from these services.
	Location Description	
	Planned Activities	This is an ongoing public service that provides housing information, legal aid, housing rights education, landlord training and housing referral services to all residents of Clackamas County. The Housing Rights and Resources Program involves three agencies including: Clackamas County Social Services Division, The Fair Housing Council and, Legal Aid Services working together to provide services to low and moderate income tenants and home owners in Clackamas County.
5	Project Name	2017 Homeless Count
	Target Area	Countywide
	Goals Supported	HOUSING GOAL IV

	Needs Addressed	Public Services Needs (People) Affordable Housing
	Funding	CDBG: \$28,200
	Description	The January 2017 Point in Time Homeless Count is a complete point in time homeless street count every two years that is required by HUD.
	Target Date	8/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	A complete street and shelter count of homeless people in Clackamas County in January 2017. This information is included in several HUD reports.
6	Project Name	2016 Employment Connections
	Target Area	Countywide
	Goals Supported	HUMAN SERVICES GOAL II
	Needs Addressed	Public Services Needs (People)
	Funding	CDBG: \$125,000
	Description	Public services funding to support a job training program for low-income public housing residents in Clackamas County.
	Target Date	8/30/2017

	Estimate the number and type of families that will benefit from the proposed activities	50 low-income persons will get employment training.
	Location Description	
	Planned Activities	<p>The project will focus on residents of two public housing sites, Clackamas Heights and Oregon City View Manor, but may also serve residents of other Clackamas County public housing sites and Section 8 residents. All individuals served will be low income: to qualify for public housing, the household income must not exceed HUD set standards, which is 80% of the area median income, based on the specified number of family members. In addition, the project will seek to target individuals with additional barriers to employment, such as having a criminal background, behavioral health needs, or living with mental illness.</p> <p>Services will begin onsite at two Clackamas County public housing locations and then transition to services being offered at the WorkSource Clackamas Annex (Annex) location.</p>
7	Project Name	2016 Mentor Athletics
	Target Area	Countywide
	Goals Supported	HUMAN SERVICES GOAL II
	Needs Addressed	Public Services Needs (People)
	Funding	CDBG: \$30,866
	Description	Funding for a public services youth mentoring program assisting low income children in Milwaukie and Oregon City with educational and extracurricular activities.
	Target Date	

	Estimate the number and type of families that will benefit from the proposed activities	20 youth will benefit from these services.
	Location Description	
	Planned Activities	<p>Children living in Clackamas County Public Housing are often isolated and lack the resources to participate in extracurricular activities, resulting in poor academic, physical, and emotional development.</p> <p>Needs were determined and quantified by Housing Authority service coordination case notes, property management reports, and statistical data base; school reports; and mentoring self efficacy questionnaire.</p> <p>While the needs for the public housing communities have not changed over the past five years, youth participating in Mentor Athletics have experienced positive changes in their lives over the past five years.</p> <p>Most mentoring programs either focus specifically on mentoring or sports and recreation. Mentor Athletics multi-faceted approach of using individual and group mentoring in addition to sports and recreation helps develop the emotional and physical needs of the whole child.</p>
8	Project Name	Annie Ross House Family Shelter
	Target Area	Countywide
	Goals Supported	COMMUNITY DEVELOPMENT GOAL I
	Needs Addressed	Public Facilities
	Funding	CDBG: \$430,000
	Description	Funding to support the re-development of the Northwest Housing Alternatives, offices and affordable housing units including replacement and expansion of the Annie Ross House for use as a homeless shelter in Milwaukie.

Target Date	8/30/2018
Estimate the number and type of families that will benefit from the proposed activities	This shelter serves 35 to 50 people per year.
Location Description	2316 SE Willard street in Milwaukie, Oregon
Planned Activities	<p>Funding to support the replacement and expansion of the Annie Ross House homeless shelter in Milwaukie. The NHA campus now consists of two offices buildings, the Annie Ross House shelter for families and nine rental units: five transitional housing apartments, one staff apartment, two units of Bridges to Housing, and one market-rate rental. NHA now has 34 staff working on the Milwaukie campus with an annual budget of almost \$5 million.</p> <ol style="list-style-type: none"> 1. A brand new building for the Annie Ross House that expands its capacity and provides families with individual apartment units. The new shelter will consist of six separate studio apartments in a single building. 2. Two, three, and four-bedroom affordable rental housing options for families. <p>The land beneath the NHA campus could accommodate significantly more housing than it currently does. The intention is to use the campus redevelopment to build as much affordable housing as the site can reasonably accommodate. Early site planning indicates that our campus could hold as many as 38 units of affordable rental housing on the site in addition to the shelter. The location near the new MAX station will ensure that residents with low-incomes will have easy transit access to the employment and educational opportunities throughout the Metro region.</p> <ol style="list-style-type: none"> 3. An office building that meets NHA's staff needs and serves as a community asset. The conceptual plan for office space accommodates the growing staff, includes a community room for campus residents and a classroom for community use.

9	Project Name	NCRA Sewer Hook-up Grant program
	Target Area	Countywide
	Goals Supported	COMMUNITY DEVELOPMENT GOAL I
	Needs Addressed	Infrastructure Projects
	Funding	CDBG: \$25,000
	Description	Funding for a sewer hookup program that will assist low income households with cost to disconnect septic tanks and connect to the sewer system in North Clackamas.
	Target Date	8/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	20 low income households will benefit from this project.
	Location Description	North Clackamas Revitalization Area (NCRA)

	Planned Activities	<p>The North Clackamas Revitalization Area (NCRA) was formed by the Board of County Commissioners in 2006 to address neighborhood blight, including a lack of infrastructure. Due to the lack of public sanitary sewer facilities, homes were served by on-site wastewater disposal systems, primarily aging cesspools. This type of system is not suitable for densely populated urban areas or with the predominate soil type in the NCRA and, per Oregon Department of Environment Quality regulations, cesspools may no longer be repaired or replaced, leaving property owners with few options when their old system failed.</p> <p>In 2010-2012 Water Environment Services constructed a public sanitary sewer collection system to serve approximately 940 properties the North Clackamas Revitalization Area. Construction was funded through formation of Assessment District 2009-1, and sanitary sewer assessments were levied on the benefited properties by the Board of County Commissioners in May 2013 when construction was complete. The average assessment was approximately \$10,000. Actual costs per property vary depending on the location of the home's plumbing and the location of the on-site system.</p>
10	Project Name	Mobile/Manufactured Home Roof Project
	Target Area	Countywide
	Goals Supported	HOUSING GOAL II
	Needs Addressed	Affordable Housing
	Funding	CDBG: \$75,000
	Description	Funding for low income residents to repair or replace leaking or damaged mobile/manufactured roofs located in Clackamas County mobile home parks.
	Target Date	8/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	20 low income households will benefit from this project.

	Location Description	
	Planned Activities	<p>Repair or replace mobile/manufactured roofs located in Clackamas County parks, serving residents up to 200% of the federal poverty level.</p> <p>This need has quadrupled in the last 3 years resulting in the disqualification for weatherization program services. These residents typically are not able to obtain a loan to pay for roof repair work to be done. If roofing is addressed energy conservation measures can be installed, some health and safety issues can be addressed and hopefully this low-income housing stock can be preserved and continue to be functional for the residents of Clackamas County.</p>
11	Project Name	Red Lodge Transition House for Women
	Target Area	Countywide
	Goals Supported	COMMUNITY DEVELOPMENT GOAL II
	Needs Addressed	Public Facilities
	Funding	CDBG: \$150,000
	Description	Acquisition and rehabilitation of a transitional housing facility assisting approximately 20 formerly incarcerated Native American women per year in Clackamas County.
	Target Date	8/21/2018
	Estimate the number and type of families that will benefit from the proposed activities	20 persons per year will benefit from this transitional housing facility.
	Location Description	TDB

	Planned Activities	<p>Red Lodge will seek to secure a rehabilitation/transition house in Clackamas County to serve formerly incarcerated Native American women as they successfully transition and return into the community.</p> <p>The project will serve a homeless population. The purchase and creation of a culturally responsive transitional house designed to support primarily Native American women while they rebuild their lives after their release from prison.</p> <p>The Red Lodge Transition House for Women meets the national objective of benefitting low and moderate-income persons: this re-entry housing project would directly impact approximately 20 homeless, poverty-level women a year.</p>
12	Project Name	2016 Multifamily Housing project
	Target Area	Countywide
	Goals Supported	HOUSING GOAL I
	Needs Addressed	Affordable Housing
	Funding	HOME: \$775,426
	Description	Funds will be used for the construction and preservation of an affordable housing project. HOME funds have been conditionally set aside for Rondel Court in Molalla.
	Target Date	8/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	Approximately 50 households/people will have access to new housing units.
	Location Description	
Planned Activities	Funds will be used for the construction and preservation of affordable housing projects. Subject to successful application to the State for Low Income Housing Tax Credits, HOME funds have been conditionally set aside for Rondel Court – redevelopment/rehabilitation of an apartment building in Molalla.	

13	Project Name	2016 CHAP Homebuyer Assistance Program
	Target Area	Countywide
	Goals Supported	HOUSING GOAL II
	Needs Addressed	Affordable Housing
	Funding	HOME: \$86,000
	Description	This project will assist low-income first-time homebuyers with down payments and closing costs.
	Target Date	8/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	10 low income households will benefit from this project
	Location Description	
	Planned Activities	<p>This project will assist low-income first-time homebuyers in purchasing single-family homes by providing funds for down payment and closing costs.</p> <p>On March 24, 2016, Community Development staff gave a 2-hour power point presentation to approximately 27 realtors and a lender regarding the Clackamas Homebuyer Assistance Program (CHAP). The presentation included information about the CHAP process and property standards. In addition, we gave out information about the NCRA homebuyer program, Clackamas County's Housing Rehab loans, the Home Access Grant program, the Sewer Hookup Grant program and new Weatherization Roof Grant program. The presentation included a question and answer session. County staff received feedback from Realtors about difficulties in the current market.</p>
14	Project Name	Installation Subsidy for Fiber Optic Service
	Target Area	Countywide

	Goals Supported	HUMAN SERVICES GOAL II
	Needs Addressed	Infrastructure Projects
	Funding	CDBG: \$25,000
	Description	Funding to assist low income households to access high-speed internet services through the City of Sandy network in Sandy, Oregon.
	Target Date	8/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	40 low income households will benefit from this service
	Location Description	City of Sandy, Oregon
	Planned Activities	Funding would subsidize Fiber-to-the-Home (FTTH) installation costs for low-moderate income areas of Sandy. The City is currently finishing construction of a FTTH network to serve every residence in Sandy. However the individual service connections for each residence are only being installed for current customers (approximately 1400) and those who have signed up for service since the project commenced (approximately 400).
15	Project Name	CHDO Operating Support Grant
	Target Area	Countywide
	Goals Supported	HOUSING GOAL I COMMUNITY DEVELOPMENT GOAL I
	Needs Addressed	Affordable Housing
	Funding	HOME: \$26,000
	Description	Funds will be used to support Community Housing Development Organizations (CHDO) staff work on the development of low-income housing and to support operating expenses.

	Target Date	8/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	Funds will be used to support Community Housing Development Organizations (CHDO) staff work on the development of low-income housing and to support operating expenses and capacity building. Funds will be provided to two non-profit housing development organizations.
16	Project Name	Optional Emergency Assistance 2016
	Target Area	Countywide
	Goals Supported	COMMUNITY DEVELOPMENT GOAL II
	Needs Addressed	Public Services Needs (People)
	Funding	CDBG: \$25,000
	Description	
	Target Date	8/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	20 households will benefit from this service.
	Location Description	

	Planned Activities	Optional Emergency Assistance. If any projects are cancelled, up to \$25,000 of CDBG funds may be used for emergency assistance to individuals or agencies for emergency assistance due to a fire, landslide, snowstorm, flood or other such emergency. Funding and assistance with relocation of residents and/or associated expenses to mitigate the effects of the emergency conditions.
17	Project Name	Jennings Lodge Pedestrian Improvements
	Target Area	Countywide
	Goals Supported	COMMUNITY DEVELOPMENT GOAL I
	Needs Addressed	Infrastructure Projects
	Funding	CDBG: \$251,692
	Description	Construction of street, pedestrian, ADA and drainage improvements along 1000 feet of Portland Avenue near Lane Elementary School in Jennings Lodge, and Gladstone High School in Gladstone, Oregon.
	Target Date	8/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	1000 adults and children will use this walkway
	Location Description	Jennings Lodge area
Planned Activities	<p>The project is located in Jennings Lodge, on the north side of Portland Avenue between Jennings Avenue and Hull Avenue. The project will construct 1000 feet of six-foot wide sidewalk adjacent to the Candy Lane Elementary School.</p> <p>It will also include intersection improvements to upgrade the ADA ramps and improve drainage. The new sidewalk will benefit all users of Candy Lane Elementary School, as well as older students walking to Gladstone High School less than ½ mile away.</p>	
	Project Name	Tiny Houses Community

18	Target Area	Countywide
	Goals Supported	HOUSING GOAL III
	Needs Addressed	Public Facilities
	Funding	CDBG: \$68,317
	Description	Funding to acquire land and/or for infrastructure improvements for a homeless services self-governing community of 10 tiny houses and one community building.
	Target Date	8/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	10 to 20 homeless persons will benefit from this project annually
	Location Description	TBD
	Planned Activities	<p>Clackamas County Health, Housing and Human Services is seeking suitable land for siting a self-governing community of 10 tiny houses and one community building. Due to zoning codes, the tiny houses may have to be connected.</p> <p>The tiny home community would end homelessness for at least ten adults. Each tiny house would be about 144 square feet and the community building would be about 1,600 square feet. It is estimated that one acre or a little less would be sufficient. Each home would include sleeping, living and some minimal storage areas as well as a toilet and small kitchenette. The community building would house showers, a full kitchen, laundry and community meeting space, along with some additional storage space. The site would include a large community garden and small personal planting areas adjacent to each home. Proximity to public transportation will be a major factor in siting.</p> <p>Several local partners have expressed an interest in using the project as a learning opportunity for students in architecture, construction, project management and land use planning.</p>
Project Name	2016 HESG Program	

19	Target Area	Countywide
	Goals Supported	HOUSING GOAL III
	Needs Addressed	Public Services Needs (People)
	Funding	:
	Description	2016 HESG Program includes funding for Emergency Shelters staffing services and operations(\$101,000), HESG Homeless Management Information System (HMIS)(\$48,783), HESG Rapid Re-housing(\$16,678) and HESG Administration (\$13,496).
	Target Date	8/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	1000 low-income persons will receive emergency shelter housing and services and/or rapid re-housing housing stabilization services or financial assistance.
	Location Description	Several locations in the county.
	Planned Activities	2016 HESG Program includes funding for Emergency Shelters staffing services and operations(\$101,000), HESG Homeless Management Information System (HMIS)(\$48,783), HESG Rapid Re-housing(\$16,678) and HESG Administration (\$13,496).
20	Project Name	Tenant Base rental Assistance TBRA
	Target Area	Countywide
	Goals Supported	HOUSING GOAL III
	Needs Addressed	Public Services Needs (People)
	Funding	HOME: \$165,000
	Description	The Tenant Based Rental Assistance Program (TBRA) provides funds to assist individual households who are homeless or at risk of becoming homeless. The assistance may be used for rent, utility costs, security deposits, and/or utility deposits.

Target Date	8/30/2017
Estimate the number and type of families that will benefit from the proposed activities	50 households will benefit
Location Description	
Planned Activities	<p>The Tenant Based Rental Assistance Program (TBRA) provides funds to assist individual households who are homeless or at risk of becoming homeless. The assistance may be used for rent, utility costs, security deposits, and/or utility deposits. The maximum assistance is 24 months. Funding will be for two TBRA programs: HomeBase administered by Northwest Housing Alternatives (NHA); and Reboot NW a partnership between the Housing Authority of Clackamas County, the Workforce Investment Council of Clackamas County, and Clackamas County Community College.</p> <p>HomeBase prevents homelessness from happening for households in crisis and provides case management to keep them stable in their housing. For those households who are currently experiencing homelessness, participants receive case management from NHA Family Support Specialists to move quickly from homelessness into housing and connect to mainstream social services.</p> <p>The Reboot NW initiative will train long-term unemployed residents and career-seeking veterans for jobs in the Manufacturing and IT sectors. The program will fund critical occupational skill training while fast-tracking participants through industry credentialing and certification programs. Participants may also receive paid work experiences, job placement assistance, on-the-job training and up to years of housing assistance.</p>

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

Assistance is directed throughout the county. No geographic areas in Clackamas County were targeted.

The 2015 median annual income for the Portland-Metro MSA, which includes Clackamas County, is \$73,900 for a household of 4 people. Low income (50% of AMI) persons and households have an income of less than \$36,750 per year or \$3,062 per month for a family of 4. For a single person the median income per year is \$51,730. A low income adult person would have an income of less than \$25,750 per year or less than \$2,146 per month.

Nine and a half percent (9.5%) of Clackamas County residents are living below the official poverty level in Clackamas County based on the 2005-2009 American Community Survey results. Female householders with children had the highest rates of poverty, and nearly half of female householders with children under the age of five were found to be living below poverty.

The United States Department of Housing and Urban Development (HUD) has generated a series of standards that can be used to determine if a Census Tract Block Group has a minority concentration or a concentration of low-income households. To determine if a low-income concentration exists, the Area Median Income (AMI) of a block group must be below 50% of the Area Median Income for the Metropolitan Statistical Area (MSA).

Geographic Distribution

Target Area	Percentage of Funds
Countywide	100

Table 10 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

No geographic areas in Clackamas County were targeted except to the extent that projects serving an area must be located in a qualified census tract or area with at least 43.44% low- and moderate-income residents. Clackamas County has a 43.44% low-and moderate income exception.

Clackamas County Definition of a high-concentration of low income people

HUD's definition of low to moderate income household (LMI) is a household that has either an income that is less than 50% (low) or less than 80% (moderate) of Area Median Income (AMI).

Low and moderate income households are those whose gross annual income does not exceed 80

percent of the Area Median Income (AMI) for the Portland metropolitan area, with adjustments for family size. The income limits change annually; approved projects will be expected to comply with the limits that exist at the time of any contract or agreement.

Clackamas County has 218 Census Tract Block Groups. Of those 218 block groups, ten percent (10%) have a population that is more than 56% low and moderate income. The 22 block groups (representing the 10% of all block groups in the county) with a population that is more than 56% low and moderate income households according to the Census Bureau.

Eight percent (7.7%) of Clackamas County residents identified their ethnicity (considered separate from race) as Hispanic or Latino in the 2010 census.

2010 Census data on ethnicity of County residents indicates that of the more populated cities, Canby and Molalla had the highest percentages of Hispanic/Latino residents (21% and 14% respectively). Among the cities with populations above 10,000 people, Canby, Happy Valley and Wilsonville had greater than 20% minority populations.

Clackamas County Minority Concentration Definition:

Clackamas County Housing and Community Development Division reviewed both race and ethnic information from the 2010 Census Bureau to determine minority ranking. The 22 block groups with the highest minority ranking represent 10 percent of all the block groups in Clackamas County.

A total of 37,379 persons were living in these high concentrations of minority areas.

Concentrations of Both high Low to Moderate Income and high Minority

The Minority and Low/Mod map attached shows the areas of both minority populations and LMI household concentrations. Maps are in Attachment F of this Action plan. Annually, Clackamas County Housing and Community Development Division expends approximately 12.5% (\$250,000) of CDBG funds per year on projects in these high concentration areas.

22 block groups are approximately 10% of the total number of block groups in Clackamas County. These nine (9) block groups rank in the top 22 for both minority and LMI, and represent the block groups with the highest concentrations of poverty and minorities.

Five (5) of the high concentration (HC) block groups are located in the North Clackamas Area. One (1) of the HC block groups is in Milwaukie and two (2) of the HC block groups is in Canby. A total of 13, 855

people live in these areas of concentrated minority and poverty.

Discussion

Recent and future Projects in High Concentration areas:

2014 and 2015 North Clackamas Renewal Area (NCRA) Sewer Hook Up Assistance Grant (SHUAG):

Between July 1, 2014 to November 18, 2015, a total of 17 households were assisted residential sewer hookup grants. The NCRA project area includes Census Tract Block Groups: 216.01-1 (31% minority/39.1% low income), 216.01-2 (26% minority/25.4% low income), 216.01-3 (26% minority/30.4% low income) and, 216.01-4 (26% minority/27% low income).

2013 and 2014 Bell Road Ped/Bike Improvements: A neighborhood improvement project adding sidewalks, drainage improvements and bike paths in a low/mod income residential area, Census Tract Block Group: 216.01-3 (26% minority/30.4% low income). The anticipated benefit will be to the 500 persons living in the project area.

Homeless Housing Chez Ami and Janssen Apartments: Two existing permanent and transitional housing units for homeless and formerly homeless persons some with severe mental illness. A total of 64 beds in 48 housing units are supported through the annual Continuum of Care CoC renewal funding application process: Census Tract Block Group: 221.04-2 (38.7% low income).

2012 and 2013 Housing Rehab projects: Between July 1, 2011 to March 25, 2015-NCRA area, a total of 22 households were assisted with a housing rehabilitation loan or grant. The NCRA project area includes Census Tract Block Groups: 216.01-1 (31% minority/39.1% low income), 216.01-2 (26% minority/25.4% low income), 216.01-3 (26% minority/30.4% low income) and, 216.01-4 (26% minority/27% low income).

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

Below are the Community Development 2016 Affordable Housing goals for the Homeless, Non-homeless and Special Needs

populations. Funding for these projects is made available through the CDBG, HOME, ESG and the Continuum of Care (CoC) grant programs.

One Year Goals for the Number of Households to be Supported	
Homeless	70
Non-Homeless	70
Special-Needs	20
Total	160

Table 11 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	50
The Production of New Units	20
Rehab of Existing Units	80
Acquisition of Existing Units	10
Total	160

Table 12 - One Year Goals for Affordable Housing by Support Type

Discussion

On March 24, 2016, Community Development staff gave a 2-hour power point presentation to approximately 27 realtors and a lender regarding the Clackamas Homebuyer Assistance Program (CHAP). The presentation included information about the CHAP process and property standards. In addition, we gave out information about the NCRA homebuyer program, Clackamas County's Housing Rehab loans, the Home Access Grant program, the Sewer Hookup Grant program and new Weatherization Roof Grant program. The presentation included a question and answer session. County staff received feedback from Realtors about difficulties in the current market.

1000 households will receive HESG program services of emergency shelter, eviction prevention, housing

stability counseling and/ or Rapid Rehousing.

140 Households will be assisted with rental assistance, new units, home repairs and purchase of private housing:

60 low income households will receive funds and assistance to complete owner housing rehabilitation projects. It is estimated that 20 of these households will house a disabled /special needs person.

20 low income households will get access to new affordable housing units.

50 Households will receive Tenant Based Rental Assistance TBRA.

AP-60 Public Housing – 91.220(h)

Introduction

The Housing Authority of Clackamas County (HACC) is a part of the Health, Housing and Human Services (H3S) Department.

Actions planned during the next year to address the needs to public housing

Actions planned during the next year to address the needs of public housing

- *Provide service coordination through the ROSS grant for 540 public housing units*
- *Coordinate with local Workforce organizations to connect residents with employment and training opportunities*
- *Coordinate with CTEC Youth Services to provide unengaged teens with mentoring, employment and education opportunities.*
- *Coordinate with Mentor Athletics to provide youth sports, recreation and mentoring opportunities for HACC youth*
- *Provide service coordination and support to residents facing eviction.*
- *Coordinate with Public Health to provide for health, mental health and service coordination for most vulnerable residents.*
- *Manage community gardens in the Oregon City and Milwaukie neighborhoods, encourage resident participation and leadership. Provide opportunities for continuing garden and nutrition education.*
- *Manage the Hillside Community Food Basket in coordination with the Oregon Food Bank*
- *Maintain and manage community computers available for resident use*
- *Promote resident engagement and leadership through the HACC Resident Advisory Board*
- *Promote available community resources and opportunities available to residents through a quarterly newsletter.*

Actions to encourage public housing residents to become more involved in management and participate in homeownership

HACC offers a range of economic empowerment strategies to assist public housing residents to become economically self-sufficient.

- ***ROSS Service Coordination***

Under the HUD Resident Opportunity for Self-Sufficiency Grant (ROSS), HACC has a full-time Service Coordinator available to coordinate supportive services and other activities designed to help PHA

residents attain economic and housing self-sufficiency.

- **Effective Partnership with Regional Workforce Agencies Connecting Residents to Employment and Training Opportunities***HACC collaborates with regional work force agencies including the Clackamas Workforce Partnership, Community Solutions of Clackamas County and WorkSource to connect residents with employment and training opportunities. Through these collaborative partnerships residents get basic soft skills instruction, participate in workshops and get support in job search activities, have opportunities to participate in paid on the job training, access training in targeted high growth industries such as construction, manufacturing, health care and technology.*

- **Asset Building through Individual Development Accounts**

Through the IDA program, HACC residents with the opportunity to save for post-secondary education, to grow a business or to purchase a home using an IDA matched savings account. IDA matched savings accounts match every \$1 a participant saves with \$3. IDA savers must complete a 10 hour financial education workshop where they learn about budgeting, credit repair and credit building, debt management and avoiding predatory lending. IDA savers are also required to complete 6 hours of asset specific training related to their goal. Through the IDA program, residents are also linked to other financial empowerment resources such as free tax preparation sites, referrals to non-profit credit counseling agencies, home ownership counseling and opportunities to access low-interest emergency loans. Public Housing residents are engaged in the management through a Resident Advisory Board (RAB). RAB membership is comprised of public housing and Section 8 Housing Choice Voucher (HCV) leaders that represent residents served by HACC. The RAB convenes not fewer than two times per year to develop, approve, review and evaluate HACC's Annual Plan. The RAB is also consulted for input and approval of any significant amendment or modification to the Annual Plan.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

HACC is not designated as a troubled agency.

Discussion

Clackamas County has formed a Housing Advisory Board to provide affordable housing policy guidance to the Housing Authority and the Board of County Commissioners. The Housing Advisory Board (HAB) is

an eight member body that convenes once each month to discuss topics and issues pertaining to the development, preservation and promotion of affordable housing of all types in Clackamas County. Currently, the HAB has been working on developing an Affordable Housing Toolkit that may help mitigate some of the impediments to affordable housing development. The toolkit will describe available policies and resources that the county may utilize to address the growing need for affordable housing in the County. Tools that promote both new development and preservation of affordable housing are being considered. At this writing, the toolkit is still in the development stage. When the toolkit is finalized, the Affordable Housing Toolkit will be presented to the BCC for consideration.

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

The H3S Housing and Community Development Division (HCD) coordinates most of the homeless and other special needs activities through its partnerships with non-profit service providers, the Social Services Division, Continuum of Care, the Housing Authority of Clackamas County public housing agency. Activities include: CoC coordination, CoC Homeless Point in Time count, ESG coordination, CoC Homeless Outreach and Discharge Planning.

Housing Assistance for Alcohol and Drug Recovery: The Behavioral Health Division (BHD) of Clackamas County has developed supportive housing for those in alcohol and drug recovery. BHD, through CODA, has implemented housing assistance and services program for Clackamas County residents in alcohol and drug recovery. The program has three main components: substance abuse recovery, finding and retaining permanent housing, and increasing income by connecting people with benefits and/or employment options. Direct client dollars can be used for, but not limited to, moving costs, rent assistance, application fees, deposits, and paying off previous debts. The target population for this program is individuals participating in alcohol and drug recovery at or below 50% Median Family Income, homeless, or at risk of homelessness.

Measureable outcomes of the program are:

- Number of participants who have stayed in the program
 - Number of participants who are clean and sober
 - Number of participants who have not entered into criminal activity
 - Number of participants who have remained housed
 - Number of participants who have connected with entitlements
 - Number of participants who have found employment and/or increased their income
- The contract to provide these services began on 3/8/12 and was extended to 6/30/14 for a total budget amount of \$593,196. The estimated number of people who were to be served during the two year period was 100, with ultimately 128 individuals served during that two year period. BHD continued the funding for this program for FY 15 with a total budget of \$222,000. BHD continued the funding for this program for FY 16 was increased to \$448,000. In the first 6 months of the FY 16 contract, 56 individuals have been served.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness

including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

Households with dependent children: Locally funded HomeBase (RRH and homelessness prevention) expanded last year, reaching 459 people & plans to increase capacity next year. The locally funded Bridges to Housing Program stabilizes housing for high need homeless families serving 38 families & 63 children last year. Through the Rent Well-RRH project 25 families from the streets/emergency shelter will be assisted. Clackamas Womens Services and a network of churches and faith-based organizations in North Clackamas are working to address family homelessness in their community.

Survivors/Victims of domestic violence: The CoC includes a TH and a PSH project focused on domestic violence survivors and their families. This provider operates an ESG funded DV emergency shelter which recently doubled its beds, a homelessness prevention program, Beyond Shelter, and the newly opened Family Justice Center. The projects involve a wide range of on-site services from over 12 public safety and services agencies, funded by more than 24 public and private entities. Victims in Clackamas County can now access an advocate, plan for their safety, talk to a police officer, meet with a prosecutor, receive medical assistance, file a protective order in a video court, receive information on shelter and get help with transportation—all in one location on a drop-in basis.

Unaccompanied youth: Springwater is a CoC TH for youth 16- 21 funded with CoC, ESG, local government & private funds. HomeSafe is a CoC TH for pregnant and parenting youth 6 – 21 funded with CoC, local and state grants. Host Homes is funded with local, state and private grants. The program is for 16- 18 year olds attending school houses up to six unaccompanied youth with families. The Outside In program funded with local government grants links with school Homeless Liaisons to provide health services to unaccompanied youth 16-17 in the school & community.

Persons who routinely sleep on the streets or in other places not meant for human habitation:

Clackamas County has a range of services for persons sleeping on the streets or in other places not meant for human habitation. Two major service centers (Clackamas Services Center and Father’s Heart) provide hot meals, clothing, medical services, and severe weather shelter, and are close to where many unsheltered homeless reside. Several smaller agencies also provide basic needs and outreach to homeless on the streets and places not meant for habitation.

Compassion events, similar to Project Homeless Connect, are held throughout the year to provide a “one stop” for basic services, such as food, clothing, medical care, veterans’ services and housing options. A new severe weather winter shelter opened in 2013 in a rural area with a significant homeless camping population.

Homelessness among veterans: Housing Authority of Clackamas County has housed 25 homeless veterans using VASH vouchers. The Veterans Services Office conducts veteran outreach with free

medical screenings, warm clothing, information on compensation and other veterans' benefits, employment, housing, counseling and other services. Clackamas County is part of a new SSVF grant and is providing office space and supplemental rental assistance using state funds for a nonprofit provider of outreach, homeless placement and homeless prevention for veterans. This grant has streamlined access to the regional Grant Per Diem program for vets who are working on permanent housing placement either through VASH, SSVF or other programs.

Addressing the emergency shelter and transitional housing needs of homeless persons

The activities to address emergency shelter needs within the County will be funded through the Emergency Solutions Grants (ESG) program. 1000 Households will receive HESG program services from July 1, 2016 to June 30, 2017. The FY 2016 ESG allocation will be supplemented by matching funds at least equal to its amount.

Primary emphasis will continue to be on payment of emergency shelter operations expenses including utilities, maintenance, insurance, and staff salary costs. The purpose of emphasizing payment of operations expenses is to provide some predictability and stability to the operation of the shelters by assuring that their most basic expenses are met. This assures the continued operation of the facilities in times of scarce and fluctuating resources, and it compliments specific fundraising efforts for special projects.

Northwest Housing Alternatives' Annie Ross House and Clackamas Women's Services' Evergreen House, provide emergency shelter to homeless families with children and survivors of domestic violence, respectively. Independent living services are provided through The Inn's Springwater program, which targets assistance to the homeless youth population. Los Ninos Cuenten's Casa Hogar provides emergency shelter services to Hispanic/Latino homeless families and individuals who have survived domestic violence. Case management at each program improves vocational and coping skills to make the transition from homelessness to independent living. Continuum of Care funds Also provide 49 beds of transitional housing for homeless households, including families, singles, and youth.

Clackamas County's Coordinated Housing Access system provides a one-stop option for homeless individuals and families to be assessed and matched with all homeless programs in the County for which they are eligible.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were

recently homeless from becoming homeless again

Chronically homeless individuals and families: In 2014, The Continuum of Care increased the number of beds for chronically homeless persons in Clackamas County. The CoC did this by leveraging Housing Authority Housing Choice Vouchers, converting Permanent Supportive Housing (PSH) beds to chronically homeless beds, reaching out to PSH providers to prioritize beds for chronically homeless persons and using Medicaid to provide enhanced services for chronically homeless persons in PSH beds.

Families with children: The CoC increased capacity and worked on outreach goals to end homelessness among households with dependent children. The HomeBase program utilized multiple funding sources to expand and become the largest RRH and homelessness prevention program in the County. Through the reallocated Rent Well RRH project, the CoC will be able to stabilize housing for 15 families from the streets/emergency shelter. The locally-funded Bridges to Housing (B2H) Program stabilizes housing for high-need homeless families and assisted 136 persons last year. Outreach plan includes referrals from different geographic parts of the county. An outreach strategy adopted by the HPC educates landlords on housing choice vouchers.

B2H serves high-needs homeless families with children, with a capacity of 30 families at a time. These homeless families have multiple complex needs which often include but are not limited to housing barriers, domestic violence, addictions, mental health issues and disabling conditions. B2H families receive longer term housing subsidies and intensive services designed to support their income self-sufficiency and permanent housing stability as well as the children's and adult's educational success.

Veterans and their families: Housing Authority of Clackamas County has housed 45 homeless veterans using VASH vouchers. The Veterans Services Office coordinates with Social Services to conduct veteran outreach with free medical screenings, warm clothing, information on compensation and other veterans' benefits, employment, housing, counseling and other services. Clackamas County is part of an SSVF grant and provides office space for a nonprofit provider of outreach, homeless placement and homeless prevention for veteran families. This grant has streamlined access to the regional Grant Per Diem program for vets who are working on permanent housing placement either through VASH, SSVF or other programs.

Unaccompanied youth: Springwater Transitional Housing for youth 18-23 is funded with CoC, ESG, local government, and private funds. Case management, vocational education services, physical and mental health support, supervision and shelter are provided to youth.

HomeSafe Transitional Housing for pregnant and parenting youth 16 – 21 is funded with CoC, local and state grants. Youth have access to rent assistance in scattered apts., case management, referral and linkages to mainstream services.

Independent Living Plans (ILPs) are funded with state and local govt. funds for independent living services to youth transitioning from foster care. Case management is provided for youth discharged

from Child Welfare at 18 or 19 years old without permanent housing. Case managers refer and link ex-foster youth to programs and services.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

These discharge plans have been confirmed through the Continuum of Care application and planning process.

Foster Care: The Oregon Department of Human Services (DHS), dictates the Foster Care Discharge Policy in which the County actively participates. DHS refers willing children to a Continuum of Care provider for a Life Skills/Transition Readiness Assessment. This results in: 1. Identification of resources and linkages needed to assist the child in transitioning to independent living, including life skills training, housing subsidies, college tuition, and health insurance and 2. Preparation of an individualized Comprehensive Transition Plan which must be approved by a Family Court Judge every 6 months until the child is successfully transitioned to independent living.

Youth can access Chafee rental subsidies to help them secure an apartment. They can secure tuition-free access to a state college along with Chafee grants to assist with room and board. Youth with developmental disabilities and/or mental illness exiting the foster care system continue to receive an array of services including options such as adult foster care and supported housing that are based on unique client needs. Each option is designed to ensure that youth exiting the foster care system are not routinely discharged into homelessness.

Health Care: The discharge planning for low-income and disabled people has historically resided with the State through the Medicaid program. With the advent of the Affordable Care Act (ACA) and the expansion of Oregon's Medicaid program, discharge planning is shifting to local control. All Medicaid providers are joined in Coordinated Care Organizations (CCOs) covering specific geographic areas. The CCOs integrate physical, mental and dental health services. The ACA Medicaid expansion has been structured to align the financial incentives with clinical outcomes/housing status of patients. This has begun to persuade hospital systems and health care providers to plan and act outside their silo, to begin discussions with CoCs about effective liaison and resource sharing.

Mental Health: The Discharge Policy in place for persons being discharged from a mental health facility is ensured by Clackamas County Behavioral Health Department (CCBH). As part of Health Share, the area's Medicaid Coordinated Care Organization, CCBH has both financial and clinical incentives to ensure that no county residents are discharged from a psychiatric hospital without housing and services. In addition,

Oregon is under an U. S. Dept. of Justice 4 year plan to provide better community outcomes for people with mental illness. Specific mandates are subcontracted by the State to CCBH. The local Discharge Policy, which is monitored and enforced by the State, requires all adults leaving a psychiatric hospital be housed consistent with their level of care needs and personal wishes.

Corrections: The purposeful effort to structure successful community re-entry for inmates is a local mandate spearheaded by the Clackamas County Sheriff’s Office (CCSO) which participates on the CoC governing board. Because community safety is its #1 priority, CCSO promotes post-discharge services with housing to reduce recidivism. Likewise, the Clackamas County Behavioral Health (CCBH) is a provider in the local Medicaid program, Health Share. CCBH understands that successful re-entry will reduce incidence and cost of ER visits and hospitalization.

Discussion

Our Jurisdiction receives no HOPWA funding. Our jurisdiction works with Cascade Aids Project (CAP) a service agency which provides housing and services for persons that are HIV positive in our three-county area that is referred to as the Portland Metro Area.

One year goals for the number of households to be provided housing through the use of HOPWA for:
Short-term rent, mortgage, and utility assistance to prevent homelessness of the individual or family
Tenant-based rental assistance
Units provided in housing facilities (transitional or permanent) that are being developed, leased, or operated
Units provided in transitional short-term housing facilities developed, leased, or operated with HOPWA funds
Total

AP-75 Barriers to affordable housing – 91.220(j)

Introduction

The **2012 Analysis of Impediments to Fair Housing Choice** identified five broad impediment areas. These impediment areas were based on analysis of existing data and broad public input. Some impediments, such as discrimination in housing, can be addressed with strategies aimed at identification and enforcement, as well as education (consumer, provider and housing industry).

Clackamas County Housing and Community Development Division is conducting an Assessment of Fair Housing (AFH) beginning in March 2016. The new AFH plan and goals will be available for public comments by July 30th, a public hearing will be held in August and the new 5-year plan will be submitted to HUD for approval in September 2016.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

As mention in AP-60 Public Housing the Clackamas County has formed a Housing Advisory Board to provide affordable housing policy guidance to the Housing Authority and the Board of County Commissioners. The Housing Advisory Board (HAB) is an eight member body that convenes once each month to discuss topics and issues pertaining to the development, preservation and promotion of affordable housing of all types in Clackamas County. Currently, the HAB has been working on developing an Affordable Housing Toolkit that may help mitigate some of the impediments to affordable housing development. The toolkit will describe available policies and resources that the county may utilize to address the growing need for affordable housing in the County. Tools that promote both new development and preservation of affordable housing are being considered. At this writing, the toolkit is still in the development stage. When the toolkit is finalized, the Affordable Housing Toolkit will be presented to the BCC for consideration.

In Clackamas County, many of the existing patterns of sprawl, decentralization and homogenous housing developments resulted from commuter demand for housing. Homogeneity, whether exclusively single family or multifamily, can result in limited housing choice suitable to needs and incomes of County residents. Undefined or subjective design standards can also make it difficult to meet affordable housing needs within built-out communities.

Access to affordable and adequate housing for households with lowest incomes has been restricted over the years. Since 2000, median renter income in the U.S. has fallen relative to contract rents. Utility costs have been increasing, as has the price of commuting to work. Quality of housing, particularly at the lowest rent levels, is at risk if property owners do not have assets to maintain units. The result is that

lowest income tenants, in addition to the burden of finding housing at all, may be forced to live in unsuitable or unsafe housing.

A range of suitable housing choices should ideally be available to fit the entire range of household incomes, providing choices for all residents, including those who work in the community.

Households with extremely low incomes, especially those needing support services, find very few options. The Clackamas County Comprehensive Plan, last updated in 2001, recognizes the goal of providing a variety of housing types and densities to meet the needs of County residents. Policies with the potential of increasing affordable housing include:

- Provisions for mobile home park continuation and development.
- Encouraging new condominiums, while discouraging conversion of existing rental units.
- Locating diverse affordable housing opportunities with access to services and employment.
- Support for regional planning activities and policies to increase affordable housing.
- Encouraging increased densities in zoning.
- Reducing costs for utilities and roadways through flexible lot patterns in subdivisions and Planned Unit Developments.
- Expedited design review and permitting.
- Permitting prefabricated housing meeting Uniform Building Code on individual lots within the Urban Growth Boundary.
- Preserving existing housing when renovation a feasible option.
- Encouraging infill while preserving the character of existing neighborhoods.

Discussion

AP-85 Other Actions – 91.220(k)

Introduction

Clackamas County Housing and Community Development Division (HCD) propose the following actions in program year 2016 that address obstacles to meeting underserved needs, foster and maintain affordable housing, develop institutional structure, encourage public housing residents to become more involved in management and encourage public housing residents to attain home ownership. HCD continues to request proposals from housing development organizations for the development and preservation of multi-family affordable rental housing projects that serve lower income households. Funding available to support these activities included: HOME funds, Housing Choice Vouchers and Public Housing Replacement Funds.

Rondel Court Apartment Rehabilitation and Expansion. Caritas Community Housing proposes to entirely rehabilitate and expand the aging 30 unit apartment complex into a new 47 unit affordable rural housing development. At completion, the project will be a vibrant integrated housing development including families, elderly and other special needs populations.

In addition to the above projects, HCD is currently assisting Central City Concern with the development of Town Center Greens, a new 60-unit multi-family housing project located near Clackamas Town Center. The Town Center Greens project began construction in September 2015 and is anticipated to be completed in September of 2016.

Actions planned to address obstacles to meeting underserved needs

Clackamas County HCD will address obstacles to meeting underserved needs in FY2016 by engaging in these activities:

1. Leverage available program funds by requiring sponsor contributions.
2. Seek additional funding from public and private sources to finance program activities.
3. Continue a program to assist renters and homeowners who need safety and accessibility adaptations in order to remain in their own homes.
4. Investigate the development and implementation of an inspection program to enforce habitability standards in multi-family housing projects.
5. Promote and assist the development of additional transitional housing which will be available to low- and very low-income individuals and families.
6. Promote and assist the development of affordable housing which will be available to very low, low-,

and moderate-income individuals and families.

7. Increase capacity to assist Homeless Families with Children.

8. Develop a set of program policies to create a 15 percent set-aside in all new affordable housing developments specifically to assist the targeted special need populations.

9. Promote the use of Section 8 Project Based Vouchers into the development of any new affordable housing project.

10. Develop Alcohol and Drug treatment Housing.

Actions planned to foster and maintain affordable housing

HOME funds will be used primarily to develop affordable housing units for rental by low-income individuals and families. HOME funds will also be used to assist Community Housing Development Organizations (CHDOs) with grants for operating costs allowed by 24 CFR 92.208. HCD ensures that HOME-assisted rental housing remains affordable by monitoring projects during the period of affordability for compliance with the HOME regulations at 24 CFR Part 92.

Clackamas County ensures the long-term affordability of HOME-assisted homebuyer properties during the period of affordability by monitoring to verify that the home remains owner-occupied. Monitoring activities include both desk and on-site monitoring.

Actions planned to reduce lead-based paint hazards

Clackamas County contracts with a professional firm to provide lead hazard evaluation services at no cost to the owners and buyers participating in its housing rehabilitation and homebuyer programs. When such hazards are discovered, they are addressed in a manner consistent with procedures approved by HUD, the State Health Division and the Department of Environmental Quality. However, the County does not anticipate using HOME funds for its housing rehabilitation and homebuyer programs in the next year. The HOME-funded project will be new construction and will not involve lead-paint hazards.

Actions planned to reduce the number of poverty-level families

The Housing and Community Development Division (HCD) coordinates efforts with the Social Services Division (SSD) to reduce the number of households below the poverty line. SSDs activities include:

- Participation in and staffing of the Continuum of Care in Clackamas County as well as the Continuum of

Care Steering Committee (Governing Board) and the Homeless Policy Council.

- Coordination and maintenance of liaison relationships with McKinney Vento funded homeless liaisons that support the educational success of homeless children. These include each of the School Districts in the county, all Clackamas Educational Service District offices, and the State of Oregon Department of Higher Education.
- Contracting with a community based organization for a Homeless Student Success Project that enhances the capacity of the homeless liaison at the highest poverty school district in Clackamas County.
- Participation as one of the four lead agencies on the regional steering committee for the Rent Well tenant education program.
- Participation in the operations of the Janssen Transitional Housing Project (JTHP). SSD currently provides case management for the families living at Janssen. This HUD funded project, sponsored by the Housing Authority of Clackamas County, has been in operation for more than 20 years. JTHP provides seven (7) transitional housing units, intensive and comprehensive case management, flexible assistance to support residents increasing their income and housing stability, and other supportive services for homeless families with children.
- Maintain the Housing Rights and Resources Program which responds to the general public regarding emergency housing, housing discrimination, landlord-tenant concerns, low-cost housing, rent assistance and a variety of other housing-related issues.
- Maintain a contractual relationship with Legal Aid Services of Oregon and the Fair Housing Council of Oregon to support the delivery of Fair Housing services to Clackamas County residents. This contractual relationship hastens service delivery for people experiencing potential discrimination and/or fair housing violations.

Actions planned to develop institutional structure

The Housing and Community Development Division coordinates efforts with the Social Services Division (SSD) to develop institutional structure to strengthen the services system in Clackamas County.

SSD and CD worked together with Continuum of Care partners to develop and implement a county wide Coordinated Housing Access system. This system provides centralized access, eligibility screening and prioritization, using HUD guidelines, to all HUD funded homeless services and housing programs within the County. Three non-HUD funded homeless housing programs also elected to join the new

coordinated system.

SSDs activities include: - Operation of the State of Oregon Housing and Community Services Low Income Rental Housing Fund (LIRHF). LIRHF provides time-limited rental payment assistance to caseload-managed clients of SSD.

- Administration of State Homeless Assistance Program (SHAP) funds sub-granted to the Annie Ross House family shelter and Clackamas Women's Services domestic violence shelter.

- Initial screening and intake for families wanting to enter the Annie Ross House shelter and two interfaith hospitality shelter networks (SON and LOTSM).

- Administration of the federal Emergency Food and Shelter Program (EFSP) and contracts with local shelters to provide night of shelter to homeless persons.

- Local administration of the state Emergency Housing Account (EHA). These funds support case management to families accessing the two interfaith hospitality network shelters. EHA funds are also used to support shelter bed nights at Clackamas Womens Service's, Annie Ross House, and the Inn Home emergency shelters.

- Operation of a locally funded Bridges to Housing program that provides high needs homeless families a longer term housing subsidy and intensive, comprehensive case management that focus on permanent housing stability and increasing income.

- Operation of the Rent Well tenant education program, providing year-round, ongoing tenant education in Spanish and English as well as case management to help homeless families with barriers to housing placement locate and access permanent housing units.

- Operation of the Jackson Transitional program for adults who are homeless.

- Operation of the HSP program for families who are homeless or at imminent risk of homelessness needing short term rental assistance and supportive services in order to stabilize.

- Severe Weather Warming Centers at three sites, providing a total of 99 low barrier shelter beds for homeless persons on cold winter nights. These sites provide important linkages for the community efforts to identify and re-house chronically homeless persons.

Actions planned to enhance coordination between public and private housing and social

service agencies

The Housing and Community Development Division coordinates activities between public housing and assisted housing agencies through funding and reporting outcomes to state and federal agencies. The HOME program provides vital funding to private assisted housing providers that also apply for state tax credit funding. HOME funding is one of few sources of funds for affordable housing units in our rural urban county. Housing Rights and Resources program is an H3S program in the Social Services Division that provided housing referral and information services on all available housing services. H3S , HCD and HACC will coordinate on the following action items:

1. Continue to improve communication and coordination among public agencies by developing and upgrading computer systems and telephone networks.
2. Coordinate with the Countys Community Health and Social Services Divisions to maximize utilization of resources available to meet the needs of the homeless and persons with mental illness who need housing services.
3. Maintain the CCSS partnership with the State of Oregon Department of Human Services to operate the Housing Stabilization Program in the county. Now in its sixth year, the program serves families with children for up to 12 months. CCSS provides families intensive case management services with a goal of locating and maintaining safe, stable and affordable housing.
4. Maintain the partnership with SSD, Clackamas Womens Services, and Northwest Housing Alternatives to administer and operate the Homeless Prevention and Rapid Re-Housing Program. The program includes 3 elements: Rent Subsidy Program designed to provide short term (3 months) and medium term (up to 6 months) of rent subsidies to low- and moderate-income renters. A Rapid Re-Housing Program designed to provide housing placement, short-term rental assistance, case management and other support services to families with dependent children who have been living in emergency shelters or on the streets for at least seven days. Counseling and Housing Stabilization Services including case management, outreach, housing search and placement, legal services, and Credit Repair.
5. Maintain the CCSS partnership with HACC and Mental Health to operate the HUD funded Shelter-Plus-Care Program. Shelter Plus Care provides rent assistance to case managed clients of Social Services and Mental Health who are homeless.
6. Coordinate with SSD and Northwest Housing Alternative to ensure the continued success of the HomeBase Program homeless prevention and rapid rehousing services. This coordination will include sharing of information concerning case management best practices, and consistent and accurate data

entry into the Homeless Management Information System.

Discussion

Clackamas County Housing and Community Development Division (HCD) works in conjunction with the Housing Authority of Clackamas County, the Social Services Division, the Behavioral Health Division, Community Health Centers and community non-profit housing providers and private non-profit social services providers to address obstacles to meeting underserved needs, foster and maintain affordable housing, develop institutional structure, encourage public housing residents to become more involved in management and encourage public housing residents to attain home ownership.

In 2016 HCD is funding several affordable housing projects, an employment training program, a fair housing rights and information program, homeless prevention and rapid rehousing services, and a youth mentoring program for youth in public housing.

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(I)(1,2,4)

Introduction

This year a Home-buyer program will not be available for low-income residents. In prior years this program was available.

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	0

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	80.00%

HOME Investment Partnership Program (HOME)

Reference 24 CFR 91.220(I)(2)

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:

The County does not anticipate offering any other forms of investment of HOME funds beyond

those described in 24 CFR 92.205(b) in the 2016 program year.

The County will ensure that matching contributions from non-federal sources are made to housing that qualifies as affordable housing under the HOME program in 2016-2017. Matching funds will be in amount not less than 25 percent of the funds required to be matched per 24 CFR 92.218. We anticipate that eligible match will come primarily from non-federal cash contributions such as the State Housing Trust Fund, the value of foregone local fees or taxes and the value of donated voluntary labor and professional services.

2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

RECAPTURE – Direct Homebuyer Assistance

The Clackamas Homebuyer Assistance Program (CHAP) provides funds to low-income first time homebuyers for downpayment and reasonable closing costs. The county imposes specific recapture provisions as provided in 24 CFR 92.254 (a)(5)(ii)(A)(3) to ensure affordability for the CHAP. Included is the provision that, if the sale of the property occurs during the five-year period of affordability and there are no net proceeds from the sale of the property, or the net proceeds are insufficient to repay the entire HOME investment due, the amount of the HOME funds recaptured will be based on the net proceeds available from the sale, if any. The full recapture provisions are included in the 2015-16 CHAP Policies and Guidelines.

RESALE – Indirect Homebuyer Assistance

Clackamas County imposes resale provisions as provided in 24 CFR 92.254 (a)(5)(i) only for homes purchased under the Community Land Trust (CLT) model of homeownership. The county does not anticipate providing 2015 funds to assist in the development of homeownership opportunities under CLT. The resale provisions have been corrected and no longer includes a “first right of refusal” provision, and includes a detailed description of the fair return homebuyers can expect if they sell their unit during the period of affordability. The full resale provisions are included in the 2015-16 Clackamas County HOME Program Guidelines: <http://www.clackamas.us/communitydevelopment/documents/homeprogram.pdf>

3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired

with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

Clackamas County intends to use the HOME affordable homeownership limits for the area provided by HUD. The County further ensures the long-term affordability of HOME-assisted homebuyer properties enforcing resale and recapture provisions and by monitoring to verify that the home remains owner-occupied during the period of affordability.

4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

The County does not anticipate using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds in the 2016 program year.

Emergency Solutions Grant (ESG) Reference 91.220(l)(4)

1. Include written standards for providing ESG assistance (may include as attachment)

Clackamas County has had several meetings with ESG providers and members of the CoC to develop CoC and ESG policies and performance standards. ESG policies have been developed in consultation with both ESG and CoC providers starting in January 2014 and on an ongoing at least quarterly basis. HCD staff consulted with CoC Steering Committee members on March 31st to discuss using ESG funds for Rapid Rehousing in 2014.

HCD staff consulted with CoC Homeless Council members on March 23, 2016 to discuss using ESG funds for Rapid Rehousing in 2016. The ESG written standards for providing assistance have not been changes since 2015. CoC members and Coc Steering Committee is considering adding an equity performance measure in 2016.

HCD staff have attended CoC meetings for the last few years to discuss using ESG funds for HMIS ESG and CoC data collection efforts. CoC members have been aware and informed on the ESG program changes and funding. CoC members continue to be involved in developing performance

measurement standards and priorities for both CoC and ESG funding.

The ESG and CoC written standards are attached as Appendix B.

2. If the Continuum of Care has established centralized or coordinated assessment system that meets HUD requirements, describe that centralized or coordinated assessment system.

A CoC working group of providers met in 2013 to implement coordinated assessment. The result was a tool designed and agreed on by all affected programs with the intention of obtaining the most relevant information to make an appropriate referral. The Coordinated Housing Access (CHA) was launched on January 1, 2015 using a telephone call-in system and the HMIS system. CoC agencies and providers are reviewing processes to improve and streamline the intake process. The planning process involved identifying resources in our region and how resources are accessed by homeless persons and families. The system will cover the entire geographic region using a "hub" system as much as possible, though large portions of the county are rural and sparsely populated. The system will be easily accessed, primarily through our Housing Rights and Resources line, a one-stop number for housing information. This number is made available through 2-1-1, the county's website, flyers and referring agencies.

3. Identify the process for making sub-awards and describe how the ESG allocation available to private nonprofit organizations (including community and faith-based organizations).

Currently ESG funds are allocated to four (4) nonprofit providers and the County as the HMIS administrator. The process for making sub-awards was to advertise the availability of ESG funding in 2014 as part of the 2015-2016 funding cycle. Four applications to provide Emergency Shelter services were received and reviewed. All four nonprofits were funded for homeless emergency shelter services. A Rapid Rehousing and Homeless prevention program will also be funded in FY2016. The contracts have been renewed annually at level funding. ESG and CoC providers are engaged in homeless services planning and ESG allocations. In FY2016 since ESG funding level was decreased by \$1,200, the HMIS project was decreased by \$1,200 to minimize the impact on the 4 shelters and the rapid re-housing project.

4. If the jurisdiction is unable to meet the homeless participation requirement in 24 CFR 576.405(a), the jurisdiction must specify its plan for reaching out to and consulting with homeless or formerly homeless individuals in considering policies and funding decisions regarding facilities and services funded under ESG.

The CoC has a formerly homeless person on the CoC Steering Committee governing board.

5. Describe performance standards for evaluating ESG.

ESG providers are evaluated using the CoC national performance measurements standards. Agencies

that provide only emergency shelter services are evaluated by examining one measures of success:

What percentage of persons leaving shelter are going to permanent housing?

The ESG program has not yet set a minimum percentage for shelters to meet. After a year of collecting data the ESG program staff and the CoC Steering Committee will meet to review the results and set a minimum standard.

Discussion

Since the change to the Emergency Solutions Grant Program the Clackamas County ESG program has been in the process of refining the ESG and CoC policies. In 2016 the ESG program will continue funding Rapid Rehousing and or Homeless prevention activities that were funded for the first time in 2014.

ESG program staff are working closely with the Continuum of Care for homeless programs to coordinate efforts, implement a coordinated assessment process, establish CoC and ESG program policies and to establish performance measures.

Appendix A – Grant Application (Standard 424 Forms)

Application for Federal Assistance SF-424

* 1. Type of Submission:

- Preapplication
- Application
- Changed/Corrected Application

* 2. Type of Application:

- New
- Continuation
- Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received:

4. Applicant Identifier:

CLACKAMAS COUNTY 2016 CDBG

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

B-16-UC-41-0001

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name:

CLACKAMAS COUNTY, OREGON

* b. Employer/Taxpayer Identification Number (EIN/TIN):

93-6002286

* c. Organizational DUNS:

0969926560000

d. Address:

* Street1:

2051 KAEN ROAD #245

Street2:

* City:

OREGON CITY

County/Parish:

* State:

OR: Oregon

Province:

* Country:

USA: UNITED STATES

* Zip / Postal Code:

97045-4035

e. Organizational Unit:

Department Name:

HEALTH, HOUSING & HUMAN SERVIC

Division Name:

COMMUNITY DEVELOPMENT DIVISION

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

Mr.

* First Name:

CHUCK

Middle Name:

* Last Name:

ROBBINS

Suffix:

Title:

DIRECTOR

Organizational Affiliation:

HOUSING AND COMMUNITY DEVELOPMENT DIVISION

* Telephone Number:

503-650-8591

Fax Number:

503-655-8563

* Email:

CHUCK@CO.CLACKAMAS.OR.US

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

B: County Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

11. Catalog of Federal Domestic Assistance Number:

14-218

CFDA Title:

CDBG - COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

*** 12. Funding Opportunity Number:**

* Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**

ANNUAL APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant

* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

* a. Start Date:

* b. End Date:

18. Estimated Funding (\$):

* a. Federal	<input type="text" value="2,019,843.00"/>
* b. Applicant	<input type="text" value=""/>
* c. State	<input type="text" value=""/>
* d. Local	<input type="text" value=""/>
* e. Other	<input type="text" value=""/>
* f. Program Income	<input type="text" value="0.00"/>
* g. TOTAL	<input type="text" value="2,019,843.00"/>

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

- Yes
- No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:
Middle Name:
* Last Name:
Suffix:

* Title:

* Telephone Number: Fax Number:

* Email:

* Signature of Authorized Representative:
* Date Signed:

Application for Federal Assistance SF-424

* 1. Type of Submission:

- Preapplication
 Application
 Changed/Corrected Application

* 2. Type of Application:

- New
 Continuation
 Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received:

4. Applicant Identifier:

CLACKAMAS COUNTY 2016 HOME

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

M16-UC-41-0201

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name:

CLACKAMAS COUNTY, OREGON

* b. Employer/Taxpayer Identification Number (EIN/TIN):

93-6002286

* c. Organizational DUNS:

0969926560000

d. Address:

* Street1:

2051 KAEN ROAD #245

Street2:

* City:

OREGON CITY

County/Parish:

* State:

OR: Oregon

Province:

* Country:

USA: UNITED STATES

* Zip / Postal Code:

97045-4035

e. Organizational Unit:

Department Name:

HEALTH, HOUSING & HUMAN SERVIC

Division Name:

COMMUNITY DEVELOPMENT DIVISION

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

Mr.

* First Name:

CHUCK

Middle Name:

* Last Name:

ROBBINS

Suffix:

Title:

DIRECTOR

Organizational Affiliation:

HOUSING AND COMMUNITY DEVELOPMENT DIVISION

* Telephone Number:

503-650-8591

Fax Number:

503-655-8563

* Email:

CHUCK@CO.CLACKAMAS.OR.US

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

B: County Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

11. Catalog of Federal Domestic Assistance Number:

14-238

CFDA Title:

HOME - HOME INVESTMENT PARTNERSHIP PROGRAM

*** 12. Funding Opportunity Number:**

* Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**

ANNUAL APPLICATION FOR HOME INVESTMENT PARTNERSHIP PROGRAM

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant

* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

* a. Start Date:

* b. End Date:

18. Estimated Funding (\$):

* a. Federal	<input type="text" value="746,028.00"/>
* b. Applicant	<input type="text" value=""/>
* c. State	<input type="text" value=""/>
* d. Local	<input type="text" value=""/>
* e. Other	<input type="text" value="0.00"/>
* f. Program Income	<input type="text" value="0.00"/>
* g. TOTAL	<input type="text" value="746,028.00"/>

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- a. This application was made available to the State under the Executive Order 12372 Process for review on
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

- Yes No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

** I AGREE

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Middle Name:
* Last Name:
Suffix:

* Title:

* Telephone Number: Fax Number:

* Email:

* Signature of Authorized Representative:
* Date Signed:

Application for Federal Assistance SF-424

*** 1. Type of Submission:**

- Preapplication
- Application
- Changed/Corrected Application

*** 2. Type of Application:**

- New
- Continuation
- Revision

*** If Revision, select appropriate letter(s):**

*** Other (Specify):**

*** 3. Date Received:**

4. Applicant Identifier:

CLACKAMAS COUNTY 2016 HESG

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

E16-UC-41-0003

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

*** a. Legal Name:**

CLACKAMAS COUNTY, OREGON

*** b. Employer/Taxpayer Identification Number (EIN/TIN):**

93-6002286

*** c. Organizational DUNS:**

0969926560000

d. Address:

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2051 KAEN ROAD #245

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USA: UNITED STATES

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ROBBINS

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Organizational Affiliation:

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*** Telephone Number:**

503-650-8591

Fax Number:

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*** Email:**

CHUCK@CO.CLACKAMAS.OR.US

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

B: County Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

11. Catalog of Federal Domestic Assistance Number:

14-239

CFDA Title:

EMERGENCY SOLUTIONS GRANT PROGRAM - HESG

*** 12. Funding Opportunity Number:**

* Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**

ANNUAL APPLICATION FOR EMERGENCY SOLUTIONS GRANT PROGRAM - HESG

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant

* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

* a. Start Date:

* b. End Date:

18. Estimated Funding (\$):

* a. Federal	<input type="text" value="179,957.00"/>
* b. Applicant	<input type="text" value=""/>
* c. State	<input type="text" value=""/>
* d. Local	<input type="text" value=""/>
* e. Other	<input type="text" value=""/>
* f. Program Income	<input type="text" value=""/>
* g. TOTAL	<input type="text" value="179,957.00"/>

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

Yes No

If "Yes", provide explanation and attach

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

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Middle Name:
* Last Name:
Suffix:

* Title:

* Telephone Number: Fax Number:

* Email:

* Signature of Authorized Representative:
* Date Signed:

Appendix B – Certifications

CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing -- The jurisdiction will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential antidisplacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

Anti-Lobbying -- To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction -- The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan -- The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the strategic plan.

Section 3 -- It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

Richard Swift, Director
Department of Health, Housing and Human Services

Date

Specific CDBG Certifications

Clackamas County, the Entitlement Community certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan -- Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low and moderate income. (See CFR 24 570.2 and CFR 24 part 570)

Following a Plan -- It is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

Use of Funds -- It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available);

2. Overall Benefit. The aggregate use of CDBG funds including section 108 guaranteed loans during program year(s) 2016 (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;

3. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

Compliance With Anti-discrimination laws -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

Lead-Based Paint -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, subparts A, B, J, K and R;

Compliance with Laws -- It will comply with applicable laws.

Richard Swift, Director
Department of Health, Housing and Human Services

Date

Specific HOME Certifications

The HOME participating jurisdiction certifies that:

Tenant Based Rental Assistance -- If the participating jurisdiction intends to provide tenant-based rental assistance:

The use of HOME funds for tenant-based rental assistance is an essential element of the participating jurisdiction's consolidated plan for expanding the supply, affordability, and availability of decent, safe, sanitary, and affordable housing.

Eligible Activities and Costs -- it is using and will use HOME funds for eligible activities and costs, as described in 24 CFR § 92.205 through 92.209 and that it is not using and will not use HOME funds for prohibited activities, as described in § 92.214.

Appropriate Financial Assistance -- before committing any funds to a project, it will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing;

Richard Swift, Director
Department of Health, Housing and Human Services

Date

ESG Certifications

The Emergency Solutions Grants Program Recipient certifies that:

Major rehabilitation/conversion – If an emergency shelter’s rehabilitation costs exceed 75 percent of the value of the building before rehabilitation, the jurisdiction will maintain the building as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed rehabilitation. If the cost to convert a building into an emergency shelter exceeds 75 percent of the value of the building after conversion, the jurisdiction will maintain the building as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed conversion. In all other cases where ESG funds are used for renovation, the jurisdiction will maintain the building as a shelter for homeless individuals and families for a minimum of 3 years after the date the building is first occupied by a homeless individual or family after the completed renovation.

Essential Services and Operating Costs – In the case of assistance involving shelter operations or essential services related to street outreach or emergency shelter, the jurisdiction will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided, without regard to a particular site or structure, so long the jurisdiction serves the same type of persons (e.g., families with children, unaccompanied youth, disabled individuals, or victims of domestic violence) or persons in the same geographic area.

Renovation – Any renovation carried out with ESG assistance shall be sufficient to ensure that the building involved is safe and sanitary.

Supportive Services – The jurisdiction will assist homeless individuals in obtaining permanent housing, appropriate supportive services (including medical and mental health treatment, victim services, counseling, supervision, and other services essential for achieving independent living), and other Federal State, local, and private assistance available for such individuals.

Matching Funds – The jurisdiction will obtain matching amounts required under 24 CFR 576.201.

Confidentiality – The jurisdiction has established and is implementing procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted under the ESG program, including protection against the release of the address or location of any family violence shelter project, except with the written authorization of the person responsible for the operation of that shelter.

Homeless Persons Involvement – To the maximum extent practicable, the jurisdiction will involve, through employment, volunteer services, or otherwise, homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted under the ESG program, in providing services assisted under the ESG program, and in providing services for occupants of facilities assisted under the program.

Consolidated Plan – All activities the jurisdiction undertakes with assistance under ESG

are consistent with the jurisdiction's consolidated plan.

Discharge Policy – The jurisdiction will establish and implement, to the maximum extent practicable and where appropriate policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, mental health facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent this discharge from immediately resulting in homelessness for these persons.

Richard Swift, Director
Department of Health, Housing and Human Services

Date

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING:

A. Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a

Appendix C – Project Maps

Clackamas County

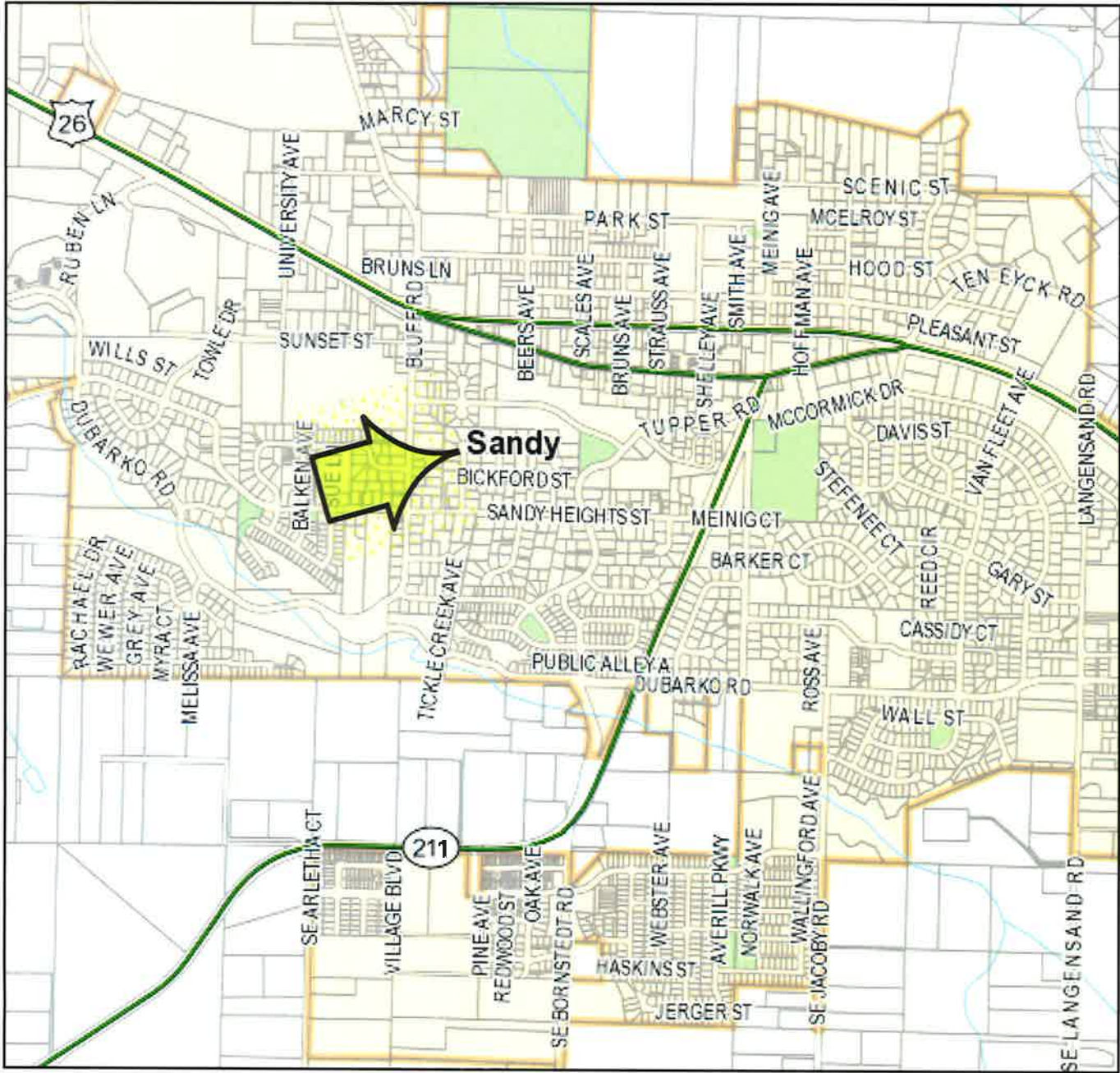
INSTALLATION SUBSIDY FOR
FIBER OPTIC



Geographic Information Systems
168 Warner Milne Road
Oregon City, OR 97045

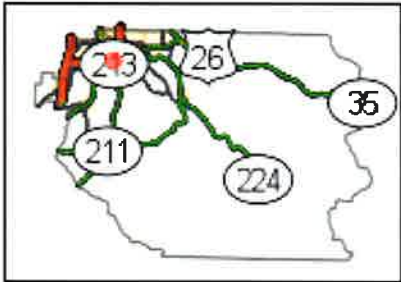
This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before

Mon, 16 Mar 2015 11:58:56



Clackamas County

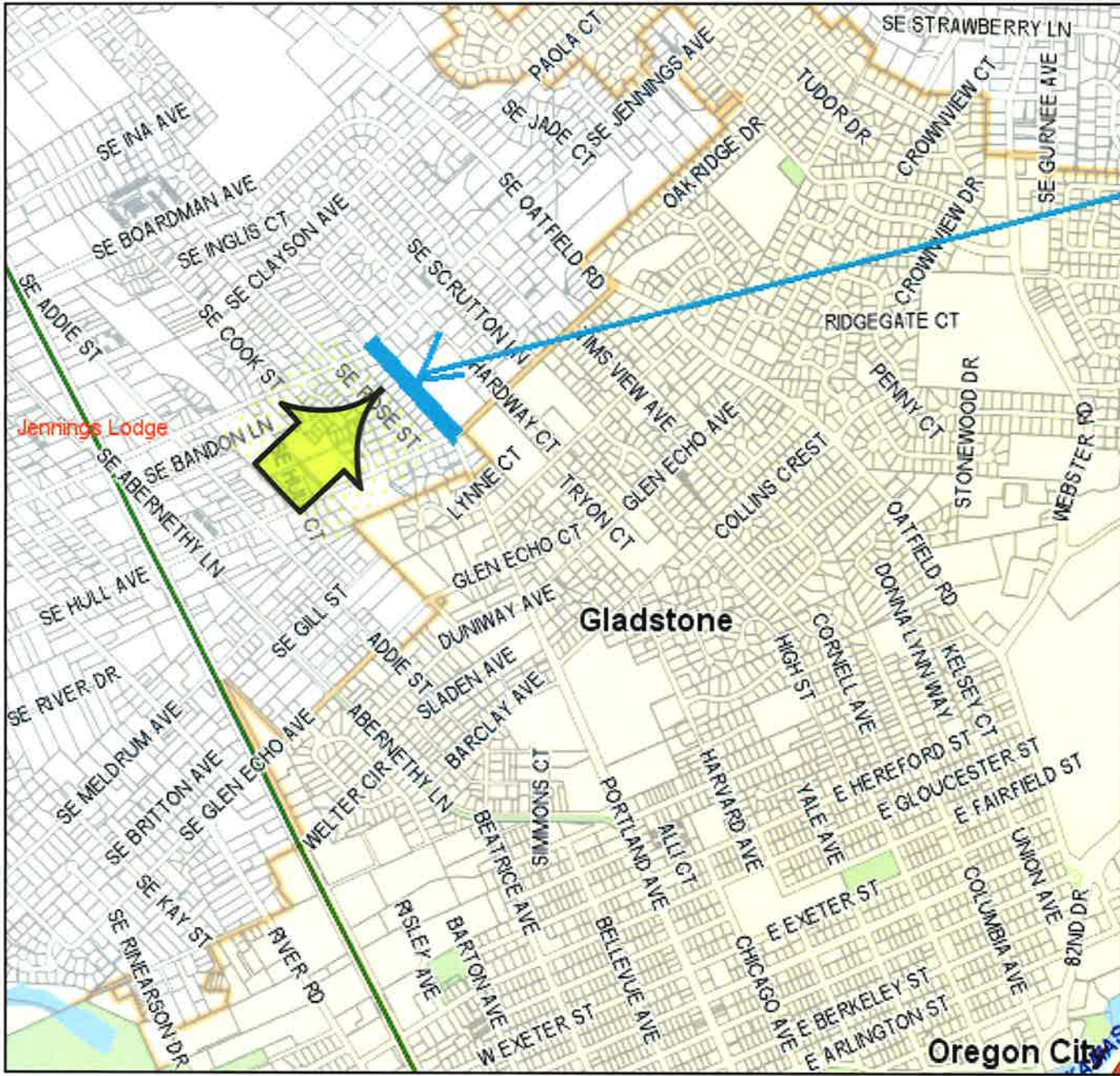
JENNINGS AVE PROJECT



**Geographic Information Systems
168 Warner Milne Road
Oregon City, OR 97045**

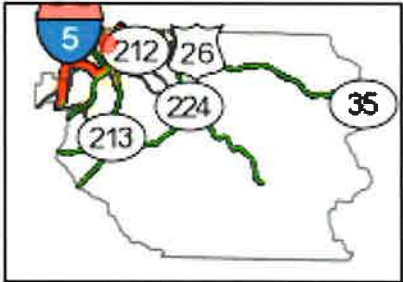
This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before

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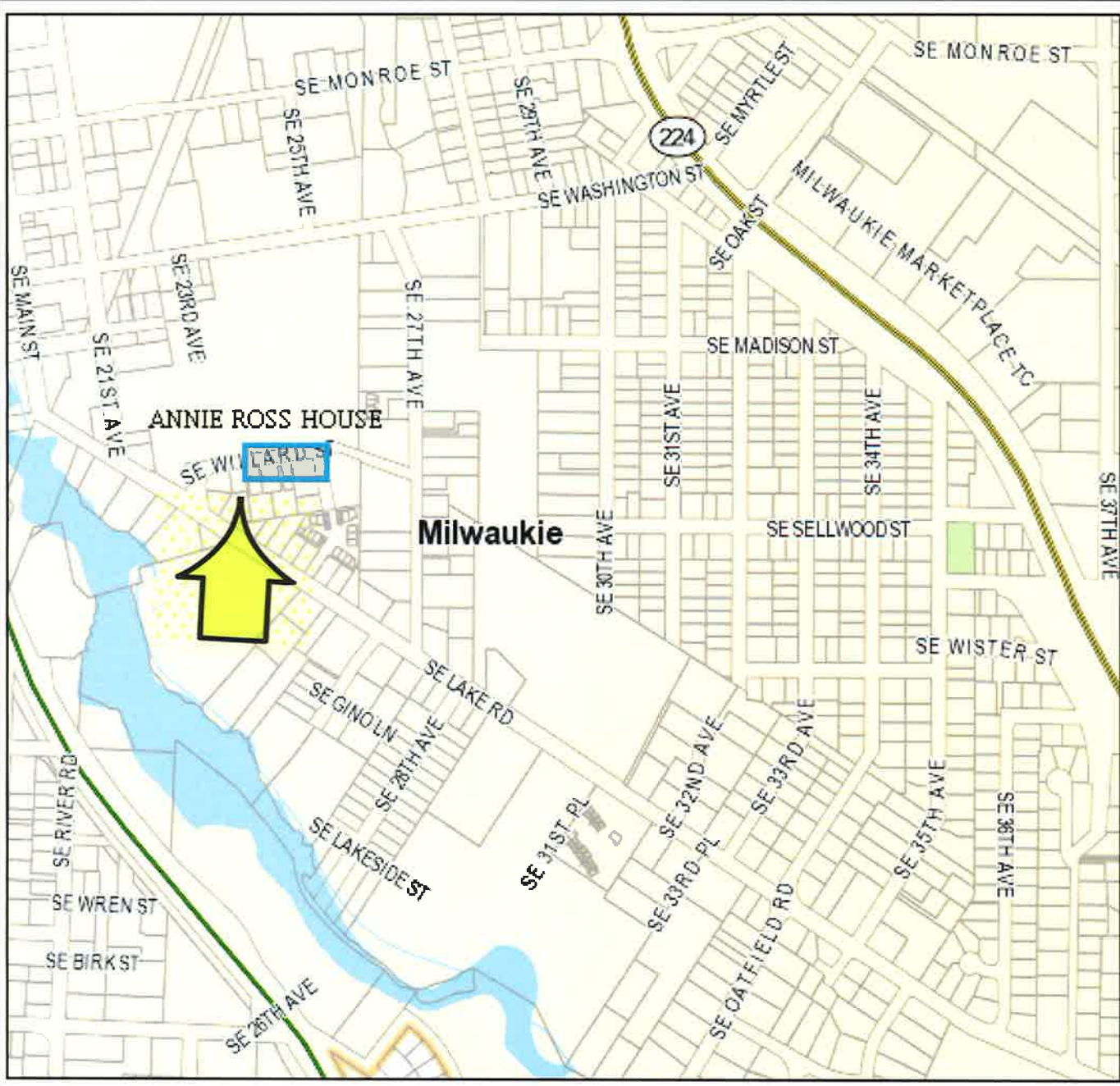
Clackamas County

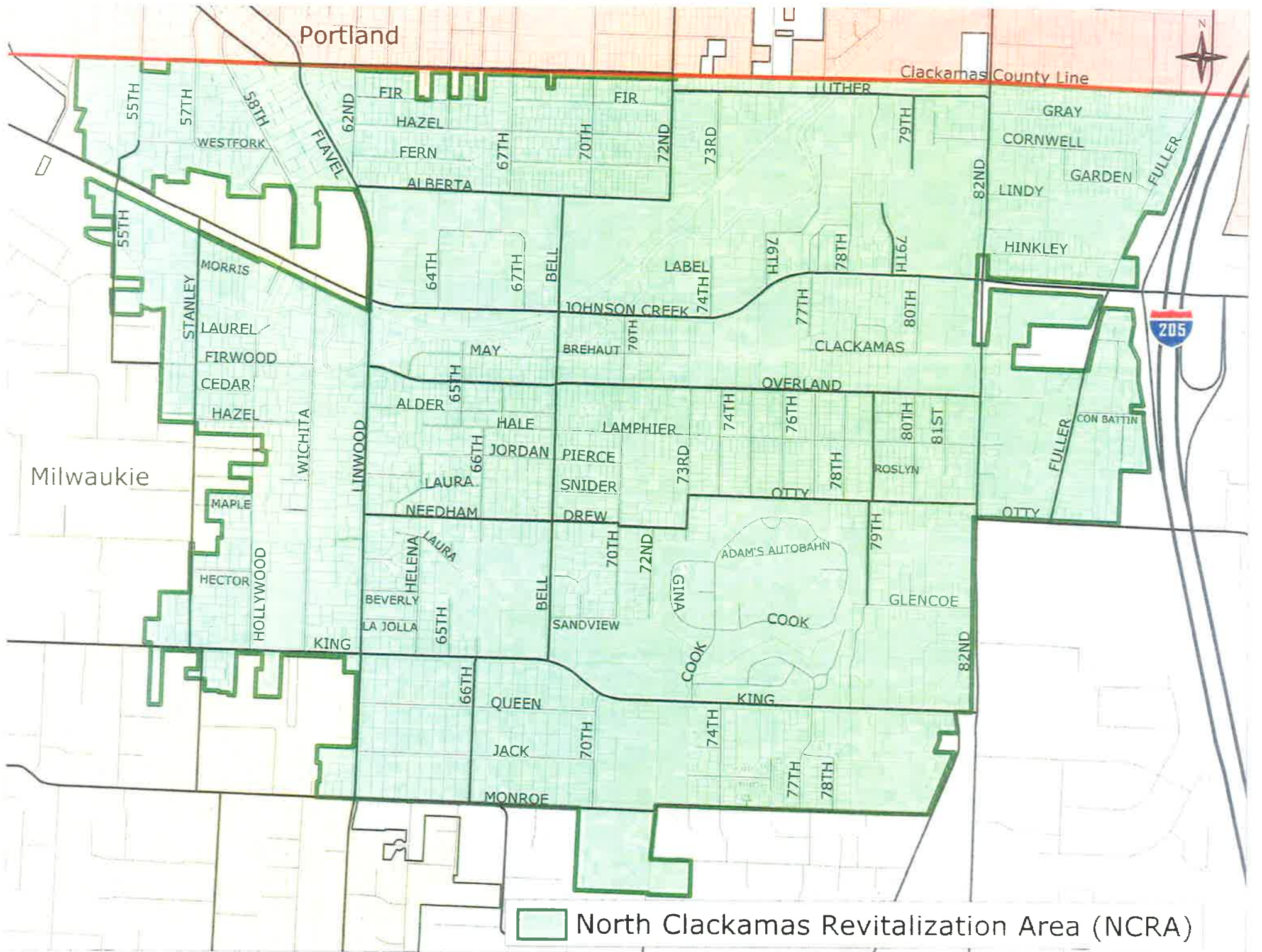
ANNIE ROSS HOUSE



Geographic Information Systems
168 Warner Milne Road
Oregon City, OR 97045

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before





North Clackamas Revitalization Area (NCRA)

Appendix D – Public Comments

**Clackamas County Community Development
Public Meeting Summary**

**6:00p.m. Wednesday, February 24, 2016
2051 Kaen Road Room 288
Oregon City, Oregon**

In Attendance:

Angela Trimble, Northwest Housing Alternatives
Emily Reiman, NEDCO
Melissa Erlbaum, Clackamas Women's Services
Christopher Hulette, Northwest Housing Alternatives
Kevin Ko, Housing and Community Development Manager
Mark Sirois, Project Coordinator, Community Development Program

Mark Sirois, Community Development Division, opened the meeting at 6:00p.m. by thanking everyone for attending. Mark explained that the public meeting was a chance for community members to learn about the Community Development Program and the funding that HUD provides. The meeting also provides an opportunity to get information from citizens on the specific community needs and discuss potential future housing and community development projects in the County.

Mark continued by discussing the anticipated federal funding in the coming year. Mark explained that this 2016 Action Plan was the last year of a 5-year plan. The next 5 –year plan will begin July 1, 2017. The Funding Recommendations distributed will be reviewed and approved by the Policy Advisory Board on March 16. The Board of County Commissioners will also review and approve the project list and 2016 Action Plan at a Public Hearing on April 14. The Housing and Community Development Division will conduct a county-wide housing and community development needs assessment and set priority goals before releasing applications for new projects in November 2016. The next funding cycle will be fore 3-years' worth of projects. Applications will be through the Zoomgrants website again.

Mark opened the floor for people to introduce themselves and discuss the needs they see in the community and their particular project ideas. Mark also said that he had received 3 letters of testimony regarding the need for a homebuyer assistance program in Clackamas County.

Public Comments:

People present asked questions about any new projects on the Funding Recommendations list that have been funded in 2016. Mark explained that the Oregon City Slide project was a new emergency assistance project that had been funded to help dislocated families. The Haven House roof was another project that had been funded with carry-over funds. The Centerstone project had been reduced from \$150,000 to \$50,000 by amendment due

to the scope of work changing and the Tiny Houses project had been postponed a year and reduced slightly.

People present discussed Tiny House models in general, the Red Lodge transitional housing project and the Rondel Courts redevelopment project that will add 17 units to the affordable housing project.

Angela Trimble mentioned that a state funded program that provides rent assistance to persons with severe mental illness has had a very difficult time placing people in rental units. The program has many restrictions regarding how many clients can live in the same apartment complex. The NHA program has experienced tragic losses due to 2 clients being stuck by cars while crossing roadways.

Mark asked if there were any other questions or comments before explain the new online grant application. Mark distributed copies of a sample online application which will begin in mid-November 2016 and close about December 30, 2016. Mark also said that HCD staff are available anytime by phone and email to discuss potential project ideas and to help answer any questions about the CDBG application process.

Kevin clarified that the HOME funding application process is always open and that County staff are always willing to discuss potential multi-family housing projects.

Mark asked everyone to make sure they had signed in so that they could be on the Citizen Participation list. The public meeting concluded at 7:15p.m.

February 22, 2016

Mark Sirois
Clackamas County
Housing and Community Development Division
c/o marksir@clackamas.us

RE: Testimony on housing and community development needs for the County's Housing and Community Development Program, submitted for consideration during the preparation of the County's 2016 Action Plan

Dear Mr. Sirois,

As Clackamas County considers its housing needs I strongly urge you to include significantly increasing County funding for affordable homeownership opportunities in Clackamas County.

I am currently homeless and had to move back home with my parents at the age of 54. Here is a little back ground on me. I have owned homes in Clackamas county for over 20 years until my divorce in 2006, then I rented a small house from a friend for \$560 a month. My friends recently had to sell the house as they moved out of state. At this point I found that even the rent market is out of my price range, so I contacted Proud Ground hoping to purchase a home. I am interested in purchasing a home in Clackamas County, but housing prices and rent is simply out of control. As a **school bus driver and trainer** earning **\$1,400 to \$1,800 a month**, there is no way I can afford a home at today's market prices. I work hard and have been at my job for over 13 years. I want to be a homeowner to show pride and to secure my future financially.

I know that the County has CHAP loans, but with the County's median 2015 sales price of \$322,500, a \$14,000 loan isn't going to make homeownership possible for me or people like me.

I am on the wait list for Proud Ground's permanently affordable homeownership program, and I know that there are some homes like this in Clackamas County, but we need so many more. Proud Ground's median 2015 sales price of \$153,000 is affordable for people like me and I strongly urge you to prioritize funding for this program so all kinds of people, with a variety of jobs and incomes, can settle in Clackamas County and really call it home.

Thank you for your consideration,

Pam Braun
Moonshadowpam@yahoo.com
PO Box 95 Oregon City OR 97045

February 23, 2016

Mark Sirois
Clackamas County
Housing and Community Development Division
c/o marksir@clackamas.us

RE: Testimony on housing and community development needs for the County's Housing and Community Development Program, submitted for consideration during the preparation of the County's 2016 Action Plan

Dear Mr. Sirois,

As Clackamas County considers its housing needs I hope you are really considering increasing County funding for affordable homeownership opportunities.

I am a current Clackamas County homeowner. I was able to purchase my Milwaukie home affordably through the County's previous support of Clackamas Community Land Trust, which is now a part of Proud Ground's permanently affordable homeownership program. Without County and CCLT's support my husband and I never would have been able to purchase this home; in 2011 we paid just \$120,000 for this home, which was then valued at \$180,000—I can't even imagine what it would go for today.

In addition to being a Proud Ground homeowner, I am also a board member, and I know that Proud Ground has a wait list of families who are interested in purchasing a home in Clackamas County, but who, like me, are simply priced out of today's housing market. Like these families on our wait list, my husband and I have a stable income with steady jobs. We could qualify for a home loan but not one for our home's 2011 value of \$180,000—and we certainly couldn't qualify for a home at today's median home price in Clackamas County of \$322,000.

Without the assistance we received from Clackamas County and Proud Ground, there is no way we could have afforded to buy our home, and there are so many more people like us. We work hard (at a non-profit and as a cashier at PCC) and we pursued homeownership because we were tired of flaky landlords and frequent rent increases. And now that we own our home, I have a small savings account, home grown tomatoes every summer, and we were able to replace our sixteen year old car with a much newer one. I regret I cannot make it to the public meeting in Oregon City tomorrow.

Thank you for your consideration,

Joanie Lunsford
Milwaukie, OR

Dear Mr. Sirois,

As Clackamas County considers its housing needs I strongly urge you to include significantly increasing County funding for affordable homeownership opportunities in Clackamas County.

I am a current renter who is interested in purchasing a home in Clackamas County, but housing prices are simply out of control. As a self-employed engineer working in the field of recycling consultant earning \$40,000 there is no way I can afford a home at today's market prices. I work hard and have a steady job and I want to be a homeowner because I would like to create community and security in my neighborhood.

I know that the County has CHAP loans, but with the County's median 2015 sales price of \$322,500, a \$14,000 loan isn't going to make homeownership possible for me or people like me.

I am on the wait list for Proud Ground's permanently affordable homeownership program, and I know that there are some homes like this in Clackamas County, but we need so many more. Proud Ground's median 2015 sales price of \$153,000 is affordable for people like me and I strongly urge you to prioritize funding for this program so all kinds of people, with a variety of jobs and incomes, can settle in Clackamas County and really call it home.

Thank you for your consideration,

Best,

David Burdick
4917 SE Aldercrest Rd.
Portland, OR 97222

Tel 503 654 2070

February 24, 2016

Mark Sirois
Clackamas County
Housing and Community Development Division
c/o marksir@clackamas.us

RE: Testimony on housing and community development needs for the County's Housing and Community Development Program, submitted for consideration during the preparation of the County's 2016 Action Plan

Dear Mr. Sirois,

As Clackamas County considers its housing needs I strongly urge you to include significantly increasing County funding for affordable homeownership opportunities in Clackamas County.

I am a longtime Clackamas County homeowner, I am a Board Vice Chair and former Chair of the affordable homeownership organization Proud Ground, and I was a founding board member of Clackamas Community Land Trust. Proud Ground has a wait list of families who are interested in purchasing a home in Clackamas County, but who are simply priced out of today's housing market. These people include a locally based truck driver who earns \$48,000 a year; a cook earning \$43,000 annually; a nonprofit employee who's a single mom with a \$31,000 annual income ... and so many more. Proud Ground serves families with stable incomes and steady jobs, families who can qualify for a home loan but not one for the current median home price in Clackamas County of \$322,000.

These families desire and deserve a chance at homeownership for the same reasons we all do: stability, wealth-building, being a true part of a community. I know that the County has CHAP loans, but with the County's median 2015 sales price of \$322,500, a \$14,000 loan isn't going to make homeownership truly affordable for average working families, especially in today's economy.

Proud Ground's permanently affordable homeownership program has 20 households on its wait list who want to own a home in Clackamas County, and I know that there would be hundreds more if the County provided funding for homeownership that is truly affordable. Proud Ground's median 2015 sales price of \$153,000 is affordable for hardworking families who are priced out of today's market and I strongly urge you to prioritize funding for this program so all kinds of people, with a variety of jobs and incomes, can settle in Clackamas County and really call it home.

Thank you for your consideration,



Michael R. Silvey
17330 Canyon Court
Lake Oswego, Oregon
503.697.0739

Appendix E – ESG Policy Manual

**Continuum of Care (CoC) and
Emergency Solutions Grant Program (ESG)
2015 Policy Manual**

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ESG Standards.....	7
Street Outreach.....	9
Shelter Services.....	10
Prevention and Rapid Rehousing.....	11-15

Attachments

- A. HUD Homeless Definitions – 4 pages
- B. HUD ESG Quick Reference – 2 pages
- C. HUD Habitability Checklist – 5 pages
- D. HUD CPD Notice 14-012 – 19 pages

Program Overview

The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act) consolidated three separate homeless assistance programs administered by the U.S. Department of Housing and Urban Development (HUD) under the McKinney-Vento Homeless Assistance Act into a single grant program. The HEARTH Act revised the Emergency Shelter Grants program and renamed the program the **Emergency Solutions Grants (ESG)** program. The HEARTH Act also codified in law the **Continuum of Care (CoC)** planning process that is part of HUD's annual application for funding of programs and services that assist homeless persons.

24 CFR Part 576 Subpart B details the program components and eligible activities of the ESG program. The five components are:

1. Street Outreach
2. Emergency Shelter
3. Homeless Prevention
4. Rapid Re-housing
5. HMIS (Homeless Management Information System)

ESG provider sub-recipients are selected through a Request for Proposals process conducted by Clackamas County Housing and Community Development Division at least every three years.

The Clackamas County Continuum of Care (CoC) is a consortium of individuals and organizations with the common purpose of planning for a housing and services continuum for people who are homeless.

The mission of the Clackamas County CoC is to facilitate the development of a continuum of housing and services that provide sufficient opportunities to significantly mitigate homelessness in Clackamas County, via:

- Full utilization of mainstream resources
- Coordination of service delivery and housing systems
- Systemic agreements and institutional focusing on populations at high risk of homelessness
- Creative cultivation of new resources
- Public awareness to foster a collective sense of responsibility for addressing homelessness

CoC funded providers operate transitional housing, permanent supportive housing and rapid rehousing programs and follow the program rules listed in **CoC Interim Rule 24 CFR Part 578**.

ESG provider sub-recipient contracts also include many ESG program requirements. Each ESG and CoC provider may decide to set standards for their homeless services that

exceed these minimum standards, but will at the very least comply with the following Clackamas County Homeless Services General Standards:

General Standards:

1. COORDINATED ASSESSMENT:

Minimum standards for the coordinated access and assessment system are:

- Once the Continuum of Care has developed and adopted a coordinated assessment system in accordance with HUD's requirements (24 CFR Part 578) all ESG and CoC providers in Clackamas County shall participate in that assessment system.
- Victim services providers are encouraged to provide input in the planning and implementation of the coordinated assessment system, but may choose not to use the Continuum of Care's coordinated assessment system.

2. HOMELESS MANAGEMENT INFORMATION SYSTEM (HMIS):

Minimum standards for CoC and ESG data are:

- Providers, except for victim service providers, shall utilize the Homeless Management Information System (HMIS), to enter data on people served and assistance provided under ESG and CoC.
- Victim service providers shall utilize a comparable data system that meets HUD's standards (24 CFR 576.107).
- All providers including victim services providers, shall adhere to the reporting and data quality standards in the current Clackamas County HMIS Policies and Procedures.

3. PERFORMANCE MEASUREMENT

All providers will submit Annual Performance Reports (APRs) to HUD. At least annually all providers will be measured using the following HUD CoC performance measures according to the type of project/service provided:

- a. Ending Chronic Homelessness – Have providers met commitments made to HUD or have any new chronic persons been housed? (permanent housing projects)
- b. Housing Stability – Have participants stayed in or moved to permanent housing? (transitional housing projects)
- c. Jobs and Income Growth – Have participants increased their income? (all projects)
- d. Mainstream Benefits – Have participants gotten access to services? (all projects)
- e. Rapid Re-Housing – Have families been appropriately housed as quickly as possible? (RRH projects)
- f. At least 30% of people exiting shelters go to transitional or permanent housing (shelter providers).

4. EDUCATION OF CHILDREN 24 CFR 578.23 (c) 7

Clackamas County CoC strongly values education, believing that increased educational attainment lowers risk of future homelessness. ESG and CoC programs shall inform parents and unaccompanied youth of their educational rights, take the educational needs of children into account when families are placed in housing and will, to the maximum extent practicable, place families with children as close as possible to their school of origin so as not to disrupt such children's education. Providers and homeless school liaisons coordinate schooling for each school-age child, reducing school migration and connecting students to services.

5. FAMILY UNITY

The CoC and ESG providers of emergency shelter, transitional housing, rapid rehousing and permanent housing serving families shall ensure that no members of a household with children under 18 are denied admission or separated when entering shelter or housing.

6. DEFINITION OF FAMILY

Family includes, but is not limited to, regardless of marital status, actual or perceived sexual orientation, or gender identity, the following:

- (1) A single person, who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person; or,
- (2) A group of persons residing together, and such group includes, but is not limited to:
 - a. A family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family);
 - b. An elderly family;
 - c. A near-elderly family;
 - d. A disabled family;
 - e. A displaced family; and,
 - f. The remaining member of a tenant family.

In general, this definition of “family” applies to both the ESG and CoC Program rules. However, the [McKinney-Vento Act, as amended by the HEARTII Act](#), distinguishes individuals from families. Therefore, paragraph (1) of the definition of family under the Equal Access Rule is considered an individual under the CoC and ESG programs and the definition of family for these programs is defined as follows:

Family includes, but is not limited to, regardless of marital status, actual or perceived sexual orientation, or gender identity, any group of persons presenting for assistance together with or without children and irrespective of age, relationship, or whether or not a member of the household has a disability. A child

who is temporarily away from the home because of placement in foster care is considered a member of the family.

7. REASONABLE ACCOMMODATIONS

Clackamas County is committed to the equal treatment of all persons, and believes that no eligible individual with disabilities should, solely on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any CoC programs.

All providers will provide **Reasonable Accommodations** to applicants and participants of CoC and ESG Programs. A reasonable accommodation is an agency or program modification or change to its policies or procedures that will assist an eligible person with a disability to attain equal participation in programs.

Providers will assist clients in reviewing and understanding the agency or program Reasonable Accommodation Policy and completing any type of Request for Reasonable Accommodation documentation, as needed.

8. TERMINATION OF ASSISTANCE (24 CFR Part 578.91(a))

Minimum standards for termination of assistance are:

- **In general** – If a program violation occurs and the provider terminates assistance as a result, the termination shall follow an established process that recognizes the rights of the individuals affected. Termination shall only occur in the most severe cases.
- **Program participants receiving rental assistance or housing relocation or stabilization services** – When terminating rental assistance or housing relocation and stabilization services, the required formal process shall minimally consist of:
 - Written notice clearly stating the reasons for termination;
 - A review of the decision that gives the participant opportunity to present objections to the decision maker; and
 - A prompt written final notice.
- **Ability to provide further assistance** – Termination will not bar the provider from providing later additional assistance to the same family or individual.

9. GRIEVANCE PROCESS (24 CFR Part 578.91(b))

All providers shall have a Grievance Process that recognizes the rights of individuals to due process when assistance is terminated. Individuals receiving assistance are informed at entry of the grievance process for that particular provider. The process shall consist of an informal process and a formal process.

Providers will assist clients in reviewing and understanding the agency or program Grievance Process and completing any type of Grievance Process documentation. Under no circumstances shall engaging in a grievance process negatively impact the services provided to the person or household.

10. NONDISCRIMINATION/EQUAL OPPORTUNITY/AFFIRMATIVE

OUTREACH: CoC and ESG providers must maintain copies of their marketing, outreach, and other materials used to inform eligible persons of the program to document compliance with the requirements in 24 CFR 578.93(c).

ESG providers minimum standards shall comply with the requirements for nondiscrimination, equal opportunity and affirmative outreach identified in 24 CFR 576.407 (a-b).

Service providers must ascertain the preferred language of participants and make every effort to provide services in the preferred language.

CoC Standards - 24 CFR 578.7(a)(9)

1. Eligibility. The CoC standard for evaluating individuals' and families' eligibility for assistance is to use an intake process that includes a coordinated assessment to determine and document participant eligibility. All CoC providers will follow CoC Program guidelines to establish the client's status as homeless and verify household income eligibility, if applicable. 24 CFR 578.103 and 24 CFR 576.500

2. Transitional Housing. The CoC standard for determining and prioritizing which eligible individuals and families will receive transitional housing: CoC providers shall use an intake process with the coordinated assessment to prioritize which persons will receive any available transitional housing on a first come first served basis. The determination will be documented in the client file.

3. Rapid Re-housing (RRH). The CoC standard for determining and prioritizing which eligible individuals and families will receive rapid re-housing assistance: CoC providers shall use an intake process with the coordinated assessment to prioritize which persons will receive any available Rapid re- housing units on a first come first served basis. The determination will be documented in the client file.

4. Participant share of RRH assistance. The CoC standard for determining what percentage or amount of rent each program participant must pay while receiving rapid re-housing assistance: CoC providers shall consider the income information for the last 30 days collected at intake and during the coordinated assessment to determine

the percentage or amount each program participant must pay while receiving assistance. The determination will be documented in the client file. Participants will pay no more than 30% of their household income for rent per 24 CFR 578.77 (c).

5. Permanent Supportive Housing. The CoC standard for determining and prioritizing which eligible individuals and families will receive permanent supportive housing assistance: CoC providers shall use an intake process with the coordinated assessment to determine and prioritize which persons are best served by placement in any available Permanent Supportive Housing unit. Chronically homeless persons are prioritized for PSH beds in accordance with HUD guidance in CPD Notice 14-012 (Attachment D). The determination will be documented in the client file.

ESG Standards - 24 CFR 576.400 (e):

1. Evaluating Eligibility. Standard policies and procedures for evaluating individuals' and families' eligibility for assistance under ESG:

Per 24 CFR 576.401: ESG (sub-recipients) providers must conduct an initial evaluation to determine each individual or family's eligibility for ESG assistance and the amount and types of assistance the individual or family needs to regain stability in permanent housing. All ESG providers will follow federal documentation guidelines to establish the client's status as homeless or at-risk of homeless and their income eligibility. These evaluations must be conducted in accordance with the centralized or coordinated assessment requirements set forth under §576.400(d).

2. Coordination Among Providers. Policies and procedures for coordination among all Clackamas County emergency shelter providers, essential service providers, homelessness prevention and rapid re-housing assistance providers, other homeless assistance providers, and mainstream service and housing providers:

The ESG providers must coordinate and integrate, to the maximum extent practicable, ESG-funded activities with other ending homelessness programs in the area covered by the Continuum of Care or area over which the services are coordinated to provide a strategic, community-wide system to prevent and end homelessness. The list of programs are included in 24 CFR Part 567.400(b)

ESG provider managers and case managers shall participate in Clackamas County Continuum of Care meetings to coordinate services and to discuss ESG policies and procedures. ESG providers receive feedback from other homeless services providers on all services available for low-income and homeless persons including; accessing mainstream services; housing, legal and health care services.

3. Determining and Prioritizing. Policies and procedures for determining and prioritizing which eligible families and individuals will receive homelessness prevention assistance and which eligible families and individuals will receive rapid re-housing assistance:

ESG-funded providers will be responsible for ensuring that potential participants are served, with provisions for serving eligible households who meet prioritization criteria established through the Continuum of Care using coordinated assessment protocols.

Coordinated assessment tools thoroughly explore a family's or individual's situation and pinpoints their unique housing and service needs. Based upon the coordinated assessment, families and individuals should be referred to the type, level and duration of housing and services most appropriate to their situations and need.

Under homelessness prevention, ESG assistance is available to individuals and families below 30% of Area Median Income (AMI), and are homeless or at risk of becoming homeless.

ESG funds can be used to prevent an individual or family from becoming homeless and regain stability in current housing or other permanent housing. Rapid re-housing funds can be used to assist individuals and families who are literally homeless progress toward permanent housing and achieve housing stability.

a. Homeless Prevention Households will be re-certified for continued eligibility every 3 months.

b. Rapid Re-Housing Households will be re-certified annually.

4. Income Determination and Requirements

a) Income Eligibility

There are no income eligibility requirements for receiving street outreach, emergency shelter or transitional housing services and assistance. To qualify for rapid re-housing, an applicant must be at imminent risk of homeless which has no income requirements. However, in order to continue to receive rapid re-housing assistance, clients must have an annual income that does not exceed 30% of AMI at time of re-evaluation. To qualify for homeless

prevention assistance, applicants must have an annual income below 30% AMI at time of intake.

b) Calculating Gross Annual Income

Annual Income is the gross amount of income anticipated to be received by a household during the coming year based on the household's circumstances at the time of program intake and assessment. Annual Income determination is consistent with the Housing Choice Voucher definition of annual Income found at 24 CFR 5.609.

When determining the annual income of a household to establish eligibility for ESG assistance, Providers must count the income of all adults in the household, including nonrelated individuals, within the limitations imposed by 24 CFR 5.609. Not everyone living in the unit is considered a member of the household for the purposes of determining a household's income. Excluded persons include: foster children, foster adults, live-in aides, children of live-in aides and an unborn child. A child subject to a shared-custody agreement should be counted as a household member if the child resides with the household at least 50 percent of the time.

Income generated by an asset, such as the interest on a savings or checking account is considered household income even if the household elects not to receive it. For example, though an applicant may elect to reinvest the interest or dividends from an asset, the interest or dividends are still counted as income anticipated to be received during the coming 12 months. Asset income is discussed in 24 CFR 5.609. Income producing assets include: bank accounts; life insurance policies; lump sum additions (legal settlement, refund, etc.); personal property held as investments; retirement/pension funds; trusts; assets disposed of for less than fair market value; and stocks, bonds or mutual funds.

5. STREET OUTREACH STANDARDS

MINIMUM STANDARDS:

Targeting/Engagement:

Providers of Street Outreach services shall focus on unsheltered homeless individuals and families, meaning those with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station airport or camping ground.

Assessment/Service Provision/Referral/Prioritization:

- Individuals and families shall be offered an initial need and eligibility assessment and qualifying program participants, including those meeting special population criteria, will be offered the following Street Outreach services, as needed and appropriate: engagement, case management, emergency health and mental health, transportation services.
- When appropriate based on the individual's needs and wishes, the provision of or referral to rapid rehousing services that can quickly assist individuals to obtain safe, permanent housing shall be prioritized over the provision of or referral to emergency shelter or transitional housing services.

References: 24 CFR 576.101 and 576.400 e (3) (ii)

6. EMERGENCY SHELTER STANDARDS

MINIMUM STANDARDS:

Admission:

Providers of Emergency Shelter services shall admit individuals and families who meet the HUD definition of "homeless," as specified in 24 CFR 576.2 (1, 2, 3 & 4) and agencies' eligibility criteria.

Assessment:

Individuals and families shall be offered an initial need and eligibility assessment and qualifying program participants, including those meeting special population criteria, will be offered Emergency Shelter services, as needed and appropriate.

Prioritization/Diversion/Referral:

When appropriate based on the individual's needs and wishes, the provision of or referral to Homeless Prevention or Rapid Rehousing services that can quickly assist individuals to maintain or obtain safe, permanent housing shall be prioritized over the provision of Emergency Shelter or Transitional Housing services.

Reassessment:

Program participants will be reassessed as case management progresses, based on the participant needs and goals as well as the individual service provider's policies.

Discharge/Length of Stay:

Program participants shall be discharged from Emergency Shelter services when they choose to leave or when they have successfully obtained safe, permanent housing. Any Length of Stay limitations shall be determined by the individual service provider's policies and clearly communicated to program participants.

Safety and Shelter Safeguards for Special Populations:

Safety and Shelter Safeguards shall be determined by the individual Special Population service provider's policies and clearly communicated to program participants.

Reference: 24 CFR 576.102 and 576.400 (e) (iii) and (iv)

7. HOMELESSNESS PREVENTION AND RAPID RE-HOUSING STANDARDS (24 CFR 576.103 and 104)

ELIGIBILITY/PRIORITIZATION:

Minimum standards for determining and prioritizing which eligible families and individuals shall receive homelessness prevention assistance and which eligible families and individuals shall receive rapid rehousing assistance:

Rapid Re-housing (RR) – To be eligible for RR Housing Relocation and Stabilization Services and Short-term and Medium-term Rental Assistance, people must:

- Meet the federal criteria under paragraph (1) of the “homeless” definition in 24 CFR 576.2 OR
- Meet the criteria under paragraph (4) of the “homeless” definition in 24 CFR 576.2 and live in an emergency shelter or other place described in paragraph (1) of the “homeless” definition. (See Attachment A).

Homelessness Prevention (HP) – To be eligible for HP Housing Relocation and Stabilization Services and Short-term and Medium-term Rental Assistance, program participants must:

- require HP services to prevent moving into an emergency shelter or another place described in paragraph (1) of the “homeless” definition in 24 CFR 576.2 (See Attachment A).
- have an annual income below 30% of the median income for the area and:
- meet the federal criteria under the “at risk of homelessness” definition in 24 CFR 576.2 OR
- meet the criteria in paragraph (2), (3) or (4) of the “homeless” definition in 24 CFR 576.2 (See Attachment A).

PARTICIPANT CONTRIBUTION TO RENT:

Minimum standards for determining what percentage or amount of rent and utilities costs each program participant shall pay while receiving homelessness prevention or rapid rehousing assistance:

- Participants shall pay at least 10% but no more than 50% of their adjusted gross income to rent and utilities based on the household income level established upon intake or when re-evaluated. Any additional requirements regarding the

percentage or amount of rent and utilities costs each program participant shall pay shall be determined by the individual service provider's policies and clearly communicated to program participants.

- Participant's income shall be verified prior to approval for initial and additional financial assistance. Documentation of the participant's income and expenses, including how the participant is contributing to housing costs, if at all, shall be maintained in participant's file. This file shall also contain a plan to sustain housing following the assistance, including either a plan to increase income or decrease expenses or both. 24 CFR 576.400 (e) (vii)

RENTAL ASSISTANCE DURATION AND ADJUSTMENT (24 CFR 576.105):

Minimum standards for determining how long a particular program participant shall be provided with rental assistance and whether and how the amount of that assistance shall be adjusted over time:

- Participants receive approval for the minimum amount of financial assistance necessary to prevent the current episode homelessness. If short-term (1-3 months) or medium-term (4-12 months) is determined to be needed, documentation of financial need shall be kept in the participant's file for each month of financial assistance received. Participants shall not be approved for more rental assistance than can be justified given their income and expenses at a given time.
- Any additional requirements regarding how long a program participant shall be provided with rental assistance and whether and how the amount of that assistance shall be adjusted over time shall be determined by the individual service provider's policies and clearly communicated to program participants.

SERVICE TYPE, AMOUNT & DURATION:

Per 24 CFR 576.400 e (viii) the minimum standards for determining the type, amount, and duration of housing stabilization and/or relocation services to provide to a program participant:

Financial Assistance:

No Use with other subsidies – Payment for Financial Assistance costs shall not be provided to a participant who is receiving the same type of financial assistance through other public sources or to a participant who has been provided with replacement housing payments under the URA, during the period of time covered by the URA payments.

Rental application fees – Payment shall only be made for fees charged by the owner to all applicants.

Security deposits – Payment shall not exceed two (2) month's rent.

Last month's rent – Payment shall not exceed one (1) month's rent and shall be included in calculating the participant's total rental assistance.

Utility deposits – Payment shall only be made for gas, electric, water and sewage deposits.

Utility payments:

- Payment shall not exceed 24 months per participant, including no more than 6 months of utility payments in arrears, per service.
- A partial payment counts as 1 month.
- Payment shall only be made if the utility account is in the name of the participant or a member of the same household.
- Payment shall only be made for gas, electric, water and sewage costs.
- Participants shall not receive more than 24 months of utility assistance within any 3-year period.

Moving costs – Payment shall only be made for temporary storage fees accrued after the date the participant begins receiving housing relocation and stabilization services and prior to the date the participant moves into permanent housing.

Payment shall not be made for storage fees in arrears.

Housing Relocation and Stabilization Services (24 CFR 576.105 and 576.400 e (ix)):

Housing search and placement services – Payment shall only be made for assisting participants to locate, obtain and retain suitable permanent housing through provision of the following services:

- Assessment of housing barriers, needs and preferences
- Development of an action plan for locating housing
- Housing search
- Outreach to and negotiation with owners
- Assistance with submitting rental applications and understanding leases
- Assessment of housing for compliance with ESG requirements for habitability, lead-based paint and rent reasonableness
- Assistance with obtaining utilities and making moving arrangements
- Tenant counseling

Payment for housing search and placement services shall not exceed 24 months during any 3-year period.

Housing stability case management – Payment shall only be made for assessing, arranging, coordinating and monitoring the delivery of individualized services to facilitate housing stability for a participant who resides in permanent housing or to assist a participant in overcoming immediate barriers to obtaining housing through provision of the following services:

- Using the centralized or coordinated assessment system
- Conducting the initial evaluation, including verifying and documenting participant eligibility
- Counseling

- Developing, securing and coordinating services and obtaining Federal, State and local benefits
- Monitoring and evaluating participant progress
- Providing information and referral to other providers
- Developing an individualized housing and service plan
- Conducting re-evaluations

Payment for housing stability case management services provided while the participant is seeking permanent housing shall not exceed 30 days.

Payment for housing stability case management services provided while the participant is living in permanent housing shall not exceed 24 months.

Mediation – Payment shall only be made for the cost of mediation between the participant and the owner or person with whom the participant is living, if it is necessary to prevent the participant from losing the permanent housing where he/she resides. Payment for mediation services shall not exceed 24 months during any 3-year period.

Legal services – Payment shall only be made for the cost of legal services, if they are necessary to resolve a legal problem that prohibits the participant from obtaining permanent housing or will likely result in the participant losing the permanent housing where he/she resides. Payment for legal services shall not exceed 24 months during any 3-year period.

Credit repair – Payment shall only be made for the cost of assisting the participant in obtaining skills related to household budgeting, managing money, accessing a free personal credit report and resolving personal credit problems. Payment will not be made for a debt or modification of a debt. Payment for credit repair services shall not exceed 24 months during any 3-year period.

- **Rental Assistance (24 CFR 576.106):** Payment shall not exceed 24 months total during a 3-year period in tenant-based or project-based housing.
- Payment for short-term rental assistance shall not exceed 3 months.
- Payment for medium-term rental assistance shall be for more than 3 months, but shall not exceed 24 months.
- Payment for rent arrears shall not exceed 6 months and shall be a one-time payment, including any late fees.
- Except for a one-time payment of rental arrears on the participant's portion, payment shall not be provided to a participant who is receiving tenant-based rental assistance or living in a unit receiving project-based assistance or to a

participant who has been provided with replacement housing payments under the URA, during the period of time covered by the URA payments.

- Payment shall not exceed the Fair Market Rent established by HUD per 24 CFR 888 and shall comply with HUD's standard of rent reasonableness detailed in 24 CFR 982.507.
- Calculation of the rental payment amount shall only include monthly rent for the unit, any occupancy fees under the lease (except for pet and late fees) and if the participant pays separately for utilities, the monthly utility allowance established by the public housing authority for the area in which the housing is located.
- Payment for shall only be made when there is a rental assistance agreement between the agency and the owner, which sets forth the terms under which rental assistance will be provided, including the prior requirements; a requirement that the owner provide the subrecipient with a copy of any notice to vacate given to the participant or any complaint used to commence an eviction action; and the same payment due date, grace period and late payment penalty requirement as the participant's lease.
- Payment of any late payment penalties incurred by the agency shall not be claimed for reimbursement by ESG.
- Payment shall only be made when there is a legally binding, written lease for the rental unit between the participant and the owner, except for payment of rental arrears.
- The rental unit must meet minimum habitability standards per 24 CFR 576.403. See Attachment C.

Tenant-Based Rental Assistance

The rental assistance agreement with the unit owner shall be terminated without further payment if:

- The participant moves out of the unit
- The lease terminates and is not renewed
- The participant becomes ineligible to receive ESG rental assistance

Project-Based Rental Assistance

Payment shall only be made under the following conditions:

- The lease has an initial term of one year
- The rental assistance agreement covers one or more permanent housing units in the same building
- Each unit covered by the agreement is only occupied by participants

- Payment of no more than 100% of the first month's rent will be made for that month, if the participant signs a lease and moves into the unit before the end of that first month of occupancy.

Any additional requirements regarding the type, amount, and duration of housing stabilization and/or relocation services that will be provided to a program participant, including any limitations shall be determined by the individual service provider's policies and clearly communicated to program participants.

RE-EVALUATIONS:

Minimum standards for completing eligibility re-evaluations of individuals and families:

Timing:

- Homelessness Prevention – participants shall be re-evaluated not less than once every three months
- Rapid Rehousing – participants shall be re-evaluated not less than once annually

Eligibility:

- To remain eligible, the participant shall have an annual income that is 30 percent of median family income for the area or less, as determined by HUD; **and**
- the participant shall lack sufficient resources and support networks necessary to retain housing without ESG assistance.

End of ESG Standards




Homeless Definition

CRITERIA FOR DEFINING HOMELESS	Category 1	Literally Homeless	<p>(1) Individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:</p> <ul style="list-style-type: none"> (i) Has a primary nighttime residence that is a public or private place not meant for human habitation; (ii) Is living in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state and local government programs); <u>or</u> (iii) Is exiting an institution where (s)he has resided for 90 days or less <u>and</u> who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution
	Category 2	Imminent Risk of Homelessness	<p>(2) Individual or family who will imminently lose their primary nighttime residence, provided that:</p> <ul style="list-style-type: none"> (i) Residence will be lost within 14 days of the date of application for homeless assistance; (ii) No subsequent residence has been identified; <u>and</u> (iii) The individual or family lacks the resources or support networks needed to obtain other permanent housing
	Category 3	Homeless under other Federal statutes	<p>(3) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:</p> <ul style="list-style-type: none"> (i) Are defined as homeless under the other listed federal statutes; (ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the homeless assistance application; (iii) Have experienced persistent instability as measured by two moves or more during in the preceding 60 days; <u>and</u> (iv) Can be expected to continue in such status for an extended period of time due to special needs or barriers
	Category 4	Fleeing/ Attempting to Flee DV	<p>(4) Any individual or family who:</p> <ul style="list-style-type: none"> (i) Is fleeing, or is attempting to flee, domestic violence; (ii) Has no other residence; <u>and</u> (iii) Lacks the resources or support networks to obtain other permanent housing



Homeless Definition

RECORDKEEPING REQUIREMENTS 	Category 1	Literally Homeless	<ul style="list-style-type: none"> • Written observation by the outreach worker; <u>or</u> • Written referral by another housing or service provider; <u>or</u> • Certification by the individual or head of household seeking assistance stating that (s)he was living on the streets or in shelter; • For individuals exiting an institution—one of the forms of evidence above <u>and</u>: <ul style="list-style-type: none"> ○ discharge paperwork <u>or</u> written/oral referral, <u>or</u> ○ written record of intake worker’s due diligence to obtain above evidence <u>and</u> certification by individual that they exited institution
	Category 2	Imminent Risk of Homelessness	<ul style="list-style-type: none"> • A court order resulting from an eviction action notifying the individual or family that they must leave; <u>or</u> • For individual and families leaving a hotel or motel—evidence that they lack the financial resources to stay; <u>or</u> • A documented and verified oral statement; <u>and</u> • Certification that no subsequent residence has been identified; <u>and</u> • Self-certification or other written documentation that the individual lack the financial resources and support necessary to obtain permanent housing
	Category 3	Homeless under other Federal statutes	<ul style="list-style-type: none"> • Certification by the nonprofit or state or local government that the individual or head of household seeking assistance met the criteria of homelessness under another federal statute; <u>and</u> • Certification of no PH in last 60 days; <u>and</u> • Certification by the individual or head of household, and any available supporting documentation, that (s)he has moved two or more times in the past 60 days; <u>and</u> • Documentation of special needs <u>or</u> 2 or more barriers
	Category 4	Fleeing/ Attempting to Flee DV	<ul style="list-style-type: none"> • <i>For victim service providers:</i> <ul style="list-style-type: none"> ○ An oral statement by the individual or head of household seeking assistance which states: they are fleeing; they have no subsequent residence; and they lack resources. Statement must be documented by a self-certification or a certification by the intake worker. • <i>For non-victim service providers:</i> <ul style="list-style-type: none"> ○ Oral statement by the individual or head of household seeking assistance that they are fleeing. This statement is documented by a self-certification or by the caseworker. Where the safety of the individual or family is not jeopardized, the oral statement must be verified; <u>and</u> ○ Certification by the individual or head of household that no subsequent residence has been identified; <u>and</u> ○ Self-certification, or other written documentation, that the individual or family lacks the financial resources and support networks to obtain other permanent housing.



Homeless Definition

ELIGIBILITY BY COMPONENT (Emergency Solutions Grants Program)	Street Outreach	Individuals defined as Homeless under the following categories are eligible for assistance in SO: <ul style="list-style-type: none"> • Category 1 – Literally Homeless • Category 4 – Fleeing/Attempting to Flee DV (where the individual or family also meets the criteria for Category 1) SO projects have the following additional limitations on eligibility within Category 1: <ul style="list-style-type: none"> • Individuals and families must be living on the streets (or other places not meant for human habitation) and be unwilling or unable to access services in emergency shelter
	Emergency Shelter	Individuals and Families defined as Homeless under the following categories are eligible for assistance in ES projects: <ul style="list-style-type: none"> • Category 1 – Literally Homeless • Category 2 – Imminent Risk of Homeless • Category 3 – Homeless Under Other Federal Statutes • Category 4 – Fleeing/Attempting to Flee DV
	Rapid Re-housing	Individuals defined as Homeless under the following categories are eligible for assistance in RRH projects: <ul style="list-style-type: none"> • Category 1 – Literally Homeless • Category 4 – Fleeing/Attempting to Flee DV (where the individual or family also meets the criteria for Category 1)
	Homelessness Prevention	Individuals and Families defined as Homeless under the following categories are eligible for assistance in HP projects: <ul style="list-style-type: none"> • Category 2 – Imminent Risk of Homeless • Category 3 – Homeless Under Other Federal Statutes • Category 4 – Fleeing/Attempting to Flee DV Individuals and Families who are defined as At Risk of Homelessness are eligible for assistance in HP projects. HP projects have the following additional limitations on eligibility with homeless and at risk of homeless: <ul style="list-style-type: none"> • Must only serve individuals and families that have an annual income <u>below</u> 30% of AMI



Homeless Definition

ELIGIBILITY BY COMPONENT (Projects Funded in FY 2011 CoC Competition – SHP and S+C Programs)	Supportive Services Only	Individuals and Families defined as Homeless under the following categories are eligible for assistance in SSO projects: <ul style="list-style-type: none"> • Category 1 – Literally Homeless • Category 2 – Imminent Risk of Homeless • Category 3* – Homeless Under Other Federal Statutes • Category 4 – Fleeing/Attempting to Flee DV
	Safe Havens	Individuals defined as Homeless under the following categories are eligible for assistance in SH projects: <ul style="list-style-type: none"> • Category 1 – Literally Homeless SH projects have the following additional NOFA limitations on eligibility within Category 1: <ul style="list-style-type: none"> • Must serve individuals only • Individual must have a severe mental illness • Individual must be living on the streets and unwilling or unable to participate in supportive services
	Transitional Housing	Individuals and Families defined as Homeless under the following categories are eligible for assistance in TH projects: <ul style="list-style-type: none"> • Category 1 – Literally Homeless • Category 2 – Imminent Risk of Homeless • Category 3* – Homeless Under Other Federal Statutes • Category 4 – Fleeing/Attempting to Flee DV
	Permanent Supportive Housing	Individuals and families defined as Homeless under the following categories are eligible for assistance in PSH projects: <ul style="list-style-type: none"> • Category 1 – Literally Homeless • Category 4 – Fleeing/Attempting to Flee DV PSH projects have the following additional NOFA limitations on eligibility within Category 1: <ul style="list-style-type: none"> • Individuals and Families coming from TH must have originally come from the streets or emergency shelter • Individuals and Families must also have an individual family member with a disability Projects that are dedicated chronically homeless projects, including those that were originally funded as Samaritan Bonus Initiative Projects must continue to serve chronically homeless persons <u>exclusively</u>

* Projects must be located within a CoC that has received HUD approval to serve this category. For more information about receiving HUD approval, please read: [Notice on Limitation on Use of Funds to Serve Persons Defined as Homeless Under Other Federal Laws](#)

ATTACHMENT B



Emergency Solutions Grants (ESG) Program Components Quick Reference

ESG funds can be used to provide a wide range of services and supports under the five program components: Street Outreach, Emergency Shelter, Rapid Re-Housing, Homelessness Prevention, and HMIS. Each component is described in the tables below, accompanied by a list of corresponding ESG activities. Activities, as opposed to components, include the component plus the activity type. While administration is not a component, it is considered an activity type*. **Always refer to the program regulations at 24 CFR part 576 for complete information about all eligible costs and program requirements.**

<p>Street Outreach Component. These activities are designed to meet the immediate needs of unsheltered homeless people by connecting them with emergency shelter, housing, and/or critical health services. § 576.101</p>	
<p>Activity types:</p> <ul style="list-style-type: none"> • Engagement • Case Management • Emergency Health Services • Emergency Mental Health Services • Transportation • Services for Special Populations 	

<p>Emergency Shelter Component. These activities are designed to increase the quantity and quality of temporary shelters provided to homeless people, through the renovation of existing shelters or conversion of buildings to shelters, paying for the operating costs of shelters, and providing essential services. § 576.102</p>			
Essential Services	Renovation (also includes Major Rehab and Conversion)	Shelter Operations	Assistance Required Under the Uniform Relocation and Real Property Acquisition Act of 1970 (URA)
<p>Activity types:</p> <ul style="list-style-type: none"> • Case management • Child Care • Education Services • Employment Assistance and Job Training • Outpatient Health Services • Legal Services • Life Skills Training • Mental Health Services • Substance Abuse Treatment Services • Transportation • Services for Special Populations 	<p>Eligible costs:</p> <ul style="list-style-type: none"> ○ Labor ○ Materials ○ Tools ○ Other costs for renovation (including rehab or conversion) 	<p>Eligible costs:</p> <ul style="list-style-type: none"> ○ Maintenance ○ Rent ○ Security ○ Fuel ○ Equipment ○ Insurance ○ Utilities ○ Food ○ Furnishings ○ Supplies necessary for shelter operation ○ Hotel/Motel Vouchers 	<p>Eligible costs:</p> <ul style="list-style-type: none"> ○ Relocation payments ○ Other assistance to displaced persons

ATTACHMENT B

Rapid Re-Housing Component. These activities are designed to move homeless people quickly to permanent housing through housing relocation and stabilization services and short- and/or medium-term rental assistance. § 576.104		
Rental Assistance**	Housing Relocation and Stabilization Services	
Activity types: <ul style="list-style-type: none"> • Short-term rental assistance • Medium-term rental assistance • Rental arrears <p>**Rental assistance can be project-based or tenant-based.</p>	Financial Assistance	Services Costs
	Activity types: <ul style="list-style-type: none"> • Rental Application Fees • Security Deposits • Last Month's Rent • Utility Deposits • Utility Payments • Moving Costs 	Activity types: <ul style="list-style-type: none"> • Housing Search and Placement • Housing Stability Case Management • Mediation • Legal Services • Credit Repair

Homelessness Prevention Component. These activities are designed to prevent an individual or family from moving into an emergency shelter or living in a public or private place not meant for human through housing relocation and stabilization services and short- and/or medium-term rental assistance. § 576.103		
Rental Assistance**	Housing Relocation and Stabilization Services	
Activity types: <ul style="list-style-type: none"> • Short-term rental assistance • Medium-term rental assistance • Rental arrears <p>**Rental assistance can be project-based or tenant-based.</p>	Financial Assistance	Services Costs
	Activity types: <ul style="list-style-type: none"> • Rental Application Fees • Security Deposits • Last Month's Rent • Utility Deposits • Utility Payments • Moving Costs 	Activity types: <ul style="list-style-type: none"> • Housing Search and Placement • Housing Stability Case Management • Mediation • Legal Services • Credit Repair

HMIS Component. These activities are designed to fund ESG recipients' and subrecipients' participation in the Continuum of Care HMIS collection and analyses of data on individuals and families who are homeless and at-risk of homelessness. § 576.107
Eligible costs: <ul style="list-style-type: none"> ○ Contributing data to the HMIS designated by the CoC for the area; ○ HMIS Lead (as designated by the CoC) costs for managing the HMIS system; ○ Victim services or legal services provider costs to establish and operate a comparable database.

***ADMINISTRATIVE ACTIVITIES.** § 576.108 Eligible administrative costs are broadly categorized as follows:

- General management, oversight, and coordination
- Training on ESG requirements
- Consolidated Plan
- Environmental review

ATTACHMENT C

ESG Minimum Habitability Standards for Emergency Shelters and Permanent Housing: Checklists

About this Tool

The Emergency Solutions Grants (ESG) Program Interim Rule establishes different habitability standards for emergency shelters and for permanent housing (the Rapid Re-housing and Homelessness Prevention components).

- **Emergency Shelter Standards.**
 - Emergency shelters that receive ESG funds for renovation or shelter operations must meet the minimum standards for safety, sanitation, and privacy provided in §576.403(b).
 - In addition, emergency shelters that receive ESG funds for renovation (conversion, major rehabilitation, or other renovation) also must meet state or local government safety and sanitation standards, as applicable.
- **Permanent Housing Standards.** The recipient or subrecipient cannot use ESG funds to help a program participant remain in or move into housing that does not meet the minimum habitability standards under §576.403(c). This restriction applies to all activities under the Homelessness Prevention and Rapid Re-housing components.

Recipients and subrecipients must document compliance with the applicable standards. Note that these checklists do not cover the requirements to comply with the Lead-Based Paint requirements at §576.403(a). For more discussion about how and when the standards apply, see *ESG Minimum Standards for Emergency Shelters and Permanent Housing*, located at <http://OneCPD.info/esg>.

The checklists below offer an optional format for documenting compliance with the appropriate standards. These are intended to:

1. Provide a clear summary of the requirements and an adaptable tool so recipients and subrecipients can formally assess their compliance with HUD requirements, identify and carry out corrective actions, and better prepare for monitoring visits by HUD staff.
2. Provide a tool for a recipient to monitor that its subrecipient is in compliance with HUD requirements. Where non-compliance is identified, the ESG recipient can use this information to require or assist the subrecipient to make necessary changes.

Prior to beginning the review, the subrecipient should organize relevant files and documents to help facilitate their review. For instance, this may include local or state inspection reports (fire-safety, food preparation, building/occupancy, etc.), or policy and procedure documents related to emergency shelter facility maintenance or renovations.

Carefully read each statement and indicate the shelter's or unit's status for each requirement (Approved or Deficient). Add any comments and corrective actions needed in the appropriate box. The reviewer should complete the information about the project, and sign and date the form. This template includes space for an "approving official," if the recipient or subrecipient has designated another authority to approve the review. When the assessment is complete, review it with program staff and develop an action plan for addressing any areas requiring corrective action.

ATTACHMENT C

Minimum Standards for Emergency Shelters

Instructions: Place a check mark in the correct column to indicate whether the property is approved or deficient with respect to each standard. A copy of this checklist should be placed in the shelter's files.

Approved	Deficient	Standard (24 CFR part 576.403(b))
		<p>1. Structure and materials:</p> <p>a. The shelter building is structurally sound to protect the residents from the elements and not pose any threat to the health and safety of the residents.</p> <p>b. Any renovation (including major rehabilitation and conversion) carried out with ESG assistance uses Energy Star and WaterSense products and appliances.</p>
		<p>2. Access. Where applicable, the shelter is accessible in accordance with:</p> <p>a. Section 504 of the Rehabilitation Act (29 U.S.C. 794) and implementing regulations at 24 CFR part 8;</p> <p>b. The Fair Housing Act (42 U.S.C. 3601 et seq.) and implementing regulations at 24 CFR part 100; and</p> <p>c. Title II of the Americans with Disabilities Act (42 U.S.C. 12131 et seq.) and 28 CFR part 35.</p>
		<p>3. Space and security: Except where the shelter is intended for day use only, the shelter provides each program participant in the shelter with an acceptable place to sleep and adequate space and security for themselves and their belongings.</p>
		<p>4. Interior air quality: Each room or space within the shelter has a natural or mechanical means of ventilation. The interior air is free of pollutants at a level that might threaten or harm the health of residents.</p>
		<p>5. Water Supply: The shelter's water supply is free of contamination.</p>
		<p>6. Sanitary Facilities: Each program participant in the shelter has access to sanitary facilities that are in proper operating condition, are private, and are adequate for personal cleanliness and the disposal of human waste.</p>
		<p>7. Thermal environment: The shelter has any necessary heating/cooling facilities in proper operating condition.</p>
		<p>8. Illumination and electricity:</p> <p>a. The shelter has adequate natural or artificial illumination to permit normal indoor activities and support health and safety.</p> <p>b. There are sufficient electrical sources to permit the safe use of electrical appliances in the shelter.</p>
		<p>9. Food preparation: Food preparation areas, if any, contain suitable space and equipment to store, prepare, and serve food in a safe and sanitary manner.</p>
		<p>10. Sanitary conditions: The shelter is maintained in a sanitary condition.</p>
		<p>11. Fire safety:</p> <p>a. There is at least one working smoke detector in each occupied unit of the shelter. Where possible, smoke detectors are located near sleeping areas.</p> <p>b. All public areas of the shelter have at least one working smoke detector.</p> <p>c. The fire alarm system is designed for hearing-impaired residents.</p> <p>d. There is a second means of exiting the building in the event of fire or other emergency.</p>
		<p>12. If ESG funds were used for renovation or conversion, the shelter meets state or local government safety and sanitation standards, as applicable.</p>
		<p>13. Meets additional recipient/subrecipient standards (if any).</p>

ATTACHMENT C

CERTIFICATION STATEMENT

I certify that I have evaluated the property located at the address below to the best of my ability and find the following:

- Property meets all of the above standards.
 Property does not meet all of the above standards.

COMMENTS:

ESG Recipient Name: _____

ESG Subrecipient Name (if applicable): _____

Emergency Shelter Name: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Evaluator Signature: _____ Date of review: _____

Evaluator Name: _____

Approving Official Signature (if applicable): _____ Date: _____

Approving Official Name (if applicable): _____

ATTACHMENT C

Minimum Standards for Permanent Housing

Instructions: Place a check mark in the correct column to indicate whether the property is approved or deficient with respect to each standard. The property must meet all standards in order to be approved. A copy of this checklist should be placed in the client file.

Approved	Deficient	Standard (24 CFR part 576.403(c))
		1. <i>Structure and materials:</i> The structure is structurally sound to protect the residents from the elements and not pose any threat to the health and safety of the residents.
		2. <i>Space and security:</i> Each resident is provided adequate space and security for themselves and their belongings. Each resident is provided an acceptable place to sleep.
		3. <i>Interior air quality:</i> Each room or space has a natural or mechanical means of ventilation. The interior air is free of pollutants at a level that might threaten or harm the health of residents.
		4. <i>Water Supply:</i> The water supply is free from contamination.
		5. <i>Sanitary Facilities:</i> Residents have access to sufficient sanitary facilities that are in proper operating condition, are private, and are adequate for personal cleanliness and the disposal of human waste.
		6. <i>Thermal environment:</i> The housing has any necessary heating/cooling facilities in proper operating condition.
		7. <i>Illumination and electricity:</i> The structure has adequate natural or artificial illumination to permit normal indoor activities and support health and safety. There are sufficient electrical sources to permit the safe use of electrical appliances in the structure.
		8. <i>Food preparation:</i> All food preparation areas contain suitable space and equipment to store, prepare, and serve food in a safe and sanitary manner.
		9. <i>Sanitary condition:</i> The housing is maintained in sanitary condition.
		10. <i>Fire safety:</i> <ol style="list-style-type: none"> a. There is a second means of exiting the building in the event of fire or other emergency. b. The unit includes at least one battery-operated or hard-wired smoke detector, in proper working condition, on each occupied level of the unit. Smoke detectors are located, to the extent practicable, in a hallway adjacent to a bedroom. c. If the unit is occupied by hearing-impaired persons, smoke detectors have an alarm system designed for hearing-impaired persons in each bedroom occupied by a hearing-impaired person. d. The public areas are equipped with a sufficient number, but not less than one for each area, of battery-operated or hard-wired smoke detectors. Public areas include, but are not limited to, laundry rooms, day care centers, hallways, stairwells, and other common areas.
		11. Meets additional recipient/subrecipient standards (if any).

ATTACHMENT C

CERTIFICATION STATEMENT

I certify that I have evaluated the property located at the address below to the best of my ability and find the following:

- Property meets all of the above standards.
- Property does not meet all of the above standards.

COMMENTS:

ESG Recipient Name: _____

ESG Subrecipient Name: _____

Program Participant Name: _____

Street Address: _____

Apartment: _____

City: _____ State: _____ Zip: _____

Evaluator Signature: _____ Date of review: _____

Evaluator Name: _____

Approving Official Signature (if applicable): _____ Date: _____

Approving Official Name (if applicable): _____

ATTACHMENT D



U.S. Department of Housing and Urban Development
Office of Community Planning and Development

Special Attention of:	Notice: CPD-14-012
All Secretary's Representatives	Issued: July 28, 2014
All Regional Directors for CPD	Expires: This Notice is effective until it is amended, superseded, or rescinded
All CPD Division Directors	
Continuums of Care (CoC)	
Recipients of the Continuum of Care (CoC) Program	Cross Reference: 24 CFR Parts 578 and 42 U.S.C. 11381, <i>et seq.</i>

Subject: Notice on Prioritizing Persons Experiencing Chronic Homelessness and Other Vulnerable Homeless Persons in Permanent Supportive Housing and Recordkeeping Requirements for Documenting Chronic Homeless Status

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I. Purpose

This Notice provides guidance to Continuums of Care (CoC) and recipients of Continuum of Care (CoC) Program (24 CFR part 578) funding for permanent supportive housing (PSH) regarding the order in which eligible households should be served in all CoC Program-funded PSH. This Notice also establishes recordkeeping requirements for all recipients of CoC Program-funded PSH that includes beds that are required to serve persons experiencing chronic homelessness as defined in 24 CFR 578.3, in accordance with 24 CFR 578.103.

A. Background

In June 2010, the Obama Administration released *Opening Doors: Federal Strategic Plan to Prevent and End Homelessness (Opening Doors)*, in which HUD and its federal partners set goals to end Veteran and chronic homelessness by 2015, and end family and youth homelessness by 2020. Ending chronic homelessness is the first goal of *Opening Doors* and is a top priority for HUD. Although progress has been made there is still a long way to go. In 2013, there were still 109,132 people identified as chronically homeless in the United States. In order to meet the first goal of *Opening Doors*—ending chronic homelessness—it is critical that CoCs ensure that limited resources awarded through the CoC Program Competition are being used in the most effective manner and that households that are most in need of assistance are being prioritized.

Since 2005, HUD has encouraged CoCs to create new PSH dedicated for use by persons experiencing chronic homelessness (herein referred to as dedicated PSH). As a result, the number of dedicated PSH beds for persons experiencing chronic homelessness has increased from 24,760 in 2007 to 51,142 in 2013. This increase has contributed to a 25 percent decrease in the number of chronically homeless persons reported in the Point-in-Time Count between 2007 and 2013. Despite the overall increase in the number of dedicated PSH beds, this only represents 30 percent of all CoC Program-funded PSH beds.

To ensure that all PSH beds funded through the CoC Program are used as strategically and effectively as possible, PSH needs to be targeted to serve persons with the highest needs and greatest barriers towards obtaining and maintaining housing on their own—persons experiencing chronic homelessness. HUD’s experience has shown that many communities and recipients of CoC Program-funded PSH continue to serve persons on a “first-come, first-serve” basis and/or based on tenant selection processes that screen-in those who are most likely to succeed. These approaches to tenant selection have not been effective in reducing chronic homelessness, despite the increase in the number of PSH beds nationally.

B. Goal of this Notice

The overarching goal of this Notice is to ensure that the homeless individuals and families with the most severe service needs within a community are prioritized in PSH, which will also increase progress towards the Obama Administration’s goal of ending chronic homelessness. In order to guide CoCs in ensuring that all CoC Program-funded PSH beds are used most effectively, this Notice establishes an order of priority which CoCs are strongly encouraged to adopt and incorporate into the CoC’s written standards and

coordinated assessment system. With adoption by CoCs and incorporation into the CoC's written standards, **all** recipients of CoC Program-funded PSH must then follow this order of priority, consistent with their current grant agreement, which will result in this intervention being targeted to the persons who need it the most. Such adoption and incorporation will ensure that persons are housed appropriately and in the order provided in this Notice.

HUD seeks to achieve three goals through this Notice:

1. Establish an order of priority for dedicated and prioritized PSH beds which CoCs are encouraged to adopt in order to ensure that those persons with the most severe service needs are given first priority.
2. Inform the selection process for PSH assistance not dedicated or prioritized for chronic homelessness to prioritize persons who do not yet meet the definition of chronic homelessness but are most at risk of becoming chronically homeless.
3. Provide uniform recordkeeping requirements for all recipients of CoC Program-funded PSH for documenting chronically homeless status of program participants when required to do so as well as provide guidance on recommended documentation standards that CoCs may require of its recipients of CoC Program-funded PSH if the priorities included in the Notice are adopted by the CoC.

C. Applicability

The guidance in this Notice is provided to all CoCs and all recipients and subrecipients—the latter two groups referred to collectively as recipients of CoC Program-funded PSH. CoCs are encouraged to incorporate the order of priority described in this Notice into their written standards, in accordance with the CoC Program interim rule at 24 CFR 578.7(a)(9) and 24 CFR 578.93, for CoC Program-funded PSH. Upon incorporation of the order of priority into written standards CoCs may then require recipients of CoC Program-funded PSH to follow the order of priority in accordance with the CoC's revised written standards and this Notice and in a manner consistent with their current grant agreement.

D. Key Terms

1. **Housing First.** Housing First is an approach in which housing is offered to people experiencing homelessness without preconditions (such as sobriety, mental health treatment, or a minimum income threshold) or service participation requirements and in which rapid placement and stabilization in permanent housing are primary goals. PSH projects that use a Housing First approach promote the acceptance of applicants regardless of their sobriety or use of substances, completion of treatment, or participation in services. HUD encourages all recipients of CoC Program-funded PSH to follow a Housing First approach to the maximum extent practicable. Any recipient that indicated that they would follow a Housing First approach in the FY 2013 CoC Project Application must do so for both the FY 2013 and FY 2014 operating year(s), as the CoC score for the FY 2013–FY 2014 CoC Program Competition was affected by the extent in which project applications indicated that they would follow this approach and this requirement will be incorporated into the recipient's FY 2013 and FY 2014 grant agreement.

HUD recognizes that this approach may not be applicable for all program designs, particularly for those projects formerly awarded under the SHP or SPC programs which were permitted to target persons with specific disabilities (e.g., “sober housing”).

2. Chronically Homeless. The definition of “chronically homeless” currently in effect for the CoC Program is that which is defined in the CoC Program interim rule at 24 CFR 578.3, which states that a chronically homeless person is:

- (a) An individual who:
 - i. Is homeless and lives in a place not meant for human habitation, a safe haven, or in an emergency shelter; and
 - ii. Has been homeless and living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter continuously for at least one year or on at least four separate occasions in the last 3 years; and
 - iii. Can be diagnosed with one or more of the following conditions: substance use disorder, serious mental illness, developmental disability (as defined in section 102 of the Developmental Disabilities Assistance Bill of Rights Act of 2000 (42 U.S.C. 15002)), post-traumatic stress disorder, cognitive impairments resulting from brain injury, or chronic physical illness or disability;
- (b) An individual who has been residing in an institutional care facility, including a jail, substance abuse or mental health treatment facility, hospital, or other similar facility, for fewer than 90 days and met all of the criteria in paragraph (1) of this definition [as described in Section I.D.2.(a) of this Notice], before entering that facility; or
- (c) A family with an adult head of household (or if there is no adult in the family, a minor head of household) who meets all of the criteria in paragraph (1) of this definition [as described in Section I.D.2.(a) of this Notice, including a family whose composition has fluctuated while the head of household has been homeless.

3. Severity of Service Needs. This Notice refers to persons who have been identified as having the most severe service needs.

- (a) For the purposes of this Notice, this means an individual for whom at least one of the following is true:
 - i. History of high utilization of crisis services, which include but are not limited to, emergency rooms, jails, and psychiatric facilities; or
 - ii. Significant health or behavioral health challenges or functional impairments which require a significant level of support in order to maintain permanent housing.

Severe service needs as defined in paragraphs i. and ii. above should be identified and verified through data-driven methods such as an administrative data match or through the use of a standardized assessment tool that can identify the severity of needs such as the Vulnerability Index (VI), the Service Prioritization Decision Assistance Tool (SPDAT), or the Frequent Users Service Enhancement (FUSE). The determination must not be based on a specific diagnosis or disability type, but only on the severity of needs of the individual.

- (b) In states where there is an alternate criteria used by state Medicaid departments to identify high-need, high cost beneficiaries, CoCs and recipients of CoC Program-funded PSH may use similar criteria to determine if a household has severe service needs instead of the criteria defined paragraphs i. and ii. above. However, such determination must not be based on a specific diagnosis or disability type.

II. Dedication and Prioritization of Permanent Supportive Housing Strategies to Increase Number of PSH Beds Available for Chronically Homeless Persons

There are two significant ways in which CoCs can increase progress towards ending chronic homelessness in their communities using only their existing CoC Program-funded PSH:

A. Increase the number of CoC Program-funded PSH beds that are dedicated to persons experiencing chronic homelessness.

Dedicated PSH beds are required through the project's grant agreement to only be used to house persons experiencing chronic homelessness unless there are no persons within the CoC that meet that criteria. If this occurs, the recipient may then follow the order of priority in this Notice if it is adopted by the CoC. The bed will continue to be a dedicated bed, however, so when that bed becomes vacant again it must be used to house a chronically homeless person unless there are still no persons who meet that criterion within the CoC's geographic area. These PSH beds are reported as "CH Beds" on a CoC's Housing Inventory Count (HIC). A CoC may increase the number of CoC Program-funded PSH beds that are dedicated to persons experiencing chronic homelessness when it's recipients of non-dedicated CoC Program-funded PSH request a grant amendment to dedicate one or more of its beds for this purpose. A recipient of CoC Program-funded PSH is prohibited from changing the designation of the bed from dedicated to non-dedicated without a grant agreement amendment. Similarly, if a recipient of non-dedicated PSH intends to dedicate one or more of its beds to the chronically homeless it may do so through a grant agreement amendment.

B. Prioritize non-dedicated PSH beds for use by persons experiencing chronic homelessness.

Prioritization means implementing an admissions preference for chronically homeless persons for CoC Program-funded PSH beds. In the FY 2013-FY 2014 CoC Program Competition, CoCs were scored on the extent to which they were willing to commit to prioritizing chronically homeless persons in a percentage of their non-dedicated PSH beds with the highest points going to CoCs that committed to prioritize the chronically homeless

in 85 percent or more of their non-dedicated CoC Program-funded PSH. Further, project applicants for CoC Program-funded PSH had to indicate the number of non-dedicated beds that would be prioritized for use by persons experiencing chronic homelessness. These projects are now required to prioritize chronically homeless persons in their non-dedicated CoC Program-funded PSH beds for FY 2013 and FY 2014, as the project application is incorporated into the grant agreement. PSH beds that were included in the calculation for the CoCs commitment in the CoC Application cannot revise their FY 2014 application to reduce the number of prioritized beds; however, recipients of PSH that are currently not dedicated to the chronically homeless may choose to prioritize additional beds in the FY 2014 CoC Project Application. All recipients of CoC Program-funded PSH are encouraged to prioritize the chronically homeless as beds become vacant to the maximum extent practicable. CoCs will be expected to meet or exceed the goals established in the FY 2013/FY 2014 CoC Application and should continue to prioritize persons experiencing chronic homelessness in their CoC Program-funded PSH until there are no persons within the CoC's geographic area who meet that criteria. Further, to the extent that CoCs incorporate this order of priority into the CoCs written standards, recipients of CoC Program-funded PSH will also be required to follow this criterion included in those standards.

III. Order of Priority in CoC Program-funded Permanent Supportive Housing

A. Order of Priority in CoC Program-funded Permanent Supportive Housing Beds Dedicated to Persons Experiencing Chronic Homelessness and Permanent Supportive Housing Prioritized for Occupancy by Persons Experiencing Chronic Homelessness

1. As of the date of this Notice, CoCs are encouraged to revise their written standards to include the following order of priority for CoC Program-funded PSH that is either dedicated or prioritized for use by the chronically homeless. If adopted into the CoCs written standards, recipients of CoC Program-funded PSH would then be required to follow the order of priority when selecting participants for housing in accordance with the CoC's revised written standards in accordance with this Notice and in a manner consistent with their current grant agreement. For CoC Program-funded PSH that is dedicated or prioritized for persons experiencing chronic homelessness, the following order of priority is strongly encouraged:

- (a) **First Priority—Chronically Homeless Individuals and Families with the Longest History of Homelessness and with the Most Severe Service Needs.**

A chronically homeless individual or head of household as defined in 24 CFR 578.3 for whom both of the following are true:

- i. The chronically homeless individual or head of household of a family has been homeless and living in a place not meant for human habitation, a safe haven, or in an emergency shelter for at least 12 months either continuously or on at least four separate occasions in the last 3 years, where the cumulative total length of the four occasions equals at least 12 months; and

- ii. The CoC or CoC Program recipient has identified the chronically homeless individual or head of household, who meets all of the criteria in paragraph (1) of the definition for chronically homeless, of the family as having severe service needs (see Section I.D.3. of this Notice for definition of severe service needs).

(b) Second Priority—Chronically Homeless Individuals and Families with the Longest History of Homelessness. A chronically homeless individual or head of household, as defined in 24 CFR 578.3, for which both of the following are true:

- i. The chronically homeless individual or head of household of a family has been homeless and living in a place not meant for human habitation, a safe haven, or in an emergency shelter for at least 12 months either continuously or on at least four separate occasions in the last 3 years, where the cumulative total length of the four occasions equals at least 12 months; and,
- ii. The CoC or CoC program recipient has **not** identified the chronically homeless individual or the head of household, who meets all of the criteria in paragraph (1) of the definition for chronically homeless, of the family as having severe service needs.

(c) Third Priority—Chronically Homeless Individuals and Families with the Most Severe Service Needs. A chronically homeless individual or head of household as defined in 24 CFR 578.3 for whom both of the following are true:

- i. The chronically homeless individual or head of household of a family has been homeless and living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter on at least four separate occasions in the last 3 years, where the total length of those separate occasions equals less than one year; and
- ii. The CoC or CoC program recipient has identified the chronically homeless individual or the head of household, who meets all of the criteria in paragraph (1) of the definition for chronically homeless, of the family as having severe service needs.

(d) Fourth Priority—All Other Chronically Homeless Individuals and Families. A chronically homeless individual or head of household as defined in 24 CFR 578.3 for whom both of the following are true:

- i. The chronically homeless individual or head of household of a family has been homeless and living in a place not meant for human habitation, a safe haven, or in an emergency shelter for at least 12 months either continuously or on at least four separate occasions in the last 3 years,

where the cumulative total length the four occasions is **less than** 12 months; and

- ii. The CoC or CoC program recipient has **not** identified the chronically homeless individual or the head of household, who meets all of the criteria in paragraph (1) of the definition for chronically homeless, of the family as having severe service needs.
2. Where a CoC or a recipient of CoC Program-funded PSH beds that are dedicated or prioritized is not able to identify chronically homeless individuals and families as defined in 24 CFR 578.3 within the CoC, the order of priority in Section III.B. of this Notice, as adopted by the CoC, may be followed.
 3. Recipients of CoC Program-funded PSH should follow the order of priority above while also considering the goals and any identified target populations served by the project. For example, a CoC Program-funded PSH project that is permitted to target homeless persons with a serious mental illness that has been identified as a project that will prioritize a portion or all of its turnover beds to persons experiencing chronic homelessness should follow the order of priority under Section III.A.1. of this Notice to the extent in which persons with serious mental illness meet the criteria.
 4. Recipients must exercise due diligence when conducting outreach and assessment to ensure that persons are served in the order of priority in this Notice. HUD recognizes that some persons—particularly those living on the streets or in places not meant for human habitation—might require significant engagement and contacts prior to their entering housing and recipients are not required to keep units remain vacant where there are persons who meet a higher priority within the CoC and who have not yet accepted the PSH opportunities offered to them. Street outreach providers should continue to make attempts to engage those persons and the CoC and CoC Program-funded PSH providers are encouraged to follow a Housing First approach to the maximum extent practicable and for those projects that indicated in the FY 2013 CoC Project Application that they would follow a Housing First approach will be required to do so for both the FY 2013 and FY 2014 operating year(s), as the CoC score for the FY 2013 – FY 2014 CoC Program Competition was affected by the extent in which project applications indicated that they would follow this approach and this requirement will be incorporated into the recipient’s FY 2013 and FY 2014 grant agreement. For eligibility in dedicated or prioritized PSH serving chronically homeless households, the individual or head of household must meet all of the applicable criteria to be considered chronically homeless per 24 CFR 578.3.

B. Order of Priority in Permanent Supportive Housing Beds Not Dedicated or Prioritized for Persons Experiencing Chronic Homelessness

1. As of the date of this Notice, CoCs are encouraged to revise their written standards to include the following priorities for non-dedicated and non-prioritized PSH beds. If adopted into the CoCs written standards, recipients of CoC Program-funded PSH would then be required to follow the order of priority when selecting participants for housing in accordance with the CoC’s revised written standards included in this Notice and in a

manner consistent with their current grant agreement. CoCs that adopt this order of priority are encouraged to include in the written standards a policy that would allow for recipients of non-dedicated and non-prioritized PSH to offer housing to chronically homeless individuals and families first, but minimally would be required to place otherwise eligible households in an order that prioritizes, in a nondiscriminatory manner, those who would benefit the most from this type of housing, beginning with those most at risk of becoming chronically homeless. For eligibility in non-dedicated and non-prioritized PSH serving non-chronically homeless households, any household member with a disability may qualify the family for PSH.

(a) First Priority–Homeless Individuals and Families with a Disability with the Most Severe Service Needs.

An individual or family that is eligible for CoC Program-funded PSH who has been living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter for any period of time, including persons exiting an institution where they have resided for 90 days or less but were living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter immediately prior to entering the institution **and** has been identified as having the most severe service needs.

(b) Second Priority–Homeless Individuals and Families with a Disability with a Long Period of Continuous or Episodic Homelessness. An individual or family that is eligible for CoC Program-funded PSH who has been living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter continuously for at least 6 months or on at least three separate occasions in the last 3 years where the cumulative total is at least 6 months. This includes persons exiting an institution where they have resided for 90 days or less but were living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter immediately prior to entering the institution and had been living or residing in one of those locations for at least 6 months or on at least three separate occasions in the last 3 years where the cumulative total is at least 6 months.

(c) Third Priority–Homeless Individuals and Families with Disability Coming from Places Not Meant for Human Habitation, Safe Havens, or Emergency Shelters. An individual or family that is eligible for CoC Program-funded PSH who has been living in a place not meant for human habitation, a safe haven, or an emergency shelter. This includes persons exiting an institution where they have resided for 90 days or less but were living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter immediately prior to entering the institution.

(d) Fourth Priority–Homeless Individuals and Families with a Disability Coming from Transitional Housing. An individual or family that is eligible for CoC Program-funded PSH who is coming from transitional housing, where prior to residing in the transitional housing lived on streets or in an emergency shelter, or

safe haven. This priority also includes homeless individuals and homeless households with children with a qualifying disability who were fleeing or attempting to flee domestic violence, dating violence, sexual assault, or stalking and are living in transitional housing—all are eligible for PSH even if they did not live on the streets, emergency shelters, or safe havens prior to entry in the transitional housing.

2. Recipients of CoC Program-funded PSH should follow the order of priority above, as adopted by the CoC, while also considering the goals and any identified target populations served by the project. For example, in CoC Program-funded PSH where the beds are not dedicated or prioritized and which is permitted to target homeless persons with a serious mental illness should follow the order of priority under Section III.B.1. of this Notice, as adopted by the CoC, to the extent in which persons with serious mental illness meet the criteria.
3. Due diligence should be exercised when conducting outreach and assessment to ensure that persons are served in the order of priority in this Notice, and as adopted by the CoC. HUD recognizes that some persons—particularly those living on the streets or in places not meant for human habitation—might require significant engagement and contacts prior to their entering housing and recipients are not required to keep units vacant where there are persons who meet a higher priority within the CoC and who have not yet accepted the PSH opportunities offered to them. Street outreach providers should continue to make attempts with those persons using a Housing First approach to place as few conditions on a person's housing as possible.

IV. Using a Coordinated Assessment and a Standardized Assessment Tool or Process to Determine Eligibility and Establish a Prioritized Waiting List

A. Coordinated Assessment Requirement

Provisions at 24 CFR 578.7(a)(8) requires that each CoC, in consultation with recipients of Emergency Solutions Grants (ESG) program funds within the CoC's geographic area, establish and operate either a centralized or coordinated assessment system that provides an initial, comprehensive assessment of the needs of individuals and families for housing and services. CoCs that adopt the order of priority in Section III of this Notice into the CoC's written standards are strongly encouraged to use their coordinated assessment system in order to ensure that there is a single prioritized waiting list for all CoC Program-funded PSH within the CoC. Under no circumstances shall the order of priority be based upon diagnosis or disability type, but instead on the severity of needs of an individual or family.

B. Written Standards for Creation of a Single Prioritized Waiting List for PSH

CoCs are also encouraged to include in their policies and procedures governing their coordinated assessment system, a requirement that all CoC Program-funded PSH accept referrals only through a single prioritized waiting list that is created through the CoCs coordinated assessment process. Adopting this into the CoC's policies and procedures for coordinated assessment would further ensure that CoC Program-funded PSH is being used most effectively, which is one of the goals in this Notice. This would also allow for

recipients of CoC Program funds for PSH to maintain their own waiting lists, but all households would be referred to each of those project-level waiting lists based on where they fall on the prioritized list and not on the date in which they first applied for housing assistance.

C. Standardized Assessment Tool Requirement

CoCs must utilize a standardized assessment tool, in accordance with 24 CFR 578.3, or process. Appendix A of this Notice—*Coordinated Assessment Tool and Implementation: Key Considerations*—provides recommended criteria for a quality coordinated assessment process and standardized assessment tool.

D. Nondiscrimination Requirements

CoCs and recipients of CoC Program-funded PSH must continue to comply with the nondiscrimination provisions of Federal civil rights laws, including, but not limited to, the Fair Housing Act, Section 504 of the Rehabilitation Act, Title VI of the Civil Rights Act, and Titles II or III of the Americans with Disabilities Act, as applicable.

V. Recordkeeping Requirements

This Notice establishes recordkeeping requirements for all recipients of CoC Program-funded PSH that are required to document a program participant's status as chronically homeless as defined in 24 CFR 578.3 and in accordance with 24 CFR 578.103. Further, HUD expects that where CoCs have adopted the orders of priority in Section III. of this Notice into their written standards, the CoC as well as recipients of CoC Program-funded PSH, will maintain evidence of implementing these priorities.

A. CoC Records

In addition to the records required in 24 CFR 578.103, it is recommended that the CoC should supplement such records with the following:

- 1. Evidence of written standards that incorporate the priorities in Section III. of this Notice, as adopted by the CoC.** A CoC adopting the priorities in Section III of this Notice, may be evidenced by written CoC, or subcommittee, meeting minutes where written standards were adopted that incorporate the prioritization standards in this Notice, or an updated, approved, governance charter where the written standards have been updated to incorporate the prioritization standards set forth in this Notice.
- 2. Evidence of a standardized assessment tool.** Use of a standardized assessment tool may be evidenced by written policies and procedures referencing a single standardized assessment tool that is used by all CoC Program-funded PSH recipients within the CoC's geographic area.
- 3. Evidence that the written standards were incorporated into the coordinated assessment policies and procedures.** Incorporating standards into the coordinated assessment policies and procedures may be evidenced by updated policies and

procedures—that incorporate the updated written standards for CoC Program-funded PSH developed and approved by the CoC.

B. Recipient Recordkeeping Requirements

In addition to the records required in 24 CFR 578.103, recipients of CoC Program-funded PSH that is required by grant agreement to document chronically homeless status of program participants in some or all of its PSH beds must maintain the following records:

1. **Written Intake Procedures.** Recipients must maintain and follow written intake procedures to ensure compliance with the definition of chronically homeless per 24 CFR 578.3. These procedures must establish the order of priority for obtaining evidence as: (1) third-party documentation, (2) intake worker observations, and (3) certification from the person seeking assistance. Records contained in an HMIS or comparable database used by victim service or legal service providers are acceptable evidence of third-party documentation and intake worker observations if the HMIS retains an auditable history of all entries, including the person who entered the data, the date of entry, and the change made; and if the HMIS prevents overrides or changes of the dates entries are made.
2. **Evidence of Chronically Homeless Status.** Recipients of CoC Program-funded PSH whose current grant agreement includes beds that are dedicated or prioritized to the chronically homeless must maintain records evidencing that the individuals or families receiving the assistance in those beds meets the definition for chronically homeless at 24 CFR 578.3. Such records must include evidence of the homeless status of the individual or family (paragraphs (1)(i) and (1)(ii) of the definition), the duration of homelessness (paragraph (1)(ii) of the definition), and the disabling condition (paragraph (1)(iii) of the definition). When applicable, recipients must also keep records demonstrating compliance with paragraphs (2) and (3) of the definition.
 - (a) **Evidence of homeless status.** Evidence of an individual or head of household's current living situation may be documented by a written observation by an outreach worker, a written referral by housing or service provider, or a certification by the household seeking assistance that demonstrates that the individual or head of household is currently homeless and living in a place not meant for human habitation, in an emergency shelter, or a safe haven. For paragraph (2) of the definition for chronically homeless at 24 CFR 578.3, for individuals currently residing in an institution, acceptable evidence includes:
 - i. Discharge paperwork or a written or oral referral from a social worker, case manager, or other appropriate official of the institution, stating the beginning and end dates of the time residing in the institution that demonstrate the person resided there for less than 90 days. All oral statements must be recorded by the intake worker; or
 - ii. Where the evidence above is not obtainable, a written record of the intake worker's due diligence in attempting to obtain the evidence described in the paragraph i. above and a certification by the individual seeking

assistance that states that they are exiting or have just exited an institution where they resided for less than 90 days; and

- iii. Evidence that the individual was homeless and living in a place not meant for human habitation, a safe haven, or in an emergency shelter, and met the criteria in paragraph (1) of the definition for chronically homeless in 24 CFR 578.3, immediately prior to entry into the institutional care facility.

- (b) **Evidence of the duration of the homelessness.** Recipients documenting chronically homeless status must also maintain the evidence described in paragraph i. or in paragraph ii. below, and the evidence described in paragraph iii. below:

- i. **Evidence that the homeless occasion was continuous, for at least one year.**

Using any combination of allowable documentation described in Section V.B.2.(a) of this Notice, recipients must provide evidence that the homeless occasion was continuous, for a year period, without a break in living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter. For the purposes of this Notice, a break is considered at least seven or more consecutive nights not residing in a place not meant for human habitation, in shelter, or in a safe haven.

At least 9 months of the 1-year period must be documented by one of the following: (1) HMIS data, (2), a written referral, or (3) a written observation by an outreach worker. In only rare and the most extreme cases, HUD would allow a certification from the individual or head of household seeking assistance in place of third-party documentation for up to the entire period of homelessness. Where third-party evidence could not be obtained, the intake worker must obtain a certification from the individual or head of household seeking assistance, and evidence of the efforts made to obtain third-party evidence as well as documentation of the severity of the situation in which the individual or head of household has been living. An example of where this might occur is where an individual has been homeless and living in a place not meant for human habitation in a secluded area for more than 1 year and has not had any contact with anyone during that entire period.

Note: A single encounter with a homeless service provider on a single day within 1 month that is documented through third-party documentation is sufficient to consider an individual or family as homeless for the entire month unless there is any evidence that the household has had a break in homeless status during that month (e.g., evidence in HMIS of a stay in transitional housing).

ii. Evidence that the household experienced at least four separate homeless occasions over 3 years.

Using any combination of allowable documentation described in Section V.B.2.(a) of this Notice, the recipient must provide evidence that the head of household experienced at least four, separate, occasions of homelessness in the past 3 years.

Generally, at least three occasions must be documented by either: (1) HMIS data, (2) a written referral, or (3) a written observation. Any other occasion may be documented by a self-certification with no other supporting documentation.

In only rare and the most extreme cases, HUD will permit a certification from the individual or head of household seeking assistance in place of third-party documentation for the three occasions that must be documented by either: (1) HMIS data, (2) a written referral, or (3) a written observation. Where third-party evidence could not be obtained, the intake worker must obtain a certification from the individual or head of household seeking assistance, and must document efforts made to obtain third-party evidence, and document of the severity of the situation in which the individual has been living. An example of where this might occur is where an individual has been homeless and living in a place not meant for human habitation in a secluded area for more than one occasion of homelessness and has not had any contact with anyone during that period.

iii. Evidence of diagnosis with one or more of the following conditions: substance use disorder, serious mental illness, developmental disability (as defined in Section 102 of the Developmental Disabilities Assistance Bill of Rights Act of 2000 (42 U.S.C. 15002), post-traumatic stress disorder, cognitive impairments resulting from brain injury, or chronic physical illness or disability. Evidence of this criterion must include one of the following:

- (1) Written verification of the condition from a professional licensed by the state to diagnose and treat the condition;
- (2) Written verification from the Social Security Administration;
- (3) Copies of a disability check (e.g., Social Security Disability Insurance check or Veterans Disability Compensation);
- (4) Intake staff (or referral staff) observation that is confirmed by written verification of the condition from a professional licensed by the state to diagnose and treat the condition that is confirmed no later than 45 days of the application for assistance and accompanied with one of the types of evidence above; or

(5) Other documentation approved by HUD.

C. Recordkeeping Recommendations for CoCs that have Adopted the Order of Priority in this Notice.

Where CoCs have incorporated the order of priority in this Notice into their written standards, recipients of CoC Program-funded PSH may demonstrate that they are following the CoC-established requirement by maintaining the following evidence:

- 1. Evidence of Cumulative Length of Occasions.** For recipients providing assistance to households using the selection priority in Sections III.A.1.(a) and (b) of this Notice, the recipient must maintain the evidence of each occasion of homelessness as required in Section V.B.2.(b)(2) of this Notice, which establishes how evidence of each occasion of homelessness, when determining whether an individual or family is chronically homeless, may be documented. However, to properly document the length of time homeless, it is important to document the start and end date of each occasion of homelessness and these occasions must cumulatively total a period of 12-months. In order to properly document the cumulative period of time homeless, at least 9 months of the 12-month period must be documented through third-party documentation unless it is one of the rare and extreme cases described in Section V.B.2.b.ii. of this Notice. For purposes of this selection priority, a single encounter with a homeless service provider on a single day within one month that is documented through third-party documentation is sufficient to consider an individual or family as homeless for the entire month unless there is any evidence that the household has had a break in homeless status during that month (e.g., evidence in HMIS of a stay in transitional housing).
- 2. Evidence of Severe Service Needs.** Evidence of severe service needs is that by which the recipient is able to determine the severity of needs as defined in Section I.D.3. of this Notice using data-driven methods such as an administrative data match or through the use of a standardized assessment conducted by a qualified professional.
- 3. Evidence that the Recipient is Following the CoC's Written Standards for Prioritizing Assistance.** Recipients must follow the CoC's written standards for prioritizing assistance, as adopted by the CoC. In accordance with the CoC's adoption of written standards for prioritizing assistance, recipients must in turn document that the CoC's revised written standards have been incorporated into the recipient's intake procedures and that the recipient is following its intake procedures when accepting new program participants into the project.

VI. Questions Regarding this Notice

Questions regarding this notice should be submitted to HUD's Ask A Question at: www.onecpd.info/get-assistance/my-question.

Appendix A

Coordinated Assessment Process and Standardized Assessment Tool: Key Considerations

A coordinated assessment process is intended to increase and streamline access to housing and services for households experiencing homelessness, matches appropriate levels of housing and services based on their needs, and prioritizes persons with severe service needs for the most intensive interventions. HUD will be issuing guidance regarding the minimum requirements for establishing and operating a coordinated assessment system, as required by 24 CFR 578.7(a)(8), separately. Meanwhile, this Appendix is intended to help inform CoC efforts to implement an effective coordinated assessment *process* and qualities of an effective standardized assessment tool. As stated in Section III of this Notice, the use of both a coordinated assessment process and assessment tool(s) are critical to effectively implement the order of priority described in Section III.A. and III.B., if adopted by the CoC and incorporated into the CoCs written standards.

Recommendations for Effective Implementation of a Coordinated Assessment Process

The coordinated assessment process must incorporate and defer to any funding requirements established under the CoC Program interim rule, ESG Program interim rule, or a Notice of Funding Availability under which a project is awarded. In addition, the following are recommended as the minimum criteria for the effective implementation of a coordinated assessment process.

1. **Standardized**—The assessment process should rely upon a standardized method and criteria to determine the appropriate type of intervention for individuals or families. This standardized process could encompass the CoC-wide use of a standardized assessment tool, as well as data driven methods.
2. **Improves data management**—Individual tracking, resource allocation and planning, system monitoring, and reporting to the community and to funders is improved by use of a common, coordinated assessment tool.
3. **Non-directive**—The recommendations of the tool can be overridden by the judgment of qualified professionals, especially in where there are extenuating circumstances that are not assessed by the tool are relevant to choosing appropriate interventions. Discretion must be exercised in a nondiscriminatory manner consistent with fair housing and civil rights laws and should be subject to appropriate review and documentation (see Section V. of this Notice for the recordkeeping requirements), to ensure it is applied judiciously.
4. **Mainstream resources**—Effective coordinated assessment facilitates meaningful coordination between the homeless response system and the intake processes for mainstream systems. Connections should be made to public housing authorities, multifamily housing, health and mental health care, the workforce development system, and with other mainstream income and benefits as appropriate and applicable.
5. **Align Interventions**—The various types of interventions that are available are aligned and used strategically.

6. **Leverage local attributes and capacity**—The physical and political geography, including the capacity of partners in a community, and the opportunities unique to the community's context, should inform local coordinated assessment implementation.
7. **Assess program capacity**—Assess the variety and capacity of programs in the community to identify and fill critical gaps in housing and service resources and to ensure that there is a range of options needed for a coordinated assessment system to work well.
8. **Outreach**—The coordinated assessment system should ensure that connections and ongoing engagement occurs with those not accessing services and housing on their own. Often, these are the highest need and most at-risk people in communities.
9. **Privacy protections**—Protections should be in place to ensure proper use of the information with consent from the client. Assessment should also be conducted in a private location.
10. **Fair Housing and Civil Rights**—Protections should be in place to ensure compliance with all civil rights requirements, including, but not limited to, the Fair Housing Act, Title VI of the Civil Rights Act of 1964, and Section 504 of the Rehabilitation Act of 1973. The assessment tool should not seek disability-related information that is unnecessary for determining the need for housing-related services. The coordinated assessment process should ensure that program participants are informed of rights and remedies available under applicable federal, state, and local fair housing and civil rights laws, in accordance with the requirement at 24 CFR 578.93(c)(3).
11. **Training**—Initial and ongoing training on the use of the assessment tool should be provided to those parties that will be administering the assessment.
12. **Accessible and well-advertised**—The assessment must be well advertised and easily accessed by people seeking services or housing. This can happen in a variety of ways: access to services can be centralized, a one-stop shop approach. Access can be coordinated, leveraging outreach capacity and linking or integrating with mainstream systems. The assessment must be conducted in a manner that is accessible for individuals with disabilities, ensures meaningful program access for persons with Limited English Proficiency, and is affirmatively marketed in order to reach eligible persons who are least likely to seek assistance in the absence of special outreach, in accordance with 24 CFR 578.93(c)(1).
13. **Prioritization**—When resources are scarce, the coordinated assessment process should prioritize who will receive assistance based on their needs. Coordinated assessment should never result in long waiting lists for assistance. Instead, when there are many more people who are assessed to receive an intervention than there are available openings, the process should refer only individuals with the greatest needs.
14. **Inform system change efforts**—Information gathered during the coordinated assessment process should identify what types of programs are most needed in the community and be used by the CoC and other community leaders to allocate resources.

Recommended Qualities of a Good Standardized Assessment Tool

While HUD requires that CoCs use a standardized assessment tool, it does not endorse any specific tool or approach, there are universal qualities that any tool used by a CoC for their coordinated assessment process should include.



1. **Valid**—Tools should be evidence-informed, criteria-driven, tested to ensure that they are appropriately matching people to the right interventions and levels of assistance, responsive to the needs presented by the individual or family being assessed, and should make meaningful recommendations for housing and services.
2. **Reliable**—The tool should produce consistent results, even when different staff members conduct the assessment or the assessment is done in different locations.
3. **Inclusive**—The tool should encompass the full range of housing and services interventions needed to end homelessness, and where possible, facilitate referrals to the existing inventory of housing and services.
4. **Person-centered**—Common assessment tools put people—not programs—at the center of offering the interventions that work best. Assessments should provide options and recommendations that guide and inform client choices, as opposed to rigid decisions about what individuals or families need. High value and weight should be given to clients' goals and preferences.
5. **User-friendly**—The tool should be brief, easily administered by non-clinical staff including outreach workers and volunteers, worded in a way that is easily understood by those being assessed, and minimize the time required to utilize.
6. **Strengths-based**—The tool should assess both barriers **and** strengths to permanent housing attainment, incorporating a risk and protective factors perspective into understanding the diverse needs of people.
7. **Housing First orientation**—The tool should use a Housing First frame. The tool should not be used to determine “housing readiness” or screen people out for housing assistance, and therefore should not encompass an in-depth clinical assessment. A more in-depth clinical assessment can be administered once the individual or family has obtained housing to determine and offer an appropriate service package.
8. **Sensitive to lived experiences**—Providers should recognize that assessment, both the kinds of questions asked and the context in which the assessment is administered, can cause harm and risk to individuals or families, especially if they require people to relive difficult experiences. The tool's questions should be worded and asked in a manner that is sensitive to the lived and sometimes traumatic experiences of people experiencing homelessness. The tool should minimize risk and harm, and allow individuals or families to refuse to answer questions. Agencies administering the assessment should have and follow protocols to address any psychological impacts caused by the assessment and should administer the assessment in a private space, preferably a room with a door, or, if outside, away from others' earshot. Those administering the tool should be trained to recognize signs of trauma or anxiety.

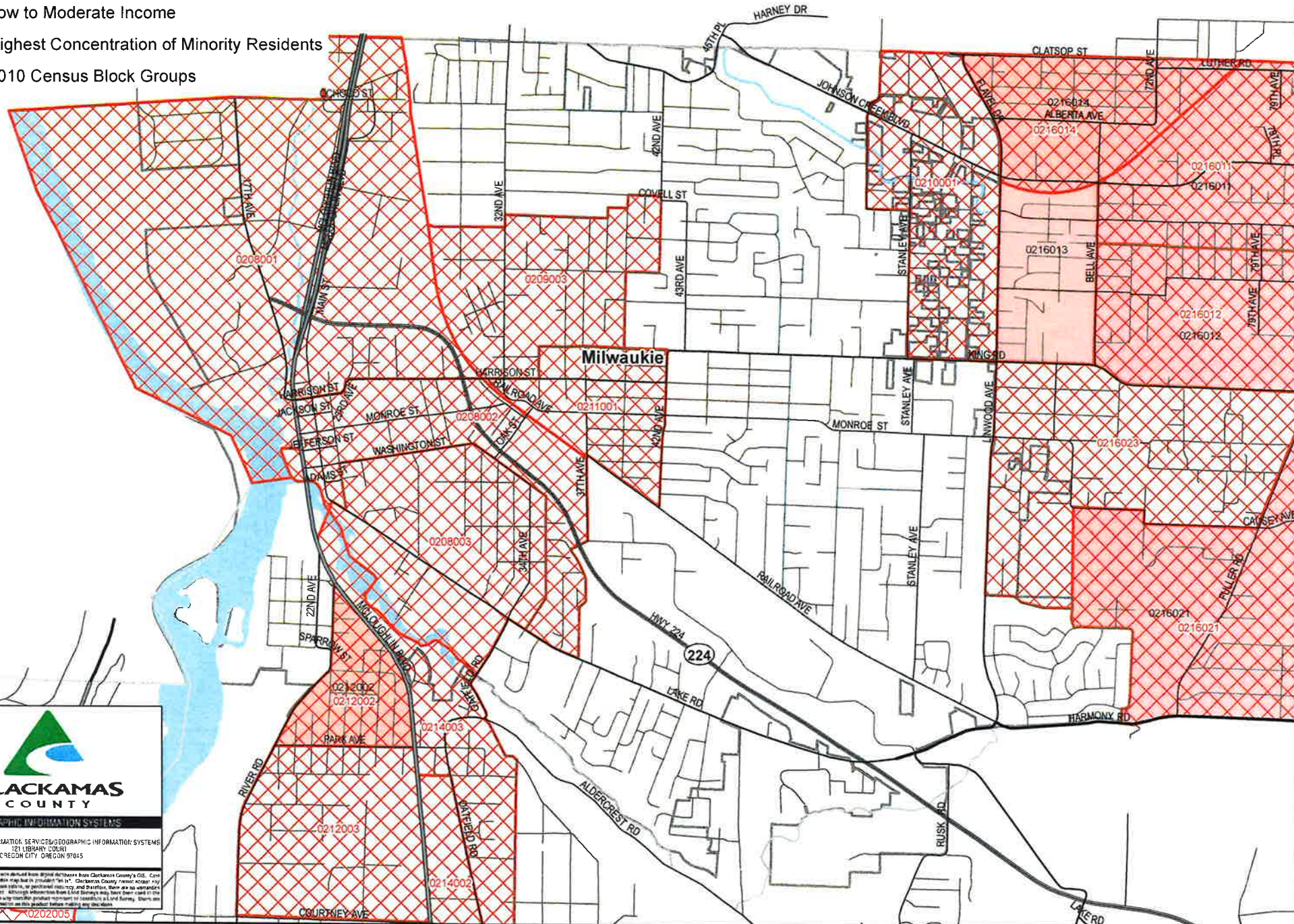

Additionally, the tool should link people to services that are culturally sensitive and appropriate and are accessible to them in view of their disabilities, *e.g.*, deaf or hard of hearing, blind or low vision, mobility impairments

9. **Transparent**—The relationship between particular assessment questions and the recommended options should be easy to discern. The tool should not be a “black box” such that it is unclear why a question is asked and how it relates to the recommendations or options provided.

**Appendix F – Maps of
High Poverty and High Minority Areas**

Concentrations of Minority and Low Income Populations in the City of Milwaukie

-  Low to Moderate Income
 -  Highest Concentration of Minority Residents
- 2010 Census Block Groups

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Concentrations of Minority and Low Income Populations in the City of Canby

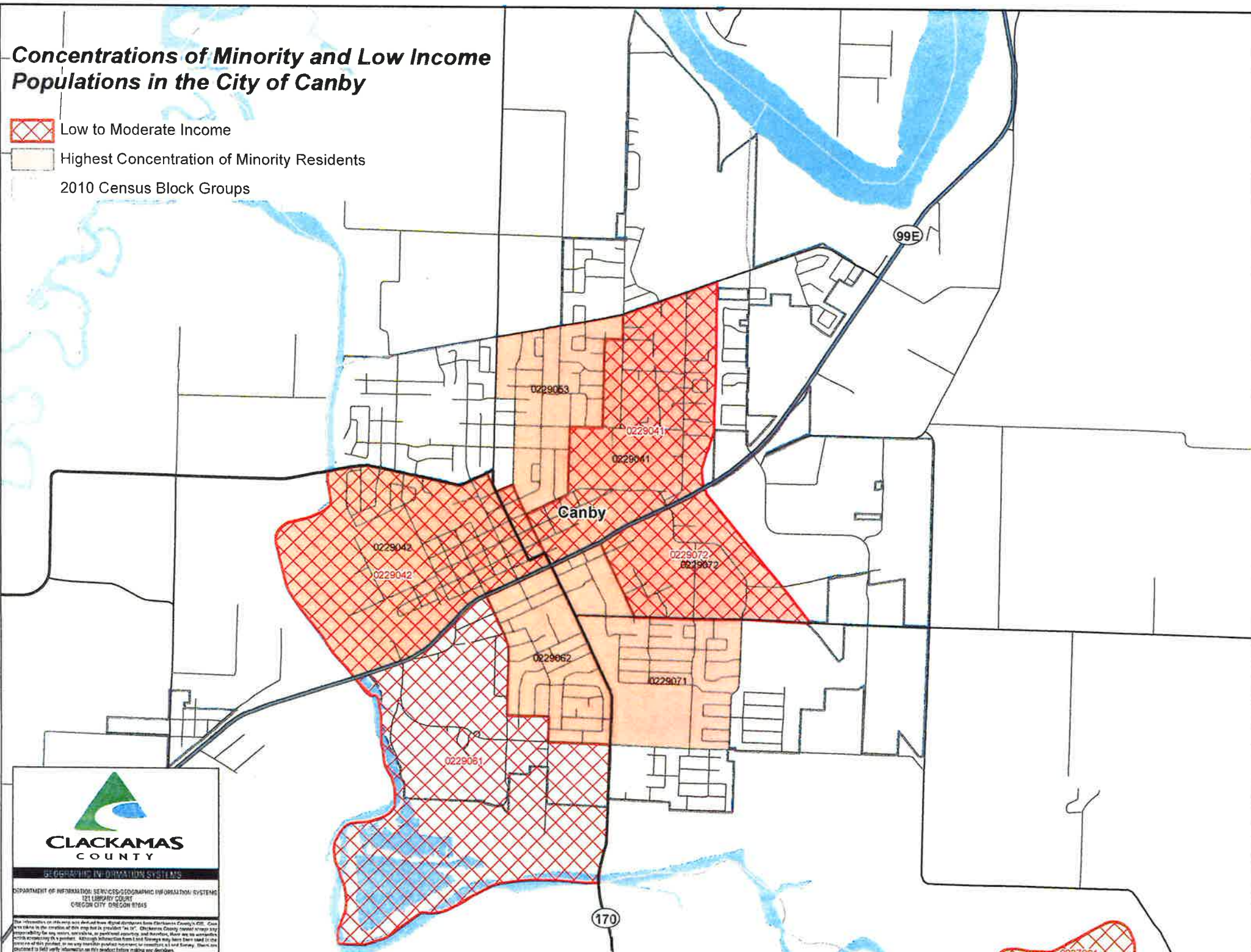


Low to Moderate Income



Highest Concentration of Minority Residents




2010 Census Block Groups

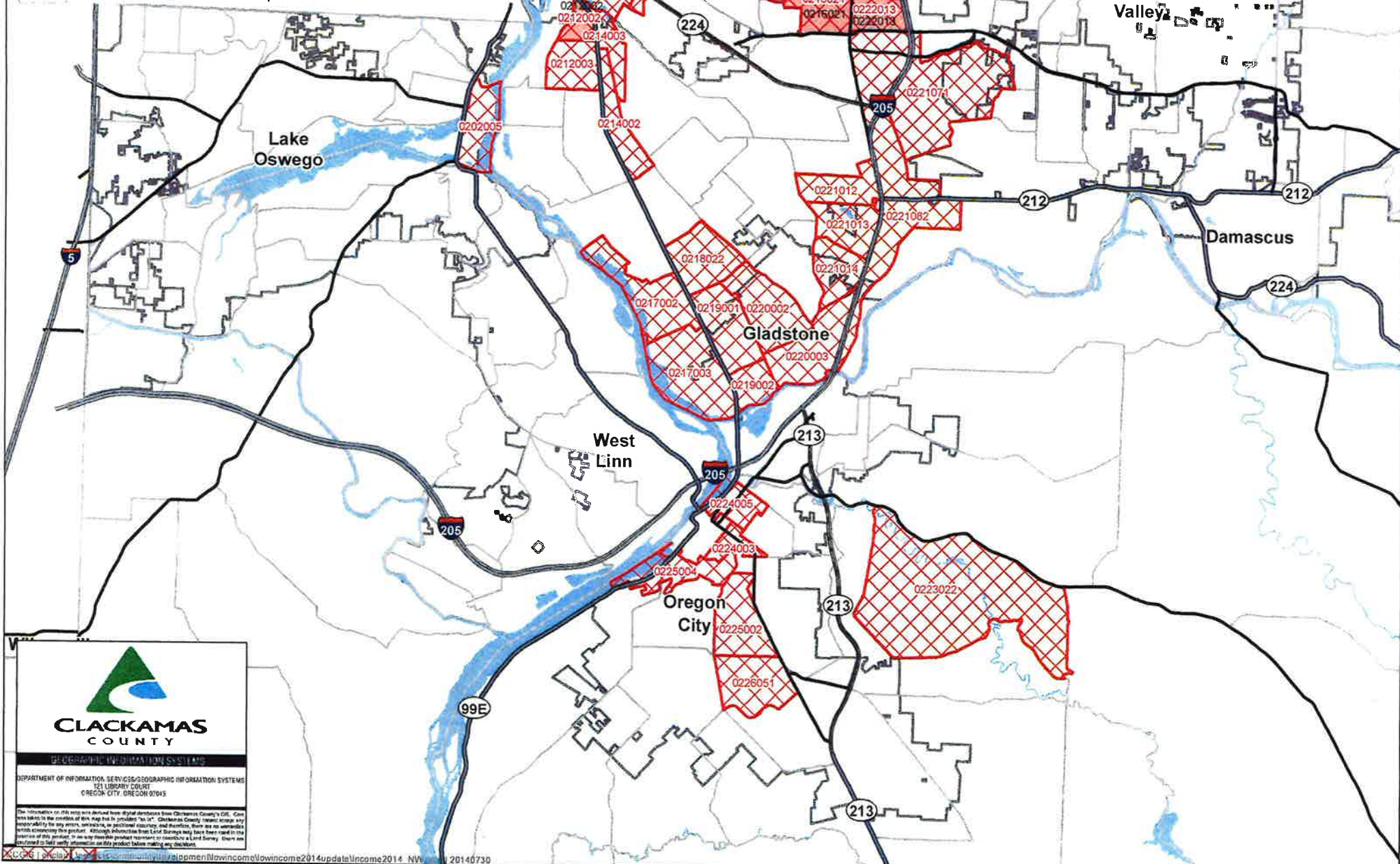



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Concentrations of Minority and Low Income Populations in Northwest Clackamas County

-  Low to Moderate Income
-  Highest Concentration of Minority Residents
-  2010 Census Block Groups

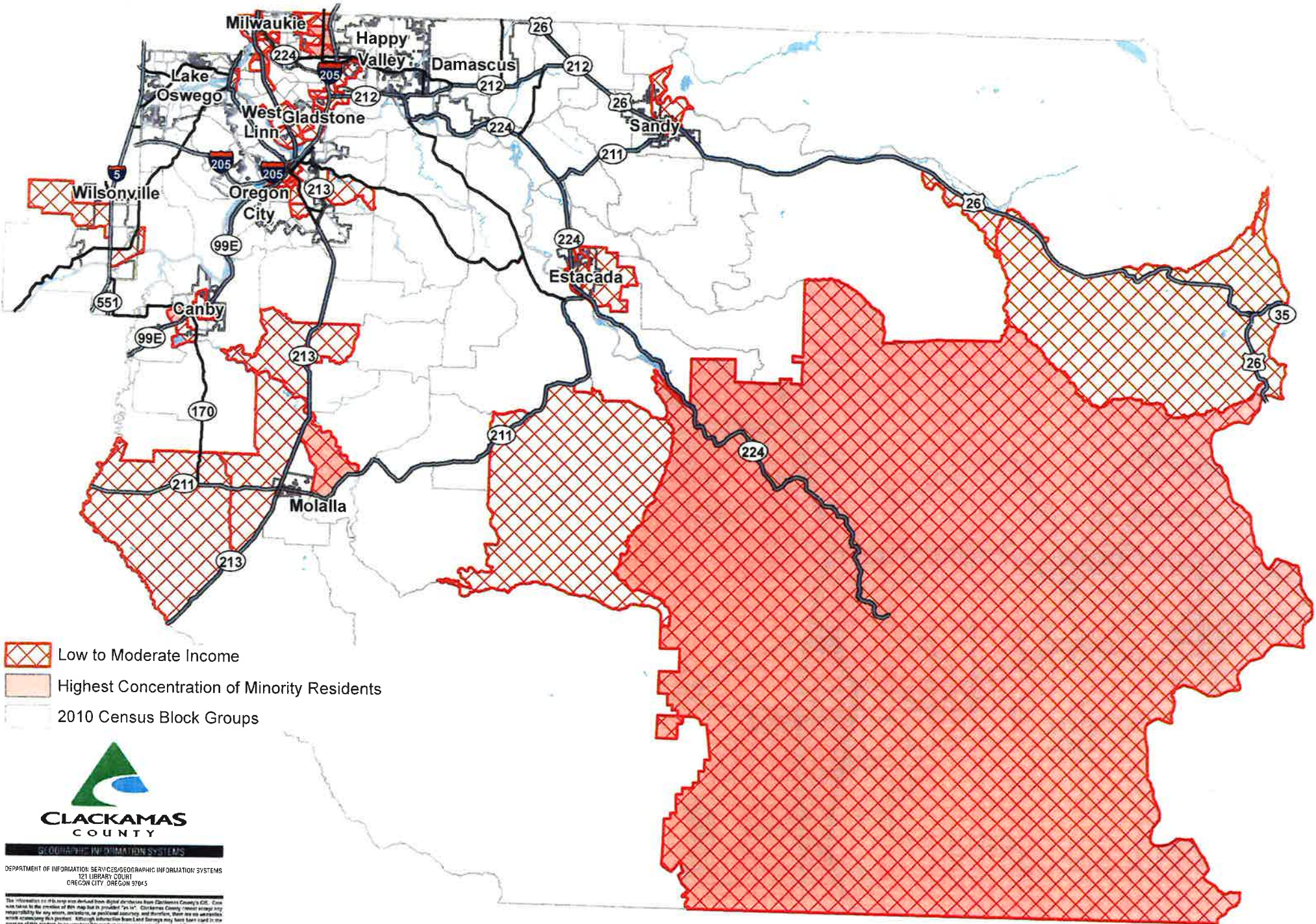






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20140730

Concentrations of Minority and Low Income Populations in Clackamas County



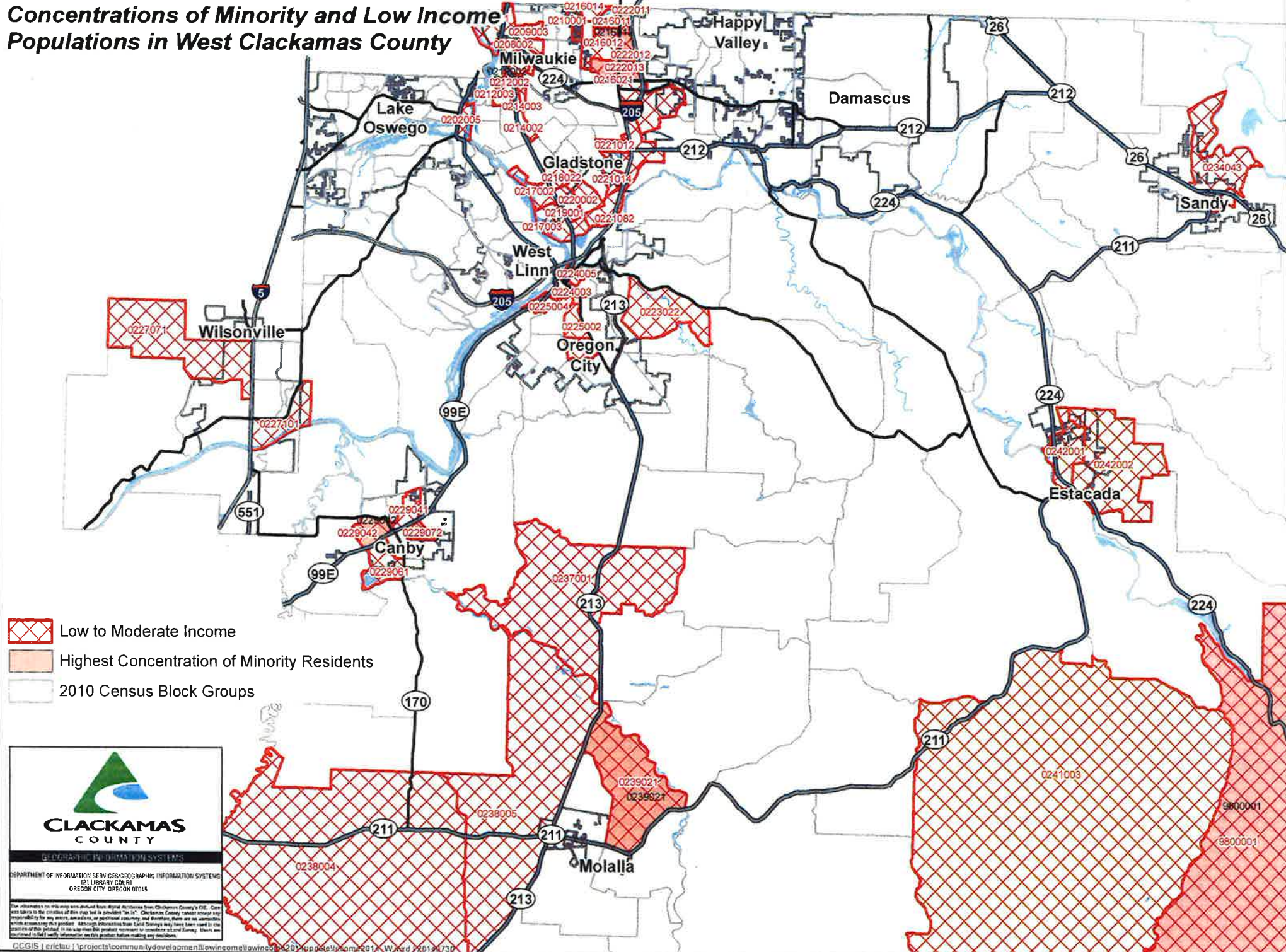
-  Low to Moderate Income
-  Highest Concentration of Minority Residents
-  2010 Census Block Groups



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Concentrations of Minority and Low Income Populations in West Clackamas County

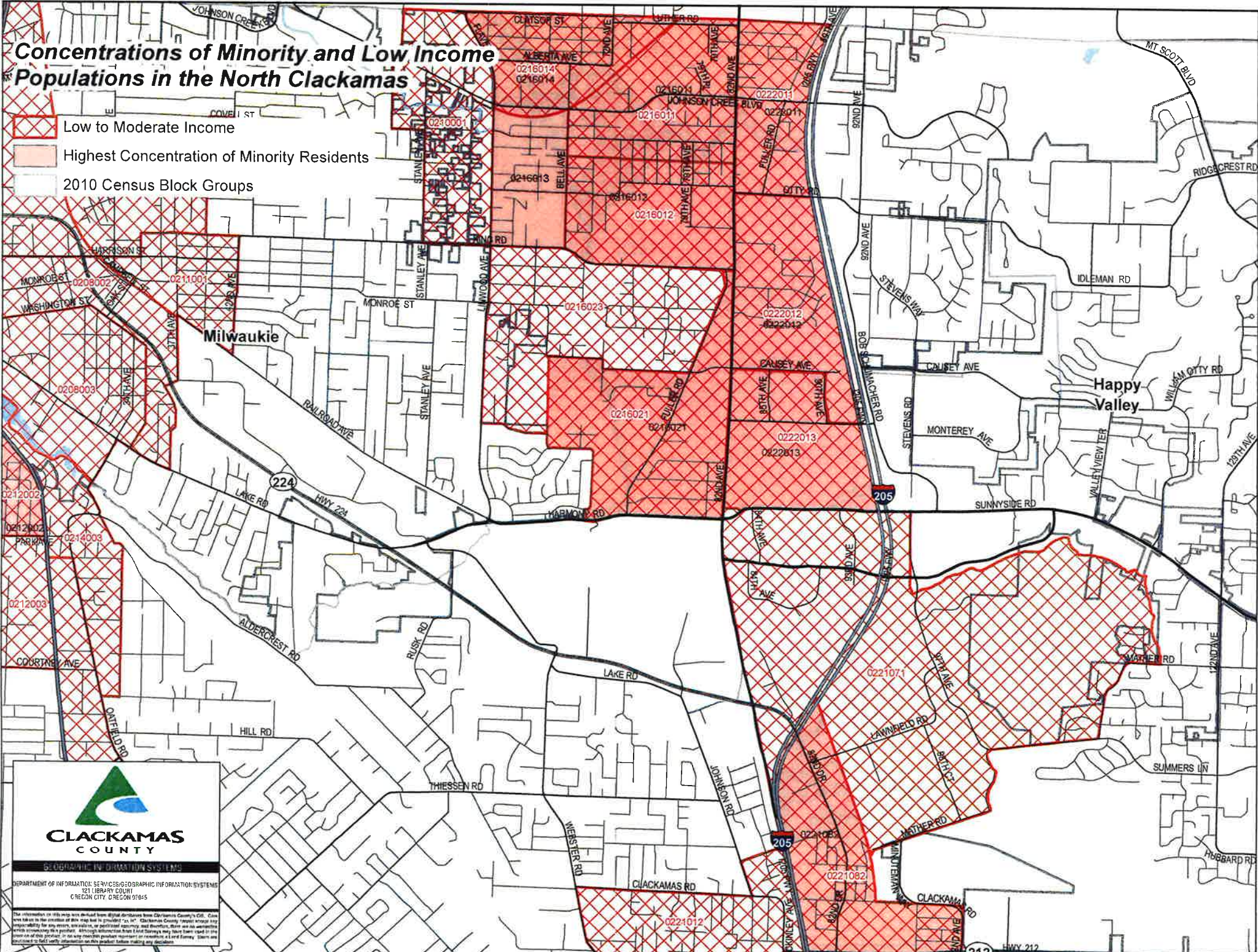



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Concentrations of Minority and Low Income Populations in the North Clackamas

-  Low to Moderate Income
-  Highest Concentration of Minority Residents
-  2010 Census Block Groups

CLACKAMAS COUNTY

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Appendix G – HOME Beneficiaries

APPENDIX G

CLACKAMAS COUNTY

HOME Distribution Process and Beneficiary Preferences

- (1) *With respect to 24 CFR 91.220(l)(2)(v), please provide a description of eligible applicants for HOME assistance, describe your process for soliciting and funding applications, and state where detailed application materials are available (e.g. posted online).*

Clackamas County limits HOME assistance to applicants with a household income below 80% AMI. Specific HOME assisted programs (such as Tenant-Based Rental Assistance) may have lower income limits. Assistance is provided on a first-come, first-served basis. Detailed information for all HOME programs is available online at:

<http://www.clackamas.us/communitydevelopment/>

Printed materials are also made available at events and at the offices of our service/program providers. Articles are periodically run in area newspapers, including the county-sponsored Citizen News. Further assistance and application packets are available by contacting the Clackamas County Community Development Division (CD) at 503-655-8591. CD staff reviews all applications for assistance and determines program eligibility based on program guidelines.

Agencies and organizations wishing to develop affordable housing projects or programs to benefit HOME-eligible households must discuss their proposal with CD staff. CD staff will assist with identifying service areas, eligible and ineligible beneficiaries, and help with the application process. The Board of County Commissioners determines final approval of HOME funding of affordable housing development or programs. Funding for HOME programs and projects are made available on a first-come, first-served basis.

- (2) *With respect to 24 CFR 91.220(l)(2)(vi), please describe whether you limit the beneficiaries for HOME assistance or give preference to a particular segment of the LMI population as outlined in 24 CFR 91.220(l)(2)(vi)(A) to (D).*

Except for the Tenant Based Rental Assistance Program which limits eligibility to households who are homeless or are at risk of becoming homeless, Clackamas County does not limit HOME assistance to a particular segment of the LMI population.

DRAFT Funding Recommendations
for the
2015-2016 Community Development Block Grant Program
and the
2015-2016 HOME and Emergency Solutions Grant Programs

2015
Grant Funds **2016**
Grant Funds

Community Development Block Grant
City Projects

Canby

- | | |
|--|------------------|
| <p>1. North Cedar Street and Pedestrian Improvements</p> <p>Construction of 300 lineal feet of new sidewalks and curb between NW 6th Avenue and NW 5th Avenue across from Eccles Elementary School in Canby, Oregon.</p> | <p>\$200,000</p> |
|--|------------------|

Gladstone

- | | |
|---|------------------|
| <p>2. Addie Street Improvements</p> <p>Street, sidewalk and storm drainage improvements along 1,025 linear feet of Addie Street in Gladstone, Oregon.</p> | <p>\$200,000</p> |
|---|------------------|

Milwaukie

- | | |
|--|------------------|
| <p>3. ADA Ramp Enhancements</p> <p>City of Milwaukie ADA sidewalk ramp replacement project to remove architectural barriers and improve mobility at 32 high priority sidewalk ramps throughout the city.</p> | <p>\$100,000</p> |
| <p>4. Milwaukie High School Crosswalk</p> <p>Construction of a street crossing to improve student and pedestrian safety in the area of the Milwaukie High School on Washington Street in Milwaukie, Oregon.</p> | <p>\$65,000</p> |
| <p>5. Annie Ross House Family Shelter</p> <p>Funding to support the re-development of the Northwest Housing Alternatives, offices and affordable housing units including replacement and expansion of the Annie Ross House for use as a homeless shelter in Milwaukie.</p> | <p>\$430,000</p> |

Molalla

- | | |
|--|------------------|
| <p>6. Lola Street Improvement - Phase 2</p> <p>Construction of street, storm drainage, ADA ramps and pedestrian improvements along 700 linear feet of Lola Street between 3rd and 5th Street in Molalla.</p> | <p>\$180,000</p> |
|--|------------------|

Oregon City

7. A Safe Place- Child Care Remodel \$45,260

This project will remodel 624 square feet at an Oregon City domestic violence full services center to provide quality drop-in child care with caregivers/parents on the premises to children aged 6 months to 12 years accompanying survivors to services.

8. Oregon City Landslide Assistance \$100,000

Emergency Relocation assistance for residents displaced by a landslide. Moving and relocation assistance may include; moving and storage expenses, rental assistance, security deposit assistance, assistance locating alternative housing, emergency lodging expenses and other related and eligible costs.

Sandy

9. Installation Subsidy for Fiber Optic Service \$25,000 \$25,000

Funding to assist low income households to access high-speed internet services through the City of Sandy network in Sandy, Oregon.

Unincorporated/Countywide Projects**Colton**

10. Colton Food Bank Acquisition and Rehab \$200,000

Acquisition and Rehabilitation of the food bank and community center building on 1 acre of land in Colton, Oregon. Rehabilitation will include ADA accessible entry and restrooms.

Countywide

11. Clackamas County Housing Rehabilitation Programs \$300,000 \$300,000

Housing Rehabilitation program serving low-income resident homeowners of Clackamas County with grants and low interest loans for home repairs and ADA accessibility improvements.

12. Mobile/Manufactured Home Roof Project \$75,000 \$75,000

Funding for low income residents to repair or replace leaking or damaged mobile/manufactured roofs located in Clackamas County mobile home parks.

13. Red Lodge Transition House for Women \$150,000

Acquisition and rehabilitation of a transitional housing facility assisting approximately 20 formerly incarcerated Native American women per year in Clackamas County.

-
- | | |
|---|----------|
| 14. Optional Emergency Assistance | \$25,000 |
| Optional funding and assistance with relocation of residents and/or associated expenses to mitigate the effects of the emergency conditions due to a fire, landslide, snowstorm, flood or other such emergency. | |

Jennings Lodge

- | | |
|---|-----------|
| 15. Jennings Lodge Pedestrian Improvements | \$251,692 |
| Construction of street, pedestrian, ADA and drainage improvements along 1000 feet of Portland Avenue near Lane Elementary School in Jennings Lodge, and Gladstone High School in Gladstone, Oregon. | |

Milwaukie

- | | |
|---|-----------|
| 16. Wichita Center Improvements | \$120,000 |
| Construction of an ADA accessible ramp to the main entrance of the building and installation of a marked crosswalk on King Road in front of the Wichita Center. | |

North Clackamas

- | | | |
|--|----------|----------|
| 17. Centerstone Expansion | \$50,000 | |
| Construction of tenant improvements to expand services at the County's mental health crisis walk-in center located in Happy Valley, Oregon. | | |
| 18. NCRA Sewer Hook-Up Grant Program | \$25,000 | \$25,000 |
| Funding for a sewer hookup program that will assist low income households with cost to disconnect septic tanks and connect to the sewer system in North Clackamas. | | |

Oak Grove

- | | |
|---|----------|
| 19. River Road Head Start Overflow Project | \$25,000 |
| Construction of an emergency storm system overflow to prevent flooding in the basement floor of the River Road Head Start childcare facility in Oak Grove, Oregon. | |
| 20. Haven House 2015 Roof | \$45,000 |
| Haven House is a facility where Bridges to Change operates a transitional housing program for men leaving the Correctional System. The project is to remove and replace the roof on the facility. | |

TBD

- | | |
|---|----------|
| 21. Tiny Houses Community | \$68,317 |
| Funding to acquire land and/or for infrastructure improvements for a homeless services self-governing community of 10 tiny houses and one community building. | |

Public Service Projects

Countywide

22. Employment Connection	\$85,000	\$125,000
Public services funding to support a job training program for low-income public housing residents in Clackamas County.		
23. Coordinated Housing Access	\$20,000	
Public Services funding for staffing of a centralized or coordinated process designed to coordinate program participant intake, assessment and provision of referrals for homeless persons in Clackamas County.		
24. Housing Rights & Resources	\$135,000	\$135,000
Public Services funding for a Housing Rights and Resources program to provide tenants and landlords information and services on fair housing laws and programs.		
25. Rent Well	\$48,000	
Public Services funding for RentWell, a tenant education program that helps remove barriers to housing and prevent homelessness in Clackamas County.		
26. Mentor Athletics	\$31,862	\$30,866
Funding for a public services youth mentoring program assisting low income children in Milwaukie and Oregon City with educational and extracurricular activities.		

Planning and Admin

Administration

27. CDBG Administration	\$394,815	\$375,768
Funds for program administration, program development, management, personnel, accounting, and grant compliance expenses.		

Countywide

28. 2016-2017 Homeless Count	\$10,000	\$28,200
The 2017 Point in Time Homeless Count is a complete point in time homeless street count every two years that is required by HUD.		

Community Development Block Grant Sub-Total	\$2,479,937	\$2,044,843
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HOME Investment Partnership Act Unincorporated/Countywide Projects

Countywide

29. TBRA HOME	\$200,000	\$165,000
The Tenant Based Rental Assistance Program (TBRA) provides funds to assist individual households who are homeless or at risk of becoming homeless. The assistance may be used for rent, utility costs, security deposits, and/or utility deposits. Funding will be used in the HomeBase Program and Reboot NW program.		
30. CHAP Homebuyer Assistance Program	\$100,000	\$86,000
This project will assist low-income first-time homebuyers with down payments and closing costs.		

To Be Determined

31. Multifamily Housing Project	\$1,611,780	\$795,426
Funds will be used for the construction and preservation of an affordable housing project. HOME funds have been conditionally set aside for Rondel Court in Molalla.		

Planning and Admin

Countywide

32. HOME Administration	\$70,672	\$74,602
Grant administration, reporting and management of the HOME program.		
33. CHDO Operating Support Grant	\$26,000	\$26,000
Funds will be used to support Community Housing Development Organizations (CHDO) staff work on the development of low-income housing and to support operating expenses.		

HOME Investment Partnership Act Sub-Total	\$2,008,452	\$1,147,028
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Emergency Solutions Grant Public Service Projects

Countywide

34. NHA Shelter Operation & Programs	\$40,000	\$40,000
Emergency Homeless Shelter Operations funding for the Annie Ross Family Shelter in Milwaukie, Oregon.		

	2015 Grant Funds	2016 Grant Funds
35. NHA - HomeBase	\$16,678	\$16,678
Public Services funding for staffing the HomeBase homeless prevention and homeless services program operated by Northwest Housing Alternatives.		
36. Springwater Shelter Operation & Programs	\$11,000	\$11,000
Emergency Shelter ESG operating funds for a homeless youth shelter in Clackamas.		
<u>Suppressed</u>		
37. Los Ninos Cuentan/Casa Hogar	\$10,000	\$10,000
Funding for Emergency Shelter operations for homeless families, survivors of domestic violence providing culturally specific services for Latino families in Clackamas County.		
38. CWS Shelter Operation & Programs	\$40,000	\$40,000
Emergency Shelter services to homeless households affected by domestic and sexual violence.		
Planning and Admin		
<u>Administration</u>		
39. ESG Administration	\$13,597	\$13,496
ESG Grant administration, reporting and monitoring of contracts.		
40. ESG HMIS	\$50,015	\$48,783
ESG Homeless Management Information System reporting, training and program data quality monitoring.		
Emergency Solutions Grant Sub-Total	\$181,290	\$179,957
Continuum of Care		
Unincorporated/Countywide Projects		
41. CoC 2015 HMIS	\$70,862	\$70,862
CoC Homeless Management Information System reporting, training and program data quality monitoring.		
Planning and Admin		
<u>Countywide</u>		
42. CoC 2015 Planning	\$19,773	\$50,884
Continuum of Care Sub-Total	\$90,635	\$121,746

Grand Total

\$4,760,314

\$3,493,574

GRANT YEAR 2016 NOTES:

CDBG - Total includes \$25,000 of Carryover funds.

**HOME - Total includes \$150,000 of anticipated program income and
\$251,000 of Carryover funds.**

April 14, 2016

Board of County Commissioners
Clackamas County

Members of the Board:

Approval of a Contract with the Clackamas Children’s Commission, Inc. for Healthy Families Screening and Home Visiting Services for High Risk Families

Purpose/Outcomes	This contract provides funds to Clackamas County Children’s Commission, Inc., to provide screening and identification services for the High Risk target population of parents with newborn babies. Approximately 144 families receiving intensive home visiting services with an expected program outcome that the children will be free from abuse and neglect.
Dollar Amount and Fiscal Impact	\$1,499,228 for Healthy Families service. There is a 25% match requirement that will be fulfilled by the contractor.
Funding Source	State General Funds in the amount of \$1,436,928 and County General Funds in the amount of \$62,300
Duration	Effective January 1, 2016 and terminates September 30, 2017
Previous Board Action	N/A
Strategic Plan Alignment	<ul style="list-style-type: none"> • Individuals and families in need are healthy and safe • Ensure safe, healthy, and secure communities
Contact Person	Rodney Cook 503-650-5677
Contract No.	7627

BACKGROUND:

The Children, Youth and Families Division of the Health, Housing and Human Services Department (H3S) requests approval of a contract with the Clackamas County Children’s Commission, Inc. for Healthy Families screening and home visiting services to reduce the risk of child abuse and neglect in high risk families. Parents are educated on how to recognize and respond to their baby’s cues and needs at every development stage; modeling positive parent/child interaction that promotes healthy brain development; educating parents on the importance of immunizations and well-baby checks; connecting parents to medical providers; screening for maternal depression and child developmental delays; teaching parents positive discipline techniques; and connecting parents to community resources.

This agreement has a maximum value of \$1,499,228 and was reviewed by County Counsel on March 28, 2016. It is retroactive to January 1, 2016 because the associated state revenue contract was received in February.

RECOMMENDATION:

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

Richard Swift, Director
Health, Housing & Human Services

Contract Number 7627

**CLACKAMAS COUNTY
AGENCY SERVICES CONTRACT**

This Contract is between Clackamas County, acting by and through its Health, Housing and Human Services Department, Children , Youth & Families Division, hereinafter called "COUNTY," and

Clackamas County Children's Commission
16518 SE River Road, Milwaukie, Oregon 97267
Telephone: (503) 675-4565
Facsimile: (503) 675-3551
E-mail address: suee@cccchs.org
hereinafter referred to as "AGENCY."

Work to be performed under this Contract relates principally to the COUNTY

Children, Youth & Families Division (COUNTY)
2051 Kaen Road
Oregon City, Oregon 97045
Contract Administrator: Korene Mather or delegate
Telephone: 503-650-5683
E-mail address: Korenemat@clackamas.us

AGENCY SERVICE CONTRACT
(Regular Services or Community Development)
(FY15-16)

This contract ("Contract") is between Clackamas County, acting by and through its Health, Housing and Human Services Department, Children, Youth & Families Division, hereinafter called "COUNTY," and Clackamas County Children's Commission – Healthy Families of Clackamas County hereinafter called "AGENCY."

I. SCOPE OF SERVICES

A. AGENCY agrees to accomplish the following work under this contract:

Provide **144 Family Service units through the Healthy Families Home visiting Services Program and associated BabyLink services** as described in Exhibit A, Part 1 and Exhibit F Work Plan attached hereto.

B. Term. This Contract retroactively covers activities beginning January 1, 2016 through September 30, 2017 and becomes effective when signed by all necessary parties.

II. COMPENSATION AND RECORDS

A. Compensation. COUNTY shall compensate the AGENCY for completed work under this contracted provided in Exhibit A, Part 2: Up to a maximum not-to-exceed amount of \$1,499,228.00.

B. Method of Payment. To receive payment, the AGENCY shall submit invoices as provided for in Exhibit A, Part 2.

C. Record and Fiscal Control System. All payroll and financial records pertaining in whole or in part to this Contract shall be clearly identified and readily accessible. Such records and documents should be retained for a period of three (3) years after receipt of final payment under this Contract and all other pending matters are closed.

D. Access to Records. The COUNTY, the State of Oregon and the Federal Government, and their duly authorized representatives shall have access to the books, documents, papers, and records of the AGENCY which are directly pertinent to this Contract for the purpose of making audits, examinations, excerpts, and transcripts.

If an audit discloses that payments to the AGENCY were in excess of the amount to which the AGENCY was entitled, then the AGENCY shall immediately repay the amount of the excess to the COUNTY.

III. MANNER OF PERFORMANCE

- A. Compliance with Applicable Laws and Regulations. The AGENCY shall comply with all federal, state, and local laws and ordinances applicable to the work to be done under this Contract.
- B. Conflict of Terms. When a requirement is listed both in the main boilerplate of the Contract and in an Exhibit, the Exhibit shall take precedence.
- C. Special Federal Requirements – The AGENCY shall comply with Common rule that restricts lobbying (Volume 55, NO38 of Fed. Register, Feb. 1990).
- D. AGENCY shall not enter into any subcontracts for any of the work scheduled under this Contract without obtaining prior written approval from the COUNTY.
- E. AGENCY certifies that it is an independent AGENCY and not an employee or agent of the COUNTY, State, or Federal government. Responsibility for all taxes, assessments, and any other charges imposed upon employers shall be the sole responsibility of the AGENCY.

IV. GENERAL CONDITIONS

- A. Indemnity. The AGENCY agrees to indemnify, hold harmless and defend the COUNTY, its officers, commissioners, agents and employees from and against all claims and actions, and all expenses incidental to the investigation and defense thereof (including attorney's fees), arising out of or based upon damage or injuries to persons or property caused by the errors, omissions, fault or negligence of the AGENCY or the AGENCY's employees or agents.
- B. Insurance. During the term of this Contract, AGENCY shall maintain in force at its own expense, each insurance type as provided for in Exhibit B Insurance Requirements
- C. Amendments. The Contract may be modified or amended pursuant to the procedures outlined in Exhibit A, Part 3, Section 2.
- D. Termination. This Contract may be terminated by mutual consent of both parties, or by either party, upon 30 days' notice, in writing and delivered by certified mail or in person.

The COUNTY may terminate this Contract effective upon delivery of written notice to the AGENCY, or at such later date as may be established by the COUNTY, under any of the following conditions:

1. If COUNTY funding from federal, state, or other sources is not obtained and continued at levels sufficient to allow for purchase of the indicated quantity of services. The Contract may be modified to accommodate a reduction in funds.
2. If federal or state regulations or guidelines are modified, changed, or interpreted in such a way that the services are no longer allowable or appropriate for purchase under this Contract or are no longer eligible for the funding authorized by this Contract.
3. If any license or certificate required by law or regulation to be held by the AGENCY to provide the services required by this Contract is for any reason denied, revoked, or not renewed.
4. If AGENCY fails to provide services or reports called for by this Contract within the time specified herein or any extension thereof.
5. If AGENCY fails to perform any of the other provisions of this Contract, or so fails to pursue the work as to endanger performance of this Contract in accordance with its terms, and after receipt of written notice from the COUNTY, fails to correct such failures within 10 days or such longer period as the COUNTY may authorize.

Any such termination of this Contract shall be without prejudice to any obligations or liabilities of either party already accrued prior to such termination.

- E. Oregon Public Contracting Provisions and Constitutional Limitations. Pursuant to the requirements of ORS 279B.020 and 279B.220 through 279B.335, and Article XI, Section 10, of the Oregon Constitution, the following terms and conditions are made a part of this Contract:

1. AGENCY shall:
 - (a) Make payments promptly, as due, to all persons supplying to AGENCY labor or materials for the prosecution of the work provided for in this Contract.
 - (b) Pay all contributions or amounts due the Industrial Accident Fund from such AGENCY or subcontractor incurred in the performance of this Contract..

- (c) Not permit any lien or claim to be filed or prosecuted against COUNTY on account of any labor or material furnished.
 - (d) Pay to the Department of Revenue all sums withheld from employees pursuant to ORS 316.167.
2. If AGENCY fails, neglects, or refuses to make prompt payment of any claim for labor or services furnished to AGENCY or a subcontractor by any person in connection with this Contract as such claim becomes due, the proper officer representing COUNTY may pay such claim to the person furnishing the labor or services and charge the amount of the payment against funds due or to become due AGENCY by reason of this Contract.
 3. No person shall be employed for more than ten (10) hours in any one day, or more than forty (40) hours in any one week, except in cases of necessity, emergency or where the public policy absolutely requires it, and in such cases, except in cases of contracts for personal services as defined in ORS 279A.055, the employee shall be paid at least time and one-half pay: (a) for all overtime in excess of eight (8) hours a day or 40 hours in any one week when the work week is five consecutive days, Monday through Friday; or for all overtime in excess of 10 hours in any one day or 40 hours in any one week when the work week is four consecutive days, Monday through Friday; and (b) for all work performed on Saturday and on any legal holiday specified in ORS 279B.020.

In the case of contracts for personal services as defined in ORS 279A.055, employees shall be paid at least time and a half for all overtime worked in excess of 40 hours in any one week, except for individuals who are excluded under ORS 653.010 to 653.261 or under 29 USC Section 201 to 209 from receiving overtime.

4. AGENCY shall promptly, as due, make payment to any person or partnership, association or corporation furnishing medical, surgical and hospital care or other needed care and attention incident to sickness and injury, to the employees of AGENCY, of all sums which AGENCY collected or deducted from the wages of its employees pursuant to any law, contract or agreement for the purpose of providing or paying for such services.
5. Agency, if it is an employer of one or more workers subject to workers' compensation coverage under ORS Chapter 656, shall qualify as an insured employer under ORS 656.017 or as an exempt employer under ORS 656.126. Agency shall maintain employer liability insurance with limits of \$500,000 each accident, \$500,000 disease each employee, and \$500,000 each policy limit.

6. This Contract is expressly subject to the debt limitation of Oregon counties set forth in Article XI, Section 10 of the Oregon Constitution, and is contingent upon funds being appropriated therefore. Any provisions herein which would conflict with law are deemed inoperative to that extent.

- F. AGENCY shall comply with Section 504 of the Rehabilitation Act of 1973, and Title VI of the Civil Rights Act of 1964. The AGENCY will not discriminate against any employee or applicant for employment because of race, color, or national origin. The AGENCY will not discriminate against any employee or applicant for employment because of physical or mental handicap in regard to any position for which the employee or applicant for employment is qualified.

- G. Future Support. The COUNTY makes no commitment of future support and assumes no obligation for future support of the activity contracted herein except as set forth in this Contract.

- H. Ownership of Work Product. All work products of the AGENCY which result from this Contract are the exclusive property of the COUNTY.

- I. Integration. This Contract contains the entire agreement between the COUNTY and the AGENCY and supersedes all prior written or oral discussions or agreements.

- J. Tax Laws.
 - a. The AGENCY shall comply with all federal, state and local laws, regulation, executive orders and ordinances applicable to the Work under this Contract. AGENCY must, throughout the duration of this Contract and any extensions, comply with all tax laws of this state and all applicable tax laws of any political subdivision of this state. Any violation of this section shall constitute a material breach of this Contract. Further, any violation of AGENCY'S warranty in this Contract that AGENCY has complied with the tax laws of this state and the applicable tax laws of any political subdivision of this state also shall constitute a material breach of this Contract. Any violation shall entitle COUNTY to terminate this Contract, to pursue and recover any and all damages that arise from the breach and the termination of this Contract, and to pursue any or all of the remedies available under this Contract, at law, or in equity, including but not limited to:
 1. Termination of this Contract, in whole or in part;

2. Exercise of the right of setoff, and withholding of amounts otherwise due and owing to AGENCY, in an amount equal to COUNTY'S setoff right, without penalty; and

3. Initiation of an action or proceeding for damages, specific performance, declaratory or injunctive relief. COUNTY shall be entitled to recover any and all damages suffered as the result of AGENCY'S breach of this Contract, including but not limited to direct, indirect, incidental and consequential damages, costs of cure, and costs incurred in securing replacement performance.

These remedies are cumulative to the extent the remedies are not inconsistent, and COUNTY may pursue any remedy or remedies singly, collectively, successively, or in any order whatsoever.

b. The AGENCY represents and warrants that, for a period of no fewer than six calendar years preceding the effective date of this Contract, has faithfully complied with:

1. All tax laws of this state, including but not limited to ORS 305.620 and ORS chapters 316, 317, and 318;

2. Any tax provisions imposed by a political subdivision of this state that applied to AGENCY, to AGENCY'S property, operations, receipts, or income, or to AGENCY'S performance of or compensation for any work performed by AGENCY;

3. Any tax provisions imposed by a political subdivision of this state that applied to AGENCY, or to goods, services, or property, whether tangible or intangible, provided by AGENCY; and

4. Any rules, regulations, charter provisions, or ordinances that implemented or enforced any of the foregoing tax laws or provisions.

[Signature Page Follows]

April 14, 2016

Board of County Commissioners
Clackamas County

Members of the Board:

Approval of HOME Loan Agreement with
Fenton Rondel Court LP for the Rondel Court Apartments Project

Purpose/Outcomes	HOME Program funds will assist in the acquisition, renovation and development of the 47 unit Rondel Court Apartments affordable housing project in Molalla.
Dollar Amount and Fiscal Impact	Total HOME funds is \$925,000: <ul style="list-style-type: none"> • \$925,000 long-term loan, 0.0% interest, 30-year term. No County General Funds are involved.
Funding Source	The fund source is the Pre-FY15 and FY15 HOME Investment Partnerships Program allocations which the County receives annually from the US Department of Housing and Urban Development (HUD). No County General Funds are involved.
Duration	The term of the loan is 30 years, beginning at closing in April 2016 and ending April 2046.
Previous Board Action/Review	April 30, 2015 – H3S, Approval of Housing and Community Development 2015 Action Plan, Board Order #043015-A1
Strategic Plan Alignment	Provide sustainable and affordable housing. Ensure safe, healthy and secure communities.
Contact Person	Kevin Ko, Manager, Housing & Community Development Division, 655-8359.
Contract No.	H3S 7616

BACKGROUND:

The Housing and Community Development Division of the Health, Housing and Human Services Department requests the approval of a HOME Agreement with Fenton Rondel Court Limited Partnership for the Rondel Court Apartments project. Rondel Court is an existing 30-unit affordable housing project in Molalla and is owned by Fenton Rondel Court LP. Caritas Community Housing (CCH) is the Managing Partner in the Fenton Rondel Court LP. The Owner is planning to demolish 10 severely deteriorated units, renovate the remaining 20 existing units and build 27 new units on the current site. There will be a total of 47 units when the project is completed. The property is located at 180 Fenton Street in Molalla. The project is being designed to serve families and seniors. Priority will be given to seniors with disabilities and to survivors of domestic violence.

On April 30, 2015 the Board approved the Housing and Community Development 2015 Action Plan. The Action Plan is developed annually through a public process which identifies and prioritizes community needs, and targets HUD funds to address the highest priority needs. Included in the 2015 Action Plan is a proposal to preserve and redevelop the Rondel Court Apartments with HOME funds earmarked for multi-family affordable housing. CCH staff have been working with H3S staff to address site and funding requirements, and is prepared to move forward with project development. As a condition of receiving federal Low Income Housing Tax Credits, the Fenton Rondel Court LP was formed with CCH as its Managing Partner. The tax credits will provide \$8.535 million of development equity for

the project. The estimated total project cost is \$11 million. The balance of funds will come from other Federal, State and CCH sources.

The environmental Assessment has been completed and HUD issued the Authority to Use Grant Funds on 03/09/2016. The HOME Loan Agreement was reviewed and approved by County Counsel on 03/17/2016.

RECOMMENDATION:

Staff recommends Board approval of the HOME Loan Agreement with Fenton Rondel Court LP for the Rondel Court Apartments and authorization for Richard Swift, H3S Director to sign on behalf of Clackamas County.

Respectfully submitted,

Richard Swift, Director
Health, Housing and Human Services

LOAN AGREEMENT

CLACKAMAS COUNTY HOME PROGRAM

Name of Project: Rondel Court Apartments

This Loan Agreement (“Agreement”) is entered into between Fenton Rondel Court, LP, (“Owner”), of which Caritas Community Housing Corp. (Caritas) is the sole General Partner or the sole Managing Member, and Clackamas County (“County”), a Participating Jurisdiction under the HOME investment Partnerships Program (“HOME”).

This Agreement includes the following attachments:

- | | |
|-----------------------------|--|
| A. Legal Description | E. HOME Affordability Requirements |
| B. Sources and Uses | F. Affirmative Marketing and MBE/WBE Outreach Requirements |
| C. Schedule of Tasks | G. Project Completion documentation |
| D. HOME Match Contributions | |

The parties, in consideration of the mutual promises and obligations set forth below, agree as follows:

1. **DEFINITIONS.** Capitalized terms in this Agreement and in the other Loan Documents have the following definitions:
 - a. **Annual Income.** Annual income as defined at 24 CFR 5.609.
 - b. **Affordability Requirements.** The Affordability Requirements refer to the restrictions on rents and tenant incomes set forth in Section 10 below.
 - c. **CHDO.** Community Housing Development Organization. This is a HOME specific designation. For the purposes of this Agreement, the CHDO (or a wholly owned subsidiary of the CHDO) must be the sole general partner or sole managing member of the actual ownership entity. Caritas Community Housing Corp. is the CHDO of record for this Agreement.
 - d. **HOME-Assisted Units or HOME Unit.** HOME-Assisted units (“HOME units”) are those units in the Project which were partially or totally rehabilitated, constructed, or otherwise assisted with the use of HOME Funds. The HOME-Assisted units are designated in Section 4 below.
 - e. **HOME Funds.** HOME Funds means the total amount of HOME Program dollars being provided by the County to the Project under this Agreement. See Section 2 below.
 - f. **HOME Program and HOME Regulations.** The federal HOME Investment Partnership Program (HOME Program) is authorized under Title II of the Cranston-Gonzalez National Affordable Housing Act of 1990. HUD’s regulations and requirements for the HOME Program are located in 24 CFR Part 92. Should anything in this Agreement or the other Loan Documents conflict with the HOME regulations, the HOME regulations shall prevail.
 - g. **HUD.** The United States Department of Housing and Urban Development
 - h. **Loan Documents.** The Loan Documents are this Agreement, the Promissory Note, the Trust Deed, and the Declaration of Land Use Restrictive Covenants, all of which are incorporated into this Agreement by reference.
 - i. **Low-Income and Very Low-Income.** A Low-Income household is one whose total income does not exceed 80% of the County’s Median Income. A Very Low-Income household is one whose total income does not exceed 50% of the County’s Median Income.
 - j. **Median Income.** Median Income means the median income for Clackamas County, adjusted for family size, as published by HUD, from time to time.
 - k. **Owner.** The initial Owner and any subsequent Project owner, subject to the County consenting to any transfer under Section 29 below.
 - l. **Period of Affordability.** See Section 9 below.

- m. **Project.** The project involves the acquisition of an existing 30-unit development located at 180 Fenton Street, in Molalla, Oregon. Additionally, the project involves the demolition of 10 deteriorated units and the new construction of 27 housing units. The legal description of the property is set forth in **Attachment A**.
- n. **Project Completion Date.** The later of the date when (a) the construction is completed, (b) the final HOME drawdown has been disbursed to the Project, and (c) the County has entered the project completion information into HUD's disbursement and information system. County must enter the project completion information into the HUD system, or otherwise provide it to HUD, within 120 days following the final project drawdown. **Addendum 1** to this Loan Agreement will be completed to recognize the actual project completion date. This date will start the HOME Period of Affordability (see Section 9 below).

2. HOME FUNDS; LOAN TERMS

- a. **Amount and Purpose:** County shall loan HOME funds in the amount of **\$925,000** to the **Owner** for the Project. The HOME funds will be used for the redevelopment of the Rondel Court Apartments. Eligible activities include acquisition, demolition, construction, engineering and architectural services and other related activities. Use of the HOME funds for any other purpose, without the expressed written consent of the County is prohibited and may constitute a breach of this agreement.
- b. **Loan Terms:**
 - i. The HOME Funds will be provided as a **0.0% interest deferred payment loan, with a maturity date of December 31, 2044**. Loan repayment, satisfaction or reconveyance shall not relieve Borrower of any performance, affordability or programmatic obligations and requirements of the HOME program.
 - ii. Notwithstanding the loan terms described above, the entire amount of the loan (\$925,000) together with any accrued interest or fees, shall be paid in full upon the sale, assignment or other transfer of title to the Property without the County's consent; or the date Owner or its agents or subcontractors is otherwise in default under any of the prior written Loan Documents (including but not limited to the failure to meet the Affordability Requirements of Section 10 below). Exceptions: Neither a transfer nor assignment of a limited partner's interest in Owner nor the removal of a general partner for cause, shall cause the Loan to be due and payable.
- c. **Loan Documents:** The loan shall be evidenced by this Agreement, a Promissory Note, and a Declaration of Land Use Restrictive Covenants. The loan shall be secured by an Assignment of Beneficiary's Interest in Trust Deed executed by Caritas in favor of the County, substantially in the form of the attached Exhibit B (the "General Partner Assignment"), pursuant to which Caritas will assign to the County its beneficiary's interest in and to that certain Trust Deed to be executed by Partnership in favor of Caritas, all of which together are incorporated by reference into this Agreement and are referred to collectively as the "**Loan Documents**."
- d. **Recording Requirement:** The Owner agrees to record, or cause to be recorded the Trust Deed, the General Partner Assignment, and the Declaration of Land Use Restrictive Covenants, promptly after signing and acquisition of the real property.

3. PAYMENT OF OBLIGATION.

- a. Payments of principal and interest shall be made until the loan is paid in full. All payments on the loan shall be applied first to the interest due on the loan and then the remaining amount shall be applied to the principal. No late fees will be charged.
- b. Payments shall be made at such place as County may designate in writing and shall be in the manner and amount as is described in the Promissory Note between the parties relating to this project.

4. HOME-ASSISTED UNITS

- a. Six (6) units in the project are HOME-Assisted Units. The total number of HOME-Assisted units has been calculated on the total amount of HOME funds invested in the project, including, but not limited to, this loan. The HOME units are as follows:

Bedroom Size	TOTAL UNITS	Low-Home Units	High Home Units	Total HOME-Assisted
1-bedroom (tenant) unit:	27	1	2	3
2-bedroom (tenant) unit:	12	1	1	2
3-bedroom (tenant) unit:	8	0	1	1
TOTALS	47	2	4	6

- b. Fixed/Floating: The HOME-Assisted units are designated as **FLOATING HOME** units as defined at 24 CFR 92.252.
- c. See Section 10 below and Attachment E for rent and income limits for the HOME-Assisted Units.
- d. Special Needs Set-aside. No less than five units will be made available for persons with special needs to comply with the County's requirement.

5. SOURCES AND USES OF FUNDS; SCHEDULE OF TASKS

- a. All sources and uses of funds for the acquisition phase of the Project are set forth in **Attachment B**. The Uses Statement shall specify by line item the source of funds for each such line item. Owner certifies that (i) it has, or will obtain, commitments of the funds from each of the sources identified, (ii) the sources of funds are sufficient to fund the project in full, and (iii) HOME funds shall only be used for HOME-eligible costs (see 24 CFR 92.206 and 92.214).
- b. The Schedule of Tasks to be undertaken in order to complete the Project is set forth in **Attachment C**.

6. MATCH REQUIREMENT

Attachment D documents the Project-related eligible sources of matching contributions as allowed by 24 CFR 92.218 through 92.222.

7. HOME REGULATIONS

The Owner agrees to comply with the HOME Regulations and with the other requirements of the Loan Documents. Specifically, the Owner agrees that Caritas will remain as the sole General Partner or sole Managing Member of Fenton Rondel Court, LP for the full duration of the initial period of affordability. If Caritas is unable to re-qualify as a CHDO at any time during the initial period of affordability, Owner agrees to replace Caritas with another CHDO recognized by County, as the sole general partner or the sole managing member of Fenton Rondel Court, LP.

8. ENVIRONMENTAL REVIEW

- a. The environmental effects of each activity carried out with HOME funds must be assessed in accordance with the provisions of the National Environmental Policy Act of 1969 (NEPA) and the related authorities in 24 CFR Parts 50 and 58.
- b. The County is responsible for environmental review, decision-making, and action for each activity that it carries out with HOME funds, in accordance with 24 CFR part 58. The County will not commit any HOME funds toward construction of the Project before completion of the environmental review and approval of the request for release of funds and related certification, except as authorized by 24 CFR Part 58.
- c. HOME Funds cannot be used for acquisition or construction in identified special flood hazard areas unless the Project is subject to the mandatory purchase of flood insurance as required by Section 102(a) of the Flood Disaster Protection Act of 1973, as amended from time to time.
- d. In the event that changes or modifications to the approved HOME activities are necessary, the Owner must, prior to any additional commitment or expenditure of funds, submit all necessary supplemental environmental review information and data to the County for the purpose of updating the environmental review record.

9. PERIOD OF AFFORDABILITY

- a. **The Initial Period of Affordability is the HUD-required Period of Affordability. This shall be 20 years for all new HOME units and 15 years for existing HOME units**, without regard to the term of the loan or the transfer of ownership, except as noted in subsection d below. The Initial Period of Affordability begins on the Project Completion Date.
- b. The **Extended Period of Affordability, if any** begins at the end of the INITIAL Period of Affordability and continues until such time as the loan is deemed paid in full.

- c. Unless specified otherwise, the Period of Affordability includes both the Initial and the Extended Periods of Affordability.
- d. **Termination of Period of Affordability.** In accordance with 24 CFR 92.252(e), the Period of Affordability shall be terminated upon foreclosure or transfer in lieu of foreclosure, but shall be revived according to the original terms if during the original Period of Affordability, the Owner of record before the foreclosure or deed in lieu of foreclosure, or any entity that includes the former Owner or any partner or those with whom the former Owner has or had family or business ties, obtains an ownership interest in the project or property.

10. AFFORDABILITY REQUIREMENTS (RENTS AND TENANT INCOMES)

- a. To ensure compliance with the HOME "Program Rule", at initial occupancy all of the HOME-Assisted Units must be rented to tenants whose incomes at the time of the tenant's initial occupancy, are less than or equal to 60% of the Median Income.
- b. **Low-HOME Units.** If the number of HOME-Assisted Units is 5 or more, at least 20% of the HOME-assisted units must be occupied initially and throughout the Period of Affordability by tenants, who at the time of their initial occupancy are very-low-income tenants and the initial rents for those units must not exceed the Low HOME rents shown in **Attachment E**. These rents are subject to periodic adjustment by HUD. If the unit receives federal or state project-based rental assistance, the Low-HOME rent shall not exceed the allowable rent under the rental assistance program.
- c. **High-HOME Units.** After initial occupancy as indicated in paragraph (a) above, the remaining HOME-Assisted Units must be rented during the Period of Affordability to tenants, who at the time of their initial occupancy are low-income tenants and the initial rents for these units must not exceed the High HOME rents shown in **Attachment E**. These rents are subject to periodic adjustments by HUD.
- d. Increases in Tenant's Income:
 - i. Low-HOME rent units
 - 1. If the income of a tenant in a Low-HOME rent unit rises above 50% of Median Income, but does not exceed 80% of Median Income, then the next available HOME-Assisted Unit (for fixed-unit projects) or the next available comparable unit (for floating-unit projects) must be rented to a very-low-income tenant. The unit occupied by the tenant whose income so increased becomes a High-HOME unit and the High-HOME rent must be charged, provided that in no event shall the rent of a tenant of a HOME-assisted unit that has been allocated federal low-income housing tax credits ("LIHTC") increase beyond the maximum applicable LIHTC rent for such unit.
 - 2. The rent for the unit occupied by the tenant whose income has increased above 80% of Median Income will be set in accordance with subparagraph iii below.
 - ii. High-HOME rent units
 - 1. The income of a tenant in a High-HOME rent unit can increase to 80% of Median Income with no change in the status as a HOME-Assisted Unit or in the tenant's rent.
 - 2. If the income of a tenant in a High-HOME rent unit rises above 80% of Median Income, then the next available HOME-Assisted Unit (for fixed-unit projects) or the next available comparable unit (for floating-unit projects) must be rented to a tenant whose income does not exceed 80% of Median Income.
 - 3. The rent for the unit occupied by the tenant whose income has increased above 80% of Median Income will be set in accordance with subparagraph iii below.
 - iii. Project-based rent subsidy: In accordance with 24 CFR 92.252(b)(2), if the unit receives federal or state project-based rental subsidy, the maximum rent is the rent allowable under the federal or state project-based rental subsidy program.
 - iv. Over-income Tenants: In accordance with 24 CFR 92.252(i), a tenant who no longer qualifies as a low-income household must pay as rent 30 percent of the household's adjusted gross income, except that:
 - 1. In no event shall the tenant of a HOME-assisted unit that has been allocated federal low-income housing tax credits ("LIHTC") be charged rent in excess of the maximum applicable LIHTC rent for such unit.
 - 2. If the HOME-assisted unit is a floating unit, a tenant who no longer qualifies as a low-income household is not required to pay as rent an amount that exceeds the market rent for a comparable unassisted unit in the neighborhood.

- e. Certification and Recertification of Tenant Income: Caritas must certify each tenant's household income, and must recertify such income annually in accordance with HOME regulations.

11. TENANT SELECTION CRITERIA; LEASE REQUIREMENTS

- a. Owner shall adopt written tenant selection policies and criteria, which must be pre-approved by the County. The criteria must: (i) be consistent with the purpose of providing housing for very-low-income and low-income households, (ii) be reasonably related to program eligibility and the applicant's ability to perform the lease obligations, (iii) provide for the selection of tenants from a written waiting list in the chronological order of their application, insofar as practicable, and (iv) give prompt written notification to any rejected applicant of the grounds for any rejection.
- b. Tenants must be offered renewable lease agreements with an initial duration of at least one year, unless a shorter time period is mutually agreed upon by the tenant and the landlord.
- c. In compliance with 24 CFR 92.252(d), neither the Owner nor Recipient may discriminate against rental assistance subsidy holders.
- d. Tenant leases may not contain any of the following provisions:
 - i. Agreement by the tenant to be sued or to have a judgment entered in favor of Owner;
 - ii. Except as allowed by Oregon law, agreement by the tenant to allow Owner to take, hold, or sell personal property of household members without notice to the tenant and a court decision on the rights of the parties;
 - iii. Agreement by the tenant not to hold Owner liable for any action or failure to act;
 - iv. Agreement by the tenant that Owner may institute a lawsuit without notice to the tenant;
 - v. Agreement by the tenant that Owner may evict tenant without instituting court proceedings in which the tenant has the opportunity to present a defense, or before a court decision on the rights of the parties.
 - vi. Agreement by the tenant to waive any right to a trial by jury, to waive the tenant's right to appeal, or otherwise challenge in court, a court decision in connection with the lease; or
 - vii. Agreement by the tenant to pay attorney fees or costs even if the tenant wins in a court proceeding against the Owner. The tenant may, however, be obligated to pay costs and attorney fees if the tenant loses.
- e. The Owner may not terminate the tenancy or refuse to renew the tenant's lease except for serious or repeated violation of the terms of the lease, for violation of law, for completion of the tenancy period for transitional housing, or for other good cause. To terminate or refuse to renew tenancy, Owner must serve written notice on the tenant specifying the grounds for the action at least 30 days before the termination of the tenancy.

12. PROPERTY STANDARDS

- a. Upon completion, the Project must meet all of the applicable Property Standards in 24 CFR 92.251 for new construction. County staff will periodically inspect the Project during construction and at completion to assure compliance with the Property Standards.
- b. Upon project completion and throughout the Period of Affordability, the Project must be maintained so that it continues to meet the property standards set forth in 24 CFR 92.251.

13. INDEMNIFICATION AND INSURANCE

Owner agrees to indemnify, defend and hold harmless the County and its elected officials, officers, agents and employees against all liability, loss and costs arising from actions, suits, claims or demands, except when due to the County's sole negligence or intentional misconduct, arising from performance of this Agreement.

Owner shall maintain all-risk property insurance in the amount of the full replacement value of the property, commercial general liability insurance in the minimum amount of \$ 1,000,000 per occurrence, \$2,000,000 aggregate, and Rent Loss insurance in an amount equal to 12 months rental income. Owner shall provide County proof of insurance in the required amounts upon execution of this Agreement, and again upon request of the

County. Owner shall give county no less than 30 days' notice if there is a cancellation, nonrenewal or material change of Owner's insurance. See paragraph 1.12 of the Trust Deed for additional insurance requirements.

14. EVENTS OF DEFAULT

An event of default under the Loan Documents includes, but is not limited to, the following; provided that the party declaring a default has first provided to the other party thirty days written notice specifying the alleged default and giving such other party the opportunity to cure the alleged default during that 30 day period, or during such longer period as is agreed to by the non-defaulting party in writing.

- a. Securing all Funding. The Owner must secure all fund sources identified in Attachment B within 12 months from the Effective Date identified in Section 31.
- b. Full Occupancy requirement. Within 18 months from the date of project completion, the project must achieve full occupancy. HOME assisted units must be occupied by HOME eligible households.
- c. Noncompliance with the Affordability Requirements at any time during the term of this Loan.
- d. Default under other secured loans, foreclosure, bankruptcy, receivership and non-payment.

County agrees that any cure of any default made or tendered by Investor Member shall be deemed to be a cure by Owner and shall be accepted or rejected on the same basis as if made or tendered by Owner.

15. REMEDIES FOR DEFAULT

- a. In the event of default, either party may pursue any legal or equitable remedy available to it. Without limiting the foregoing, County may (i) declare the entire amount of the Loan due and payable at once, or (ii) extend the Period of Affordability for a period equal to the length of the period during which noncompliance with the Affordability Requirements existed.
- b. The County and any tenant or applicant who meets the income limitation applicable under 24 CFR 92 (whether prospective, present or former occupant) shall be entitled, for any breach of the provisions hereof, and in addition to all other remedies provided by law or in equity, to enforce specific performance by the Owner and/or Recipient of its obligations under this Agreement in state court.

16. AFFIRMATIVE MARKETING

If the Project contains five or more HOME-Assisted Units, the Recipient must cause the Owner to implement and follow the adopted Affirmative Marketing Plan of the County, **Attachment F** (the "Plan"). The Recipient must cause the Owner to maintain records evidencing compliance with the Plan.

17. MINORITY/WOMEN'S BUSINESS

In accordance with Executive Orders 11625 and 12432 (concerning Minority Business Enterprise), and 12138 (concerning Women's Business Enterprise), the County has adopted procedures and requirements for HOME projects for the purpose of encouraging the use of minority and women's business enterprises. The Owner certifies that it will follow and implement the adopted procedures and requirements in **Attachment F**.

18. NON-DISCRIMINATION

- a. The Owner must comply with all applicable federal, state, and local laws prohibiting discrimination on the basis of age, sex, marital status, familial status, religion, race, creed, color, sexual orientation, nationality, the presence of any sensory, mental or physical handicap, or other protected class. These requirements apply to both employment opportunities and the provision of housing and are specified in
 - i. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 200d et seq.);
 - ii. Title VI; Civil Rights Act of 1968, Title VIII, as amended;
 - iii. Equal Employment Opportunity, Executive Order 11246, as amended;
 - iv. Section 3 of the Housing and Urban Development Act of 1968 as may be amended;
 - v. Section 504 of the Rehabilitation Act of 1973 as may be amended;
 - vi. The Fair Housing Act of 1988 as may be amended (42 U.S.C. 3601-3620);
 - vii. Equal Opportunity in Housing (Executive Order 11063, as amended by Executive Order 12259);

- viii. Age Discrimination Act of 1975, as amended (42 U.S.C. 6101); and
 - ix. Americans with Disabilities Act of 1990 as may be amended (42 U.S.C. 12131; 47 U.S.C. 155, 201, 218, and 225).
- b. Owner shall maintain data on the extent to which each racial and ethnic group and single-headed household (by gender of head of household) have applied for and rented units in the Project.

19. DISBURSEMENT OF FUNDS

- a. Owner agrees to request funds under this Agreement only when they are needed for payment by Owner of specific allowable costs and only in amounts needed to pay such costs. The payment request must be accompanied by source documentation for actual expenses.
- b. The County shall verify requested amounts for satisfactory completion prior to payment. Payments shall be based upon work completed and approved by the County.
- c. County will not disburse any HOME funds until all the Loan Documents are signed and the following documents are received:
 - i. Copy of the Management Agreement;
 - ii. Affirmative Marketing Plan;
 - iii. Proof of Insurance;
 - iv. Copy of HOME tenant lease; and
 - v. Copy of the written tenant selection criteria.
- d. Five percent (5%) of HOME funds will be withheld until the Owner provides the County with the documentation outlined in **Attachment G**.
- e. The Owner must submit Form HUD-40097 (Project Completion Report - Part C, household characteristics for each HOME-assisted unit) within 120 days of the request for final disbursement.

20. CONTRACTOR DEBARMENT AND SUSPENSION

In order to comply with the requirements of 24 CFR Part 24, the Owner must obtain a certification guaranteeing that no participants in lower tier covered transactions, having to do with the Project financed in whole or in part by the HOME Funds, are currently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in federal projects.

21. SECTION 3 REQUIREMENTS

Section 3 of the Housing and Urban Development Act of 1968, as amended, applies to:

- Projects for which HUD's share of the project cost exceeds \$200,000; and
- Contracts and subcontracts awarded on projects for which HUD's share of project costs exceeds \$200,000 and the contract or subcontract exceeds \$100,000.

Section 3 requires that to the greatest extent feasible opportunities for training and employment in connection with planning and carrying out the Project be given to low-income residents of the Project area, and contracts for work in connection with the Project be awarded to business concerns, including but not limited to individuals for firms doing business in the field of planning, consulting, design, architecture, building construction, rehabilitation, maintenance, or repair, which are located in or owned in substantial part by persons residing in the Project area.

22. LEAD BASED PAINT

For all units in the Project (not just HOME-Assisted Units) and for common areas, the Owner shall comply with the HUD Lead-Based Paint Regulations (24 CFR Part 35 and 24 CFR 982.401(j)) issued pursuant to the Lead-Based Paint Poisoning Prevention Act (42 USC Sections 4831 et. seq.) as amended requiring prohibition of the use of lead-based paint whenever HOME Funds are used directly or indirectly for construction, rehabilitation, or modernization of residential structures; elimination of immediate lead-based paint hazards in residential structures; and notification of the hazards of lead-based paint poisoning to purchasers and tenants of residential structures constructed prior to 1978. *This part is not applicable to new construction.*

23. DISPLACEMENT, RELOCATION, ACQUISITION, AND REPLACEMENT

Owner shall comply with all the regulations and laws regarding displacement, relocation, acquisition and replacement of housing, including those contained in 24 CFR 92.353 and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended (42 USC 4601-4655).

24. CONFLICT OF INTEREST

Unless an exception is granted by the County pursuant to 24 CFR 92.356(f)(2), no developer, owner or sponsor of the Project, or officer, employee, agent or consultant of the Recipient, developer or sponsor, may occupy a HOME-Assisted Unit in the Project. This section does not apply to an employee or agent who occupies a HOME-Assisted Unit as the project manager or maintenance worker.

25. FAITH BASED ACTIVITIES

- a. Organizations that are directly funded under the HOME program may not engage in inherently religious activities, such as worship, religious instruction, or proselytizing as part of the assistance funded under this part. If an organization conducts such activities, the activities must be offered separately, in time or location, from the assistance funded under this part, and participation must be voluntary for the beneficiaries of the assistance provided.
- b. An organization that participates in the HOME program shall not, in providing program assistance, discriminate against a program beneficiary, or prospective program beneficiary, on the basis of religion or religious belief.
- c. HOME funds may not be used for the acquisition, construction, or rehabilitation of structures to the extent that those structures are used for inherently religious activities. HOME funds may be used for the acquisition, construction, or rehabilitation of structures only to the extent that those structures are used for conducting eligible activities under this part.

26. RECORDS

- a. Owner must keep such records as are necessary to demonstrate compliance with all parts of this Agreement, including but not limited to the affordability requirements, tenant lease provisions, property standards, affirmative marketing, anti-discrimination, Section 3, MBE/WBE, environmental review, relocation/displacement/property acquisition, labor requirements, lead-based paint, conflict of interest, debarment and suspension and intergovernmental review.
- b. Owner must annually provide tenant eligibility records to the County.
- c. Record Retention Periods
 - i. Except as stated in this subparagraph, records must be retained for five years following the Project Completion Date.
 - ii. Owner shall maintain records pertaining to each tenant's income verifications, project rents and project inspections for at least the most recent five year period, until five years after the Period of Affordability has expired.
 - iii. Written agreements must be retained for five years after the Agreement terminates.
 - iv. Records covering displacement and acquisition must be retained for five years after the date by which all persons displaced from the Property and all persons whose property is acquired for the Project have received the final payment to which they are entitled under 24 CFR 92.353.
 - v. If any litigation, claim, negotiation, audit, monitoring, inspection or other action has been started before the expiration of the required record retention period, records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the required period, whichever is later.
- d. Access to Records. HUD, the Comptroller General of the U.S., the County, and any of their representatives, have the right of access to any pertinent books, documents, papers or other records, in order to make audits, examinations, excerpts or transcripts, or otherwise determine compliance with HOME regulations.
- e. Any duly authorized representative of the Secretary of HUD, the Comptroller General of the United States, or the County shall at all reasonable times have access to and the right to inspect, copy audit, and examine all books, records and other documents relating directly to the Recipient's and/or Owner's receipt and disbursement of the HOME Funds, as well as access to the Project. Upon request, the Recipient

must assist, or must cause Owner to assist, the County by serving notice to affected tenants, as required under Oregon Law.

27. MONITORING

- a. Within 60 days of acquisition, the county staff will make an on-site visit to monitor compliance with the HOME rent and occupancy standards.
- b. The County will monitor the performance of the Caritas and Owner to ensure compliance with the requirements of this Agreement. During the initial Period of Affordability, the monitoring will be conducted in accordance with 24 CFR 92.504)c)(5)(d) and will include on-site inspections and a review of all records required in Section 26 above.

28. WAIVER

Failure by either party to enforce any right under this Agreement shall not be deemed to be a waiver of that right or of any other right.

29. SUCCESSORS AND ASSIGNS

This Agreement shall be binding on and inure to the benefit of the heirs, successors, and assigns of each party, provided that written consent is obtained from the other party.

30. AUTHORITY TO SIGN

Each party signing this Agreement, and the other Loan Documents, represents that it has full power and authority to enter into this Agreement and all other documents contemplated thereby, and the persons signing this Agreement for such party, if such party is not an individual, have full power and authority to sign for such party and to bind it to this Agreement, and to sell, transfer and convey all right, title, and interest in and to the Property in accordance with the Loan Documents. No further consent of any partner, shareholder, creditor, investor, judicial or administrative body, governmental authority, or other party is required.

31. EFFECTIVE DATE

The Effective Date of this Agreement is the date it is signed by all parties.

PROJECT OWNER:

Fenton Rondel Court, LP

Trell Anderson, Housing Development Director
Address: 2740 SE Powell Blvd.
Portland, OR 97202

CLACKAMAS COUNTY

Chair: John Ludlow
Commissioner: Jim Bernard
Commissioner: Paul Savas
Commissioner: Martha Schrader
Commissioner: Tootie Smith

By:

Signing on Behalf of BCC:

(signature)

Printed Name: Trell Anderson
Title: Housing Development Director
Phone: (503) 231-4866
Fax: (503) 231-4327
DUNS# 130387637

(signature)

Printed Name: Richard Swift
Title: Director, Health Housing and Human Services

Date

Date



M. BARBARA CARTMILL
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

April 14, 2016

Board of County Commissioners
Clackamas County

Members of the Board:

Approval of Amendment 1 to Intergovernmental Agreement with Metro for the Clackamas Regional Center Area Performance Measures and Multi Modal Area Project

Purpose/Outcomes	This amendment changes the dates in Exhibit A to extend the Milestones / Deliverable dates to account for delays in the initial start up of the project. This project was awarded funding from Metro through the Construction Excise Tax (CET) / Community Planning and Development Grant (CPDG) program.
Dollar Amount and Fiscal Impact	The amendment updates the due dates for the Milestone and Deliverables outlined in Exhibit A. There is no Fiscal Impact.
Funding Source	The funding sources for this project are the CET/CPDG program and the Road Fund.
Duration	The project terminates on December 31, 2016
Previous Board Action	04/18/13: Approval of Application for Metro's Community Planning and Development Grant Program which is funded by the Construction Excise Tax. 03/20/2014: BCC Approval of IGA.
Strategic Plan Alignment	1. How does this item align with your department's Strategic Business Plan goals? This project will provide an update to the County Comprehensive Plan and Transportation System Plan. 2. How does this item align with the County's Performance Clackamas goals? This project will build strong infrastructure and ensure safe, healthy and secure communities.
Contact Person	Karen Buehrig, Transportation Planning Supervisor

BACKGROUND:

The Transportation System Plan (TSP) identifies several studies that are necessary to address specific issues around the unincorporated area of the County (see Policy 5.DD.2). The intergovernmental agreement allows the County to undertake this project primarily using Metro funds with a limited in-kind match. The reduced match requirement was offered in return for a presentation of the final project methodology to our regional governments demonstrating how to undertake this Multimodal Mixed Use Area designation process as defined by the new Transportation Planning Rule (TPR).

This amendment has been reviewed and approved by County Counsel.

RECOMMENDATION:

Staff respectfully recommends approval of Amendment 1 to the IGA with Metro to update Exhibit A with new due dates for milestones and deliverables.

Respectfully submitted,

Mike Bezner, PE

Assistant Director of Transportation



March 29, 2016

Karen Buehrig
Transportation Planning Supervisor
Clackamas County
150 Beaver Creek Road
Oregon City, OR 97045

RE: *Amendment to Clackamas County Regional Center Area Performance Measures and Multi-modal Mixed-use Area Project (Amendment #1): Contract # 932626*

Dear Ms. Buehrig:

On March 29, 2016, I received your letter dated July 28, 2015 which, according to my staff you recently resent. You are requesting amendments to Milestones Nos. 2, 3, 4, 5 and 6 of the Clackamas County Regional Center Area Performance Measures and Multi-modal Mixed-use Area Project. Provision No. 9 of the intergovernmental agreement states that the IGA may be amended by the mutual agreement of Metro and Clackamas County. In addition, the footnote of Exhibit A of the IGA provides a process for the County to revise milestone due dates and allows amendments by mutual agreement.

It is my understanding that your request for amendment to the due date is to provide adequate time to accommodate the timeline you agreed on with your consulting team. It is also my understanding that you discussed these amendments to milestone due dates with Metro staff members Chris Myers and Gerry Uba.

The amendment you have requested will allow Clackamas County to complete the project. This response and your request letter (enclosed) fulfill these provisions in the IGA between Metro and Clackamas County (Metro Contact No. 932626) as shown in the enclosed revised Exhibit A.

If you have any questions about this letter or the Community Planning and Development Grant program, please contact Gerry Uba by phone at 503-797-1737 or gerry.uba@oregonmetro.gov

Sincerely,

Martha Bennett
Chief Operating Officer

Enclosures

c: Councilor Carlotta Collette, Metro District No. 2
Roger Alfred, Senior Attorney, Office of Metro Attorney
Gerry Uba, CPDG Project Manager, Resource Development
Sarah Erskine, Administrative Assistant, Finance & Regulatory Services
Sherrie Blackledge, Senior Management Analyst, Planning & Development

Exhibit A
(Revised March 29, 2016)

IGA for Community Planning and Development Grants funded with CET
Clackamas County – CRC Area Performance Measures and MMA Project
Milestone and Deliverables Schedule for Release of Funds

Milestone	Deliverable	Date Due*	Grant Payment
1.	Execution of Grant IGA	March 2014	\$10,000
2.	Decision on consultant and public involvement plan. A) RFP and Consultant selection B) Public involvement process set up	June 2016	\$20,000
3.	MMA Stakeholder Working Group review of all deliverables and make recommendations to the County A) MMA Area Existing Conditions Report B) MMA Area Additional Needed Infrastructure Memo C) ODOT Coordination Process and Memorandum of Understanding D) MMA Boundary Recommendation E) MMA Criteria Analysis – Based on Existing Condition F) Recommendations will be review by Project Staff. A draft Comprehensive Plan Amendments and ZDO Amendments will be prepared and forwarded to the Planning Commission.	December 2016	\$60,000
4.	MMA Stakeholder Working Group review of all deliverables, including Alternative Performance	December 2016	\$60,000

	<p>Measures within the MMA, and make recommendations to the County</p> <p>A) State of the Practice Memo – Alternative Performance Measures</p> <p>B) Implementation Recommendations Memo - Alternative Performance Measures</p> <p>C) Transportation System Safety Performance Measures Memo</p> <p>D) Alternative Infrastructure Funding Approach with the MMA</p> <p>E) MMA Alternative Funding Methodology Memo</p> <p>F) Recommendations will be review by Project Staff. A draft Comprehensive Plan Amendments and ZDO Amendments will be prepared and forwarded to the Planning Commission as appropriate. .</p>		
5.	<p>Clackamas County Planning Commission conducts a hearing on proposed amendments and makes recommendations to the BCC</p> <p>A) Propose Comprehensive Plan/ZDO Amendments and Staff Report</p>	December 2016	\$10,000
6.	<p>Clackamas County Board of Commissioners hold a hearing on the proposed Amendments</p> <p>A) Adoption of Plan/Amendments</p> <p>B) County shares Multi Modal Area Performance Measures for Metro to share with other local governments</p>	December 2016	\$0
TOTAL REIMBURSABLE AMOUNT			\$160,000

*If the Grant contained any Funding Conditions, Grantee shall demonstrate satisfaction with those conditions at the applicable milestone or deliverable due dates.

*Due dates are intended by the parties to be hard estimates of expected milestone completion dates. If the City anticipates that a due date cannot be met due to circumstances beyond its control, it shall inform Metro in writing no later than ten (10) days prior to the due date set forth above and provide a revised

estimated due date; and Metro and the City shall mutually agree upon a revision to the milestone due dates set forth in this Agreement.

Note: Clackamas County match = \$20,000

**CONSTRUCTION EXCISE TAX GRANT
INTERGOVERNMENTAL AGREEMENT
Metro – Clackamas County
Clackamas Regional Area Performance Measures and Multi Modal Area Project**

This Construction Excise Tax Grant Intergovernmental Agreement (“CET Grant IGA”) is effective on the last date of signature below, and is entered into by and between Metro, a metropolitan service district organized under the laws of the state of Oregon and the Metro Charter, located at 600 Northeast Grand Avenue, Portland, OR, 97232-2736 (“Metro”), and Clackamas County (“County”), located at 150 Beaver Creek Road, Oregon City, OR, 97045, collectively referred to as “Parties.”

WHEREAS, Metro has established a Construction Excise Tax (“CET”), Metro Code Chapter 7.04, which imposes an excise tax throughout the Metro regional jurisdiction to fund regional and local planning that is required to make land ready for development after inclusion in the Urban Growth Boundary; and

WHEREAS, the CET is collected by local jurisdictions when issuing building permits, which the local jurisdictions then remit to Metro pursuant to Construction Excise Tax Intergovernmental Agreements to Collect and Remit Tax (“CET Collection IGAs”) entered into separately between Metro and the local collecting jurisdictions; and

WHEREAS, the County has submitted a CET Grant Request (“Grant Request”) for the Clackamas Regional Area Performance Measures and Multi Modal Area Project (“Project”); and

WHEREAS Metro has agreed to provide the County CET Grant funding for the Project in the amount of \$160,000 subject to the terms and conditions set forth herein, and the parties wish to set forth the funding amounts, timing, procedures and conditions for receiving grant funding from the CET fund for the Project.

NOW THEREFORE, the Parties hereto agree as follows:

1. Metro Grant Award. Metro shall provide CET grant funding to the County for the Project as described in the County’s CET Grant Request, attached hereto as Exhibit B and incorporated herein (“Grant Request”), in the amounts and at the milestone and deliverable dates as set forth in Exhibit A attached hereto and incorporated herein (“Deliverables Schedule”), subject to the terms and conditions in this Agreement.
2. County Responsibilities. The County shall perform the Project described in the Grant Request and as specified in this Agreement and in Exhibit A, subject to the terms and conditions specified in this Agreement and subject to the “funding conditions” identified by the Screening Committee as stated in Metro Council Resolution No. 13-4450, Exhibit A. The County shall obtain all applicable permits and licenses from local, state or federal agencies or governing bodies related to the Project, and the County shall use the CET funds it receives under this Agreement only for the purposes specified in the Grant Request and to achieve the deliverables and/or milestones set forth in Exhibit A.
3. Payment Procedures. Within 30 days after the completion of each deliverable/milestone as set forth in Exhibit A, the County shall submit to Metro an invoice describing in detail its expenditures as may be needed to satisfy fiscal requirements. Within 30 days of receiving the County’s invoice and supporting documents, and subject to the terms and conditions in this Agreement, Metro shall reimburse the County for its eligible expenditures for the applicable deliverable as set forth in Exhibit A. Metro shall send CET payments to:

Clackamas County
Attention: Danielle Couch
150 Beaver Creek Road
Oregon City, OR 97045

4. Funding Provisions.

(a) CET Funds. Metro's funding commitment set forth in this Agreement shall be fulfilled solely through the programming of CET funds; no other funds or revenues of Metro shall be used to satisfy or pay any CET Grant funding commitments. The parties recognize and agree that if the CET is ever held to be unenforceable or invalid, or if a court orders that CET funds may no longer be collected or disbursed, that this Agreement shall terminate as of the effective date of that court order, and that Metro shall not be liable in any way for funding any further CET grant amounts beyond those already disbursed to the County as of the effective date of the court order. In such case the County shall not be liable to Metro for completing any further Project deliverables as of the date of the court order.

(b) Waiver. The parties hereby waive and release one another for and from any and all claims, liabilities, or damages of any kind relating to this Agreement or the CET.

5. Project Records. The County shall maintain all records and documentation relating to the expenditure of CET Grant funds disbursed by Metro under this Agreement. The County shall provide Metro with such information and documentation as Metro requires for implementation of the CET grant process. The County shall establish and maintain books, records, documents, and other evidence in accordance with generally accepted accounting principles, in sufficient detail to permit Metro or its auditor to verify how the CET Grant funds were expended. Metro and its auditor shall have access to the books, documents, papers and records of the County that are directly related to this Agreement, the CET grant moneys provided hereunder, or the Project for the purpose of making audits and examinations.

6. Audits, Inspections and Retention of Records. Metro and its representatives shall have full access to and the right to examine, during normal business hours and as often as they deem necessary, all County records with respect to all matters covered by this Agreement and Exhibit A. Such representatives shall be permitted to audit, examine, and make excerpts or transcripts from such records, and to make audits of all contracts, invoices, materials, payrolls and other matters covered by this Agreement. All documents, papers, time sheets, accounting records, and other materials pertaining to costs incurred in connection with the project shall be retained by the County and all of their contractors for three years from the date of completion of the project, or expiration of the Agreement, whichever is later, to facilitate any audits or inspection.

8. Term. This Agreement shall be effective on the date it is executed by both parties, and shall be in effect until all deliverables/milestones have been achieved, all required documentation has been delivered, and all payments have been made as set forth in Exhibit A, unless terminated earlier pursuant to this Agreement.

9. Amendment. This CET Grant IGA may be amended only by mutual written agreement of the Parties.

10. Other Agreements. This CET Grant IGA does not affect or alter any other agreements between Metro and the County.



11. Authority. County and Metro each warrant and represent that each has the full power and authority to enter into and perform this Agreement in accordance with its terms; that all requisite action has been taken by County and Metro to authorize the execution of this Agreement; and that the person signing this Agreement has full power and authority to sign for the County or Metro, respectively.

Metro

By: 
Martha Bennett

Title: Metro Chief Operating Officer


Date: 4/23/14

Approved as to Form: 
By: 
Alison R. Kean

Title: Metro Attorney

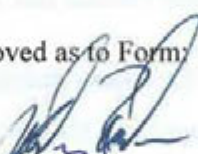

Date: 4/18/2014

Clackamas County

By: 
John Ludlow

Title: Chair

Date: 3-27-14 B.I.

Approved as to Form: 
By: 

Title: ASSISTANT COUNTY COUNSEL

Date: 3/18/14

Attachments:

- Exhibit A – Deliverables Schedule
- Exhibit B - County's Grant Request

Exhibit A
(Revised March 29, 2016)

IGA for Community Planning and Development Grants funded with CET
Clackamas County – CRC Area Performance Measures and MMA Project
Milestone and Deliverables Schedule for Release of Funds

Milestone	Deliverable	Date Due*	Grant Payment
1.	Execution of Grant IGA	March 2014	\$10,000
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	<p>Measures within the MMA, and make recommendations to the County</p> <p>A) State of the Practice Memo – Alternative Performance Measures</p> <p>B) Implementation Recommendations Memo - Alternative Performance Measures</p> <p>C) Transportation System Safety Performance Measures Memo</p> <p>D) Alternative Infrastructure Funding Approach with the MMA</p> <p>E) MMA Alternative Funding Methodology Memo</p> <p>F) Recommendations will be review by Project Staff. A draft Comprehensive Plan Amendments and ZDO Amendments will be prepared and forwarded to the Planning Commission as appropriate. .</p>		
5.	<p>Clackamas County Planning Commission conducts a hearing on proposed amendments and makes recommendations to the BCC</p> <p>A) Propose Comprehensive Plan/ZDO Amendments and Staff Report</p>	December 2016	\$10,000
6.	<p>Clackamas County Board of Commissioners hold a hearing on the proposed Amendments</p> <p>A) Adoption of Plan/Amendments</p> <p>B) County shares Multi Modal Area Performance Measures for Metro to share with other local governments</p>	December 2016	\$0
TOTAL REIMBURSABLE AMOUNT			\$160,000

*If the Grant contained any Funding Conditions, Grantee shall demonstrate satisfaction with those conditions at the applicable milestone or deliverable due dates.

*Due dates are intended by the parties to be hard estimates of expected milestone completion dates. If the City anticipates that a due date cannot be met due to circumstances beyond its control, it shall inform Metro in writing no later than ten (10) days prior to the due date set forth above and provide a revised

estimated due date; and Metro and the City shall mutually agree upon a revision to the milestone due dates set forth in this Agreement.

Note: Clackamas County match = \$20,000

Exhibit B

County's CET Grant Request

Exhibit B



BOARD OF COUNTY COMMISSIONERS

PUBLIC SERVICES BUILDING
2051 KAEN ROAD | OREGON CITY, OR 97045

April 18, 2013

Martha Bennett
Chief Operating Officer
Metro
600 NE Grand Ave.
Portland, OR 97232-2736

Re: Clackamas County Applications for Community Planning and Development Grants

Dear Ms. Bennett:


Clackamas County is pleased to submit the following applications for Metro's Community Planning and Development Grant Program:

- Clackamas County Strategically Significant Employment Lands Project.
- Multi-Use Development in Corridors
- Clackamas Regional Center Performance Measures and MMA Project.

The Clackamas County Board of County Commissioners considered all three applications at a public study session on April 9, 2013 and has directed staff to prepare the attached resolution, which is set for approval on the consent agenda at tonight's business meeting. The County would prioritize the applications in the order they appear above.

We believe that each of the three applications will lead to on- the-ground results, as was intended by the Construction Excise Tax Program, and will help to move the region's economy forward.

Sincerely,


John Ludlow, Chair

On behalf of the Clackamas County Board of Commissioners

Exhibit B

A Resolution Authorizing County
Applications for Community Planning
And Development Grants

Resolution No.

Whereas, Clackamas County is applying for Community Planning and Development Grants from Metro for three County projects; and

Whereas, the Board of County Commissioners has approved the proposed applications, including the budget and proposed County match for each.

Now therefore, be it resolved:

1. The Board of Commissioners authorizes County staff to pursue the following grant applications, and approves the budget and County match set forth in the application materials for each:
 - a. Clackamas Regional Center Performance Measures and MMA Project.
 - b. Clackamas County Strategically Significant Employment Lands Project.
 - c. Multi-Use Development in Corridors

ADOPTED this 18th day of April, 2013

CLACKAMAS COUNTY BOARD OF COMMISSIONERS

Chair

Recording Secretary

Exhibit B



CAMPBELL M. GILMOUR
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

April 18, 2013

Martha Bennett
Chief Operating Officer
Metro
600 NE Grand Avenue
Portland, OR 97232

RE: Metro Community Planning and Development Grant - Clackamas Regional Center Area Alternate Transportation Performance Measures and Multimodal Mixed-use Area Project

Thank you for the opportunity to submit our application for a Metro Community Planning and Development Grant for our project. The Clackamas Regional Center Area Alternate Transportation Performance Measures and Multimodal Mixed-use Area Project (Project) will analyze the opportunities and challenges of adopting new transportation system performance measures and their impact on Transportation System Development Charges (TSDC) in the Clackamas Regional Center Area (CRCA). The goal of this project is to ensure that the Clackamas Regional Center continues to develop into the center of commerce that is envisioned in the 2040 Growth Concept and the "focus of transit and highway improvements" is met. One of the tools that is expected to be used as part of The Project is designation of all or part of the Clackamas Regional Center Area as a Multimodal Mixed-use Area as provided in the Transportation Planning Rule.

This project builds on the recent revision to the Transportation Planning Rule and local planning work that reviewed the transportation facilities in the Clackamas Regional Center Design Area (see attached map). The recent planning projects include the following:

Clackamas Regional Center Bike and Pedestrian Master Plan – This study identified the location of needed bike and pedestrian facilities within the Clackamas Regional Center Area that are necessary to support the enhancement of multimodal travel opportunities within the regional center.

Clackamas County Transportation System Plan Update – This study is reviewing the overall transportation system in the Clackamas Regional Center Area and has identified a number of transportation system capacity problems that cannot be solved within the financial capacity of the County. It has been known for some time that several intersections within the Regional Center area are capacity constrained and that future development in the area may not be possible under the provisions of **Zoning Development Ordinance (ZDO) Section - 1007.09 - Transportation Facilities Concurrency**. This section of the ZDO requires that – "Approval of a development shall be granted only if the capacity of transportation facilities is adequate or will be made adequate in a timely manner".

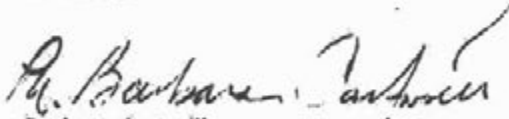
This proposed project is intended to be undertaken as a coordinated effort with the Clackamas County Planning and Zoning Department's Multi-use Development in Corridors Project. It is expected that undertaking these two projects in a coordinated manner will produce additional efficiencies in the areas of public involvement and the development and adoption of amendments to the Comprehensive Plan

Exhibit B

and ZDO. It is also anticipated that the land use analysis needed for both projects will be more efficient if the work is coordinated.

Thank you for the opportunity to submit our funding request to Metro. Should you have any questions or require clarification, please feel free to contact me at 503-742-4326 or Larry Conrad at 503-742 - 4539.

Sincerely,



Barbara Cartmill
Deputy Director, Department of Transportation and Development

cc: Gerry Uba

Paulette Copperstone

Exhibit B

Community Planning and Development Grant Cover Sheet

Check one:
 Letter of Intent
 Full Application

Project Name	CRC Area Performance Measures and MMA Project	Applicant Organization	Clackamas County
Contact Name	Lawrence Conrad	Address	150 Beavercreek Road Oregon City Oregon 97045
Phone	503 742 4539	Fax	
Email	larrycon@co.clackamas.or.us	Fed. Tax ID #	93-6002286

Fiscal Agent Organization (if different from applicant) Same as above

Contact Name	Address	Phone	Fax
Email			

Project Location Description (25 words or less)

The Project is located within the Clackamas Regional Center Design Area which contains the 2040 regional center designation.

Project Summary (50 words or less)

The Project will recommend alternative transportation system performance measures and the designation of a Multimodal Mixed-use Area (MMA) for the Clackamas Regional Center Area as allowed by the Transportation Planning Rule. The Project may also recommend an alternate approach to transportation infrastructure funding within the MMA.

Construction Excise Tax Grant funding request	\$ <u>160,000</u>	If submitting more than one proposal, please rank this proposal in order of priority <input checked="" type="checkbox"/>	Metro Council District of Project <u>2</u>
Total project cost	\$ <u>180,000</u>		

We, the undersigned, attest that to the best of our knowledge the information in this application is true and that all signatories have authorization to submit this grant application to Metro's Construction Excise Tax Planning Grants Program.

Applicant

Organization Name Clackamas County, Department of Transportation and Development

Printed Name Barbara Cartmill, Deputy Director of Transportation and Development

Signature *Barbara Cartmill* Date 4-18-13

Fiscal Agent

Organization Name _____

Printed Name _____

Signature _____ Date _____

To ensure complete letter of intent or full application, please see section 2 of the Grants Application Handbook for a complete list of necessary documents for submittal.

Exhibit B

Alternate Transportation Performance Measures and Multimodal Mixed-use Area Project

Project Narrative

The Clackamas Regional Center Area Alternate Transportation Performance Measures and Multimodal Mixed-use Area Project (Project) will analyze the opportunities and challenges of adopting new transportation system performance measures in the Clackamas Regional Center Design Area (CRCA). In addition, the Project will consider the designation of all or part of the CRCA as a Multimodal Mixed-use Area (MMA) as provided in the Transportation Planning Rule.

The Clackamas Regional Center is a major hub for commercial development, business and jobs in Clackamas County. As a part of the update to the Clackamas County Transportation System Plan (TSP), which is currently nearing completion, a policy recommendation has emerged that directs the County to modify the current zoning and performance standards so that an alternative approach can be taken to fund a range of transportation infrastructure projects and support on-going economic development in the regional center area.

A Project Description

The Clackamas County TSP Update process has identified a number of transportation system capacity problems that cannot be solved within the projected financial resources of Clackamas County and the Oregon Department of Transportation (ODOT). Several intersections within the regional center area are expected to exceed their operational capacity, as defined by the regional volume to capacity ratio (v/c) performance standards, in the near future. This means that future development proposals that impact the intersections in this area may not be approved under the provisions of **Zoning Development Ordinance (ZDO) Section - 1007.09 - Transportation Facilities Concurrency**. This section of the ZDO requires that – “Approval of a development shall be granted only if the capacity of transportation facilities is adequate or will be made adequate in a timely manner”.

The Project will identify alternate transportation performance measures supporting economic development and allow for a greater range of choices when funding transportation improvements. It will also implement sections of the Transportation Planning Rule that allows for the creation of a Multimodal Mixed-use Area (MMA) designation. These proposed changes to the County Comprehensive Plan and ZDO are expected to better address the concerns of economic development alongside those of the transportation system.

The successful completion of the Project should accomplish the following:

- Identify the extents of a Multimodal Mixed-use Area (MMA) within the Clackamas Regional Center Design Area boundary;
 - Adopt a MMA designation to allow for economic development considerations to be integrated into the decision making process during Comprehensive Plan changes;
- Implement alternate performance measures that can be applied at each stage of project development, from early planning to project design;
 - Identify and recommend the implementation of a set of multimodal performance measures that are accepted by the technical community and the development industry and understood by the policy makers and elected officials;
 - Develop materials that clearly communicate the choices and impacts of changing the transportation system performance measures;
 - Engage business owners, developers and local area residents to discuss the possible impacts of the proposed changes to performance measures;

Exhibit B

Alternate Transportation Performance Measures and Multimodal Mixed-use Area Project

- Recommend changes to the Transportation System Development Charges (TSDC) program for the CRC area, including possibly replacing the TSDC with a more broadly based infrastructure fee.

Multimodal Mixed-use Area

One of the early tasks in the **Project** will be to identify a potential boundary for the Multimodal Mixed-use Area (MMA) within the Clackamas Regional Center Design Area boundary. The MMA boundary will be used throughout the remainder of the process and will be adopted as an amendment to the County Comprehensive Plan at the conclusion of the **Project**. The MMA will comply with the provisions of the Transportation Planning Rule.

Alternate Transportation Performance Measures

The identification of preferred alternate transportation performance measures is a major portion of the work to be undertaken by the **Project**. While there are other possible alternative transportation performance measures or evaluation software that may be identified during the course of this project, the following measures will be considered.

Multimodal Level of Service (MMLOS): MMLOS is described in more detail in the Highway Capacity Manual (2010). This methodology evaluates the quality of transportation facilities as experienced by vehicles, pedestrians, transit riders and bicyclists. The methodology considers factors such as presence and width of sidewalks and bicycle lanes, volume of vehicles along the street, presence and width of a buffer, speed of adjacent vehicles, presence and frequency of driveways, frequency of crossing opportunities for pedestrians, width of street, presence of refuge islands for pedestrians, and time given to pedestrians at traffic signals. The methodology rates transportation facilities on a scale from A to F for each travel mode, with A the best possible rating. The MMLOS performance standard will be developed for the analysis of existing facilities within the MMA Area to measure the impacts of new development upon the transportation system. While this set of measurements expands the type of travel that is evaluated, it does not necessarily provide better alternative performance measures for vehicle travel than what currently exists in the V/C standards. Another approach to measure alternative performance for vehicles may need to be considered.

Dynamic Traffic Assignment (DTA): During the project evaluation phase of the Clackamas County TSP Update, the County worked with Metro and Kittleson & Associates Inc. to create a DTA Model for the Clackamas Regional Center Area (see DTA Study Area Map). More information on this work is available on the County TSP website

http://clackamascountytsp.com/system/images/602/original/11732_DTA_Findings_Memo.pdf.

This advanced travel model provides a number of possible alternative performance measures for vehicle traffic within the MMA Area. DTA is an analysis tool that models individual travel behavior at a system level and takes a mesoscopic simulation approach to travel modeling. This means that DTA is able to provide a higher level of detail than a travel demand model (macro-simulation) by using smaller units of time. It is also able to model a larger network area and more complex route selection, than intersection-based models (micro-simulation).

DTA Measures of Effectiveness (MOE) DTA provides a variety of MOEs that can be used as alternative vehicle performance standards within the MMA. These include corridor travel time, average vehicle speed, and travel time reliability. Alternate vehicle performance measures could replace traditional outputs like Level of Service (LOS) and volume/capacity ratio (v/c) while still measuring the impact of new development or changes in allowed uses under revised zoning or comprehensive plan

Exhibit B

Alternate Transportation Performance Measures and Multimodal Mixed-use Area Project

designations. While there are several possible measures of effectiveness, it is expected that only one will be chosen for use within the MMA as an alternative measure of vehicle performance.

Possible Measures of Effectiveness could include:

- **Travel Time** - travel time provides a measure of how long it takes to travel from one end of a specified travel corridor to the other.
- **Travel Speed** - travel speed provides a measure of the speed along a specified travel corridor.
- **Travel Time Reliability** - travel time reliability considers the range of travel times experienced during a given period of time (weekdays from 3:00 to 6:00 PM for this analysis). The smaller the range of variation in travel times, the more reliable the roadway and the better its performance.
- **Congestion** – typically the higher the level of congestion, the lower the speeds on the roadway.
- **Outflow volume (intersection-level)** - outflow volume reflects how many vehicles an intersection is able to process during a given period of time. The higher the outflow volume, the more vehicles that can pass through the intersection and thus the better its performance.
- **Queuing** - queue lengths (distances occupied by stopped vehicles) provide an easily understandable measure of how well an intersection is performing. Monitoring queue spillback is helpful for assessing potential impacts between intersections as well as impacts on driveways.

MMA Transportation Project Improvement Fee - (TPIF)

The process of developing a MMA Transportation Project Improvement Fee begins with the determination of what transportation projects are needed to insure that forecast development is able meet the alternate transportation performance standards set for the MMA. The Project will develop a list of transportation improvement projects that are needed to meet the preferred alternate transportation performance standards for all travel modes within the MMA Area. The MMA Transportation Project List will be based in part upon the projects included in the recent TSP Update and may include additional transportation projects not previously identified. These projects will be described in more detail than the projects listed in the TSP. Project cost estimate will be developed using county infrastructure costing methodologies.

The MMA Transportation Project List total project cost will be the basis for developing the MMA Transportation Project Improvement Fee (TPIF), if such a fee is identified as a viable approach to the implementation of alternate development standards for capital improvements in the MMA area.

MMA Transportation Project Improvement Fee (TPIF) could be a replacement for the Transportation System Development Charge within the MMA Area. Such a fee would be developed with the intent of funding the development of the projects necessary to meet the alternate transportation performance standards within the MMA Area.

By implementing this project, the County would be able to address several issues at the same time:

- Provide more certainty to local business leaders, developer and community representatives when considering future development opportunities.
- Address recent changes to State law that allow for the identification and adoption of a multi-modal mixed-use areas (MMA) to balance transportation and economic development during comprehensive plan changes.

Exhibit B

Alternate Transportation Performance Measures and Multimodal Mixed-use Area Project

- Enhance and implement a portion of the 20 Year Capital Improvement Project List developed as part of the Clackamas County Transportation System Plan Update. These projects could be linked to the alternate performance standards used in the Clackamas Regional Center MMA.
- Allow a more flexible approach to addressing the impacts of new development of different sizes.

B Project Background

The existing County concurrency requirements set out in the Zoning and Development Ordinance (see below) establish level-of-service and volume to capacity ratio standards for intersections in the Regional Center that new development must maintain at day of opening. Due to the congestion projected in this area, new development would be required to make substantial, expensive and potentially unattainable (where public right-of-way is not available) improvements to resolve transportation impacts. Thus, new development under current regulations would become increasingly economically infeasible without the County investing in the immediate near-term to implement transportation improvements in the area.

ZDO Section - 1007.09 TRANSPORTATION FACILITIES CONCURRENCY (Partial Text)

A. The purpose of Subsection 1007.09 is to ensure that transportation infrastructure is provided concurrent with the new development it is required to serve or, within a reasonable period of time following the approval of new development.

B. Subsection 1007.09 shall apply to the following development applications: design review, subdivisions, partitions, and conditional uses.

C. Approval of a development shall be granted only if the capacity of transportation facilities is adequate or will be made adequate in a timely manner.

The **Project** would provide the opportunity for the County to have a full discussion with the community about potential limitations on future development in the regional center based on the limited transportation system capacity available to support this development under current state, regional and local transportation system performance standards. The **Project** intends to identify transportation system performance measures that best encourage economic development in the Clackamas Regional Center and meet the overall goals and objectives of the County's Transportation System Plan.

Local Research by other jurisdictions

The identification of alternate transportation performance standards will begin with a review of the recent work undertaken by the City of Portland and Washington County on this subject. The results of this work will be used as a starting point for the review of Alternate Performance Measures conducted as part of this **Project**.

C Project Site Description

The **Project** site is contained within the Clackamas Regional Center Area Design Plan (see attached Comprehensive Plan Map X-CRC-2) which includes the Clackamas Regional Center, the Fuller Road Light Rail Station Area, and two Corridors located along 82nd Avenue (OR 213 N) and Sunnyside Road. The final boundary of the Multimodal Mixed Use Area will be developed during this process and is expected to be within the Design Area boundary.

Within the boundaries of the Clackamas Regional Center Area Design Plan Area, there are several opportunity areas ready for targeted investment. These include the Harmony campus, the Fuller Road Light Rail Station Area, as well as the potential for the Eagle Landing development which is a proposed 2 million square foot development incorporating office, retail and housing. These opportunities are further leveraged by existing activity in the area including active participation of business owners in the

Exhibit B

Alternate Transportation Performance Measures and Multimodal Mixed-use Area Project

planning and development of the area, the creation of the Harmony Campus Plan, the completed Pedestrian and Bicycle Plan for the regional center, significant investment in transit in the area as well as affordable housing investment near the light rail stations. This project will help to identify further opportunities for leveraging development ready properties in the CRC area.

D Evaluation Criteria

Expected Development Outcomes

The **Project** will identify alternative performance measures that would enable development in the regional center to continue while supporting the continued creation of the multi-modal transportation system in the regional center area.

As we work with the development community on this **Project** to identify performance measures that ultimately incentivize development, the anticipated result is an increase in the level of commercial development and investment in the CRC. Within the first two years of this project, we would anticipate a greater number of developers initiating the development process that result in a significant increase in the number of submitted permits within five years of the project.

Over the past 20 years investments have been made to the region to support the growth in infrastructure and development of this regional center; however, the achievement of the fully mixed-use, multimodal vision for the area is yet to be realized. Encouraging development to occur at its full potential in this area is crucial to the success of the 2040 plan.

This project presents a unique opportunity for Clackamas County to work with stakeholders in the Clackamas Regional Center area to identify the long-term benefits, challenges, and impacts of changing how the transportation system performance is measured and how those changes can benefit both development and the transportation system as a whole. The adoption of alternate performance measures provides more certainty to developers and potentially eliminates the developer's costs related to traffic impact studies and support a wider variety of transportation project improvements.

Location – (see attached maps)

The **Project Study Area** contains the following 2040 Design Types:

- Clackamas Regional Center,
- Fuller Road LRT Station Area
- 82nd Avenue (OR 213 N) Corridor
- Sunnyside Road Corridor

Regionally Significant

The 2040 Growth Concept Plan focuses on the development of regional centers as a design type that is identified for making a vital and livable region. The Clackamas Regional Center is a center for commerce as well as a regional hub for transit, with connections to businesses, residential areas and the largest employer in the County, Kaiser Permanente. The Clackamas Town Center area has been identified as a regional center in the 2040 growth concept and this project will work within this region as well as development ready sites in close proximity that can be leveraged by the high density development occurring in this region.

As the urban renewal area funds sunset, the identification of a new resource for the needed transportation investments is a high priority. It will be essential to ensure that the public-private investment occurs to meet the multi-modal transportation goals of the regional center. This project will identify alternative mechanisms for funding multi-modal improvements catalyzing public-private

Exhibit B

Alternate Transportation Performance Measures and Multimodal Mixed-use Area Project

partnerships and investment in the region. This benefits both current and future residents, businesses and developers in the regional center.

Best Practices Model

There is no clearly defined best practices model for developing alternate performance standards but there has been some local research on this issue in the metropolitan region.

Washington County and the City of Portland have recently undertaken projects looking at alternate transportation performance measures. These projects looked at the following regional, state and national plans and research reports as they relate to multi-modal performance measures and targets, including:

- Oregon Highway Plan Mobility Policy 1F
- Transportation Planning Rule
- Recent ODOT Region 1 and ODOT research reports
- ODOT Least Cost Planning/Mosaic
- Sustainable Transportation and Access Rating System
- LEED ND
- Highway Capacity Manual Multi-Modal Level of Service
- Bicycle Level of Traffic Stress
- Final Report to Florida Department of Transportation Systems Planning Office on Project Expanded Transportation Performance Measures to supplement Level Of Service (LOS) for Growth Management and Transportation Impact Analysis
- Highway Safety Manual (2010).

These two projects represent a starting point for the work of the **Project** which includes developing alternate performance measures that support the continued growth of the regional center.

Leverage

The **Project** will build off the recent work done on the following County Projects:

- Clackamas Regional Center Bike and Pedestrian Master Plan – This study identified the location of needed bike and pedestrian facilities within the Clackamas Regional Center Area that are necessary to support the enhancement of multimodal travel opportunities within the regional center.
- Clackamas County Transportation System Plan Update – This study reviewed the overall transportation system in the Clackamas Regional Center Area and identified a number of transportation system capacity problems that cannot be solved within the financial capacity of the County.
- In addition, The Project can be efficiently coordinated with the Clackamas County Planning and Zoning Department's Multi-use Development in Corridors Project.

Matching Funds

Matching funds will be provided in kind in the form of County staff hours.

Exhibit B

Alternate Transportation Performance Measures and Multimodal Mixed-use Area Project

Equity

This area has been identified through our Transportation System Plan update as having one of the highest densities in unincorporated Clackamas County and also as being among the most transportation disadvantaged areas.

The Equity maps developed by Metro staff for use in the Regional Flexible Funds Applications FY 2016 - 18 process provide additional information on this issue. These maps show the following information in the Clackamas Regional Center Design Area:

- There is a significantly above average concentration of Environmental Justice Populations and Underserved by Transportation Service Populations
- There is a significantly above average concentration of essential service in this area.
- There is a significantly above average to average proximity to active transportation facilities in this area.
- There is a significantly above average to average LIFT Paratransit events in this area.

This is an indication of the equity issues within the Clackamas Regional Center Design Area.

Public Involvement

The County will lead the public involvement effort on this project and will establish a Stakeholder Working Group to represent all of the interests in the Project study area. The Stakeholder Working Group is expected to meet at least 4 times during the course of the project.

The County will use its existing Public Information channels to provide newsletters, press releases, social media updates and website information. The County will also set up a website to distribute information concerning the project

Collaborations

Ultimately, the success of this project to encourage private investment in the CRC relies heavily in our partnerships and work with community stakeholders. The continued engagement with business owners and developers in the Clackamas Regional Center will help ensure that new performance measures as proposed through the project are practical, readily understandable by decision makers and can be supported by reasonably low cost data. In order to create an effective outcome, we will enable members of the community ample opportunities to provide input into the process via a working group, the County website, and focus group discussions.

The County will actively work with local stakeholders as part of its public involvement effort on this project. We will actively engage the CRC advisory committee, Clackamas County's Development Review Advisory Committee, the North Clackamas Chamber of Commerce, and local Community Planning Organizations as vital partners.

Project Milestones and Deliverables

- | | |
|---|--------------|
| • Execution of CET Grant IGA | October 2013 |
| • Project Start Up | January 2014 |
| • Recommendation on Performance Standards and MMA | June 2014 |
| • Staff Report Completed | July 2014 |
| • Adoption of plan / amendments | October 2014 |

Exhibit B

Alternate Transportation Performance Measures and Multimodal Mixed-use Area Project

Project Management --

The key project staff working with Metro on this project will be Larry Conrad, Principal Transportation Planner. In addition, he will be working with key representatives from the Engineering, Planning and Zoning and Transportation Planning divisions.

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Alternate Transportation Performance Measures and Multimodal Mixed-use Area Project

Budget Documents

The following budget table provides an estimate for the anticipated expenses by activity for Clackamas Regional Center Area Alternate Transportation Performance Measures and Multimodal Mixed-use Area Project (Project). The following project description will be modified and finalized before a notice to proceed is issued.

It is anticipated that a consultant team will be hired to work with the County to undertake this project. To develop the cost estimate, a County rate of \$74.92 per hour for staff time and \$150 per hour of consultant time were used. These estimates are based on previous contracted work as well as our internal cost allocation system for staff time (but do not include overhead costs for County time). While assumptions regarding the split of County time to Consultant time were used to develop the draft budget, the actual breakdown of task will evolve as the project is refined.

The primary tasks descriptions for the Project are included for each task in the following:

- 1) **Project Management**
 - a) The project will be managed by County Transportation Planning Staff.
- 2) **Public Outreach and Involvement**
 - a) The County will lead the Public Outreach and Involvement efforts for the project.
 - b) The County will convene a Stakeholders Group to review project progress, work products and recommendations. The Stakeholders Group will be comprised of representative of the following:
 - i) Development Community with knowledge of the Study Area
 - ii) Business Community within the Study Area
 - iii) Study Area Residents
 - iv) Other Interests identified by the County Clackamas County Transportation Planning
 - v) Clackamas County Traffic Engineering
 - vi) Clackamas County Planning and Zoning
 - vii) Clackamas County Development Agency
 - viii) Clackamas County Business and Economic Development
 - ix) Clackamas County Transportation Maintenance
 - x) Oregon Department of Transportation
 - xi) Metro
 - xii) City of Milwaukie
 - xiii) City of Happy Valley
 - c) The Stakeholder Group is expected to meet at least 4 times and there will be 2 Open House meetings.
 - d) County will use its existing Public Information channels to provide newsletters, press releases, social media updates and website information.
 - e) The County will set up a website to distribute information concerning the project.
- 3) **Best Practices Review and Existing Conditions Memo**
 - a) The County and the Consultants will conduct a Best Practices Review of alternate performance standards and produce a technical memo describing this topic. At a minimum this memo shall include a review of the following:
 - i) Multimodal Level of Service (MMLOS) – HCM 2010
 - ii) Dynamic Traffic Analysis Model Measures of Effectiveness developed as part of the SW Connector DTA Analysis in the TSP Update

Exhibit B

Alternate Transportation Performance Measures and Multimodal Mixed-use Area Project

- iii) Alternate performance measure including those recently analyzed by Washington County and the City of Portland and those adopted by other state, regional and local jurisdictions in the 4 county urban-area.
 - b) Review Traffic Forecasts and Intersection Operation Analysis for the Study Area developed as part of the TSP Update or any other traffic study in the area that were undertaken in the last 2 years. Identify existing traffic capacity issue that will need to be addressed by the Alternate Transportation Performance Standards.
 - c) Review the state of the practice for the adoption of Multimodal Mixed Use Areas (MMA), conduct a land use analysis to identify the minimum threshold for establishing a MMA within the Clackamas Regional Center Design Area and recommend proposed MMA boundaries. Create a Technical Memo documenting this process.
 - d) Compile a Potential Transportation Project list for the Study Area based on the Urban Renewal Plans, the Update Transportation System Plan, the Clackamas Regional Center Bike and Pedestrian Master Plan, Chapter 10 of the County Comprehensive Plan, and the Regional Transportation Plan. Update and refine project costs estimates. This list will be the basis for future alternative analysis and the start of a possible projects list for a MMA Transportation Infrastructure Fee.
- 4) Define and Evaluate Performance Measures**
- a) Develop MMLOS for arterials and collectors in Study Area. Determine if the MMLOS is a sufficient Alternate Transportation Performance Measure to address all or part future development issues within the Clackamas Regional Center MMA Area and document in a technical memo.
 - b) Identify preferred DTA Method of Effectiveness (MOE) measure for all major corridors that are within the Clackamas Regional Center MMA Area and document in a technical memo.
 - c) Identify other preferred performance alternate transportation performance measure from best practices research and document how these measures could be implemented in a technical memo.
- 5) Recommend Preferred Performance Measures**
- a) Recommend preferred performance measures for use in Clackamas Regional Center Area MMA.
 - b) Develop person trip base trip generation tables.
 - c) Draft technical methodology for estimating development base trip generation for use in calculating CRC Transportation Infrastructure Fee.
 - d) Develop an agreement with ODOT on proposed transportation performance measure changes and memorialized in a Letter of Understanding.
- 6) Draft Comprehensive Plan Amendments and other Ordinance Adoption**
- a) Draft Comprehensive Plan policies and maps, MMA boundary delineate and multi-modal transportation project list identification and other changes to Chapters 5 and 10.
 - b) Draft Zoning and Development Ordinance language and maps.
 - c) Draft Changes to County Road Standards – if any.
 - d) Draft CRC Transportation Infrastructure Fee Ordinance using project list and person trip based trip generation approach.
 - e) Draft changes to Transportation System Development Charge Ordinance to remove MMA from TSDC.
- 7) Adoption Process**
- a) Public Open House to present draft Comprehensive Plan Amendments and other draft Ordinance changes.
 - b) Prepare final staff report and other needed documents
 - c) Planning Commission work session and hearings on recommended amendments

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Alternate Transportation Performance Measures and Multimodal Mixed-use Area Project

- d) Board of County Commissioners work session and hearings on recommended amendments
- e) Forward adopted

The total estimated costs are \$180,000, and the estimated cost per task is below:

Project Budget Form

Personnel Costs	In-kind Match	CET Request	Total
Agency Staff <i>(\$74.92 per hour)</i>	\$20,000	\$50,000	\$70,000
Consultants <i>(\$150 per hour)</i>		\$110,000	\$110,000
Total for Planning Services	\$20,000	\$160,000	\$180,000

Other Costs	In-kind Match	CET Request	Total
Overhead / Indirect Costs		To be determined based on discussion with Metro staff on allowed overhead / indirect costs recovery	
Total for Planning Services	\$0	\$0	0
Total Project Costs	\$20,000	\$160,000	\$180,000

Match Form

Match Source			Amount
County Budget	In Kind Staff Hours	Application for Grant approved by Board of County Commissioners, including use of staff hours as match	\$20,000

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Alternate Transportation Performance Measures and Multimodal Mixed-use Area Project

Draft Line Item Budget

Task	County Staff Hours	County Cost	Consultant Hours	Consultant Cost	Total Cost
Project Management	50	\$3,750	50	\$7,500	\$11,250
Public Outreach and Involvement <i>Does not include staff time from County Public and Governmental Affairs Department which are outside of this budget.</i>	100	\$7,500	50	\$7,500	\$15,000
Best Practices Review and Existing Conditions Memo	250	\$18,750	250	\$37,500	\$56,250
Define and Evaluate Performance Measures	300	\$22,500	300	\$45,000	\$67,500
Recommend Preferred Performance Measures	50	\$3,750	40	\$6,000	\$9,750
Draft Comprehensive Plan Amendments and other Ordinance Adoption	100	\$7,500	40	\$6,000	\$13,500
Adoption Process	50	\$3,750	0	\$0	\$3,750
Direct Expenses		\$2,500		\$500	\$3,000
Total	900	\$70,000	730	\$110,000	\$180,000

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Alternate Transportation Performance Measures and Multimodal Mixed-use Area Project

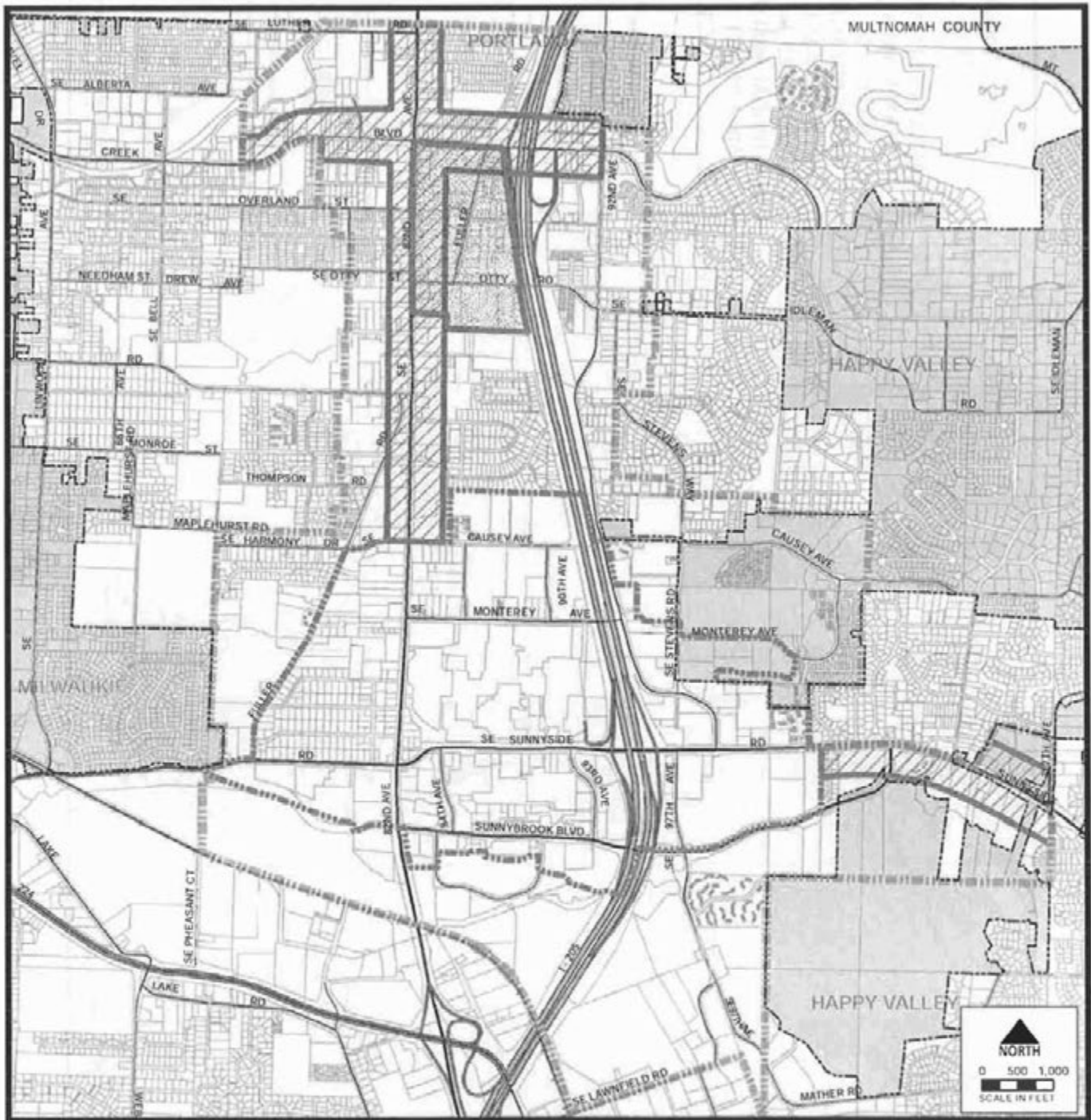
Supplement Attachments

- 1 Vicinity Map
- 2 Site Maps
- 3 Comprehensive Plan Map X-CRC-2
- 4 DTA Study Area Map
- 5 Letters of Support

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Exhibit B



Map of Proposed Project Area

CLACKAMAS REGIONAL CENTER AREA ALTERNATE TRANSPORTATION PERFORMANCE MEASURES & MULTIMODAL MIXED-USE AREA PROJECT

April 2013



Clackamas Regional Center Design Area (CRCA)



Clackamas Regional Center (CRC)



SE 82nd Ave Corridor



Station Community

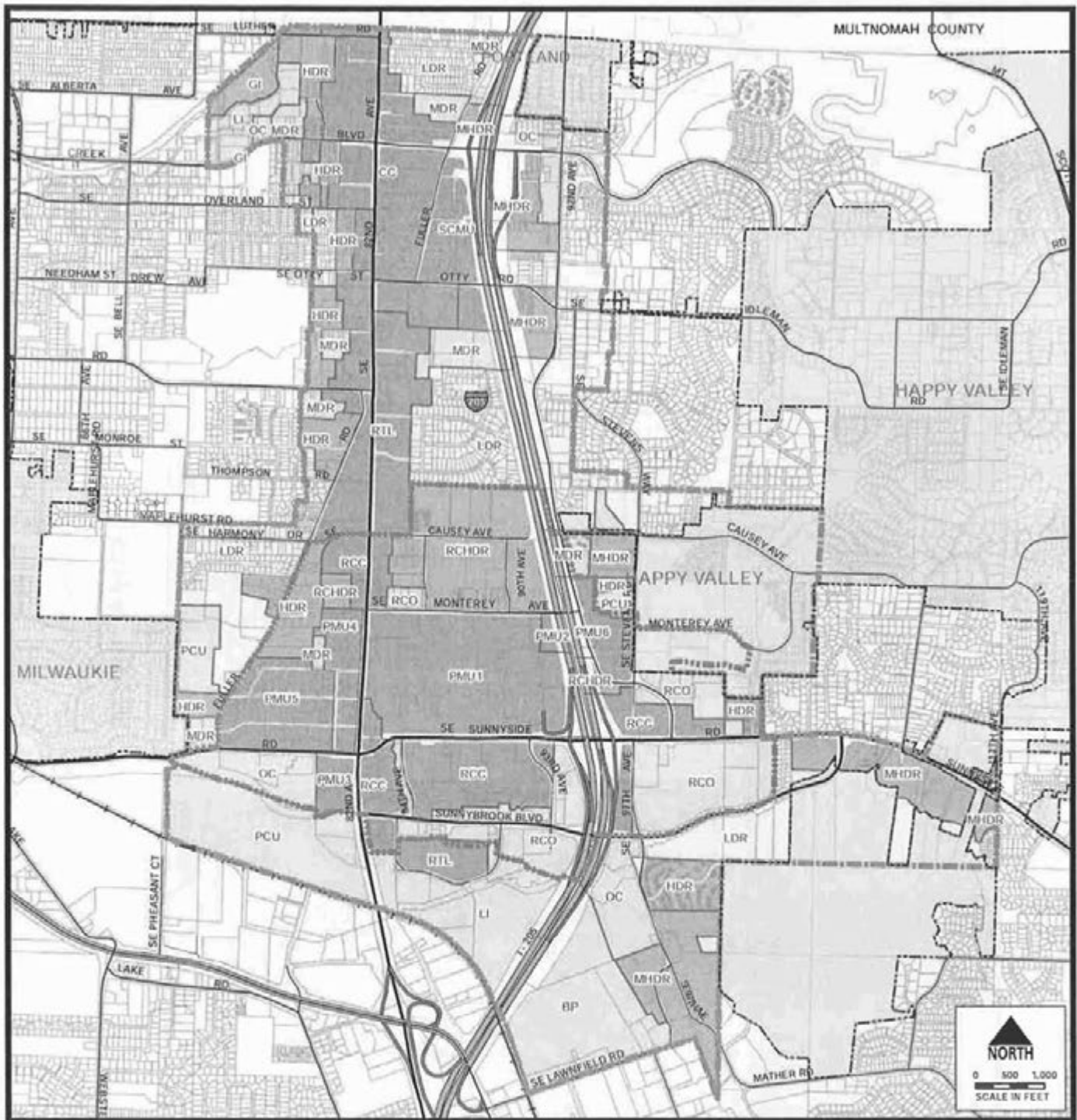


Incorporated City



Department of Transportation & Development
150 Beavercreek Rd. Oregon City, OR 97145

Exhibit B



Clackamas Regional Center Area Design Plan
Land Use Plan

Clackamas County Comprehensive Plan
MAP X-CRC-2
 Last Amended February 11, 2013

- | | | | |
|--|--|--|---|
| | Low Density Residential (LDR) | | Office Commercial (OC) |
| | Medium Density Residential (MDR) | | Regional Center Office (RCO) |
| | High Density Residential (HDR) | | Planned Mixed Use (PMU) |
| | Medium High Density Residential (MHDR) | | Station Community Mixed Use (SCMU) |
| | Regional Center High Density Residential (RCHDR) | | General Industrial (GI) |
| | Corridor Commercial (CC) | | Business Park (BP) |
| | Retail Commercial (RTL) | | Light Industrial (LI) |
| | | | Public & Community Use Open Space (PCU) |

- Clackamas Regional Center Area
- Regional Center
- Incorporated City

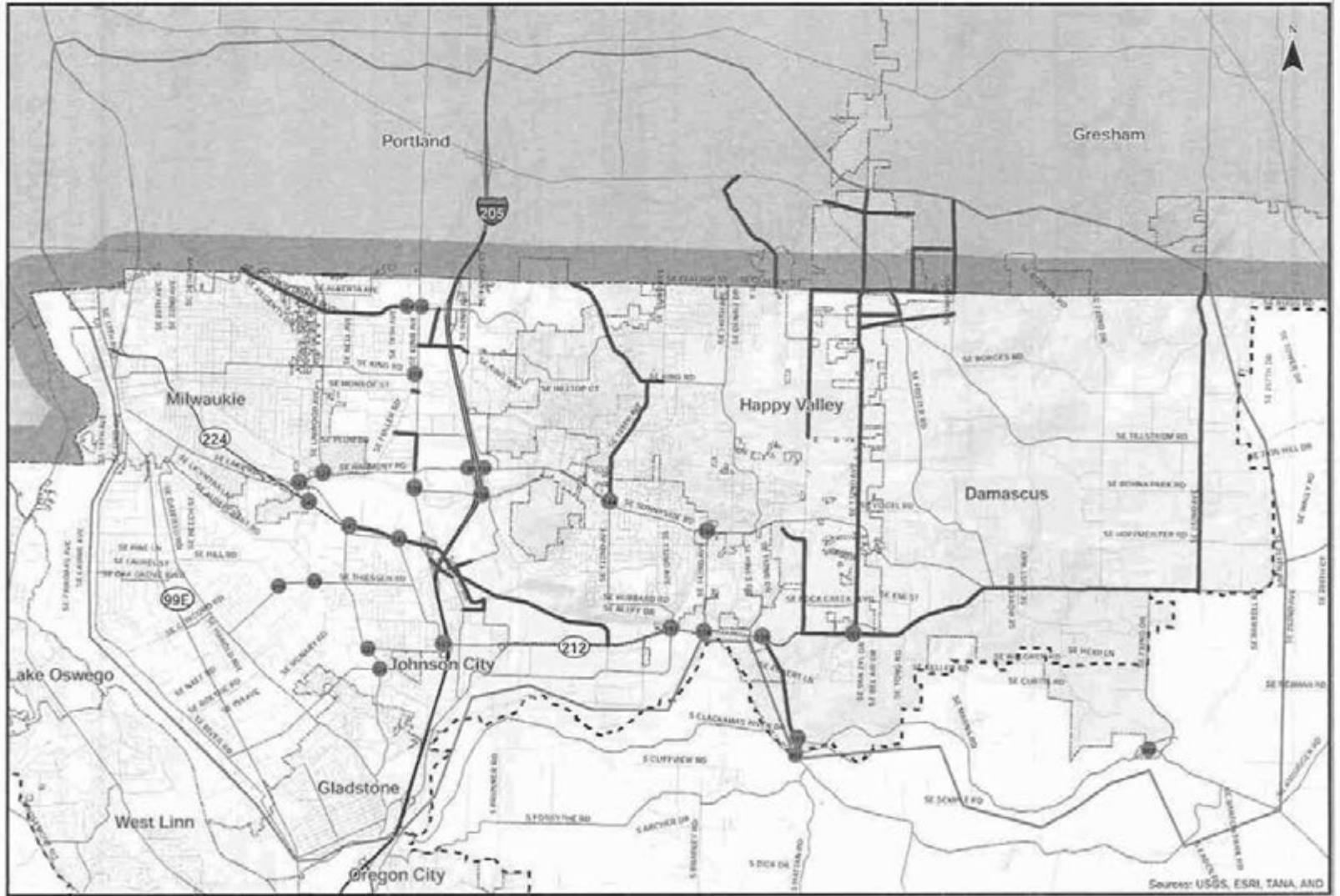


Department of Transportation & Development
 150 Beaver Creek Rd, Oregon City, OR 97045



Study Intersection

- Falls under Low Build Scenario
- Project Complete in DTA Analysis
- ▭ DTA Boundary
- ▭ Incorporated Areas
- ▭ County Boundary
- - - UGB



Source: USGS, ESRI, TANA, AND



Coordinate System
 NAD 1983 FIPS 9901 SubPlane Oregon North FIPS 9901 Feet NAD
 Date Source:
 Clackamas County, Metro Data Research Center

DTA Study Area

Figure 1

Clackamas County TSP/STP Growth Scenario 2035 Study Area



Exhibit B

Serving the North Clackamas Region Since 1955

A Member-Driven Organization Committed to a Vibrant Business Environment

April 17, 2013

Mr. Gerry Uba
Metro Regional Government
600 NE Grand Ave
Portland, OR 97232

Re: Clackamas County Applications for CET Grant

Dear Mr. Uba,

On behalf of the North Clackamas County Chamber of Commerce, I am writing in support of the application submitted by the Clackamas County Department of Transportation and Development (DTD) seeking funding for the Clackamas Regional Center (CRC) Performance Measures and MMA Project.

The DTD has selected a project that will help increase the development potential of a key regional economic center in Clackamas County. The review of alternative performance measures in the CRC and adoption of the Multimodal Mixed-Use Area (MMA) will identify opportunities for the optimal funding of much needed improvements to the transportation system in this vital area for commerce.

This project achieves both the policy goals of the community planning and development grants program, as well as objectives for the county's development of an economic hub in Clackamas County.

Please pass this letter along to the selection committee. We appreciate the opportunity to convey the North Clackamas Chamber's support of this application.

Sincerely,

A handwritten signature in black ink that reads "David A. Kelly".

David A. Kelly
President & CEO

A handwritten signature in black ink that reads "David M. Russell".

David M. Russell
Board Chair

North Clackamas County Chamber of Commerce

7740 SE Harmony Road Milwaukie, OR 97222 • TEL 503.654.7777 • FAX 503.653.9515
info@yourchamber.com • www.yourchamber.com

Exhibit B



DAN JOHNSON
MANAGER

DEVELOPMENT AGENCY

DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

April 16, 2013

Gerry Uba
Metro Regional Government
600 NE Grand Ave
Portland, OR 97232
Re: Clackamas County Applications for CET Grant

Dear Mr. Uba,

On behalf of the Development Agency, I am writing in support of the application submitted by the Clackamas County Department of Transportation and Development (DTD) for the Clackamas Regional Center (CRC) Performance Measures and MMA Project.

DTD has reviewed the criteria outlined in the guidelines for the community planning grants and believes this project will achieve on-the ground development outcomes that benefits a large regional economic center in Clackamas County. The review of alternative performance measures in the CRC and adoption of the Multimodal Mixed-Use Area (MMA) will identify opportunities to benefit both development and the improvement of the transportation system.

This project achieves both the policy goals of the community planning and development grants program as well as objectives for the Development Agency to improve economic vitality through the development of the Clackamas Town Center area.

Please share this information with the selection committee and let them know that this project has the full support of the Clackamas County Development Agency.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Johnson".

Dan Johnson, Manager

Clackamas County Development Agency

Exhibit B



CAMPBELL M. GILMOUR
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

April 17, 2013

Gerry Uba
Metro Regional Government
600 NE Grand Ave
Portland, OR 97232

Re: Clackamas County Applications for CET Grant

Dear Mr. Uba,

On behalf of the Clackamas County Development Liaison Committee (DLC), I am writing in support of the application submitted by the Clackamas County Department of Transportation and Development (DTD) for the Clackamas Regional Center (CRC) Performance Measures and MMA Project.

The purpose of the DLC is to make recommendations regarding streamlining application processing and reviewing systems related to development.

The DTD has reviewed the criteria outlined in the guidelines for the community planning grants and has selected a project that achieves on-the ground development outcomes that benefits a large regional economic center in Clackamas County. The review of alternative performance measures in the CRC and adoption of the Multimodal Mixed-Use Area (MMA) will identify opportunities to benefit both development and the improvement of the transportation system.

This project achieves both the policy goals of the community planning and development grants program as well as objectives for the county's development of the economic hub in Clackamas County.

Please share this information with the selection committee and let them know that this project has the full support of the Development Liaison Committee.

Sincerely,

A handwritten signature in cursive script that reads "Deana Mulder".

Deana Mulder
Development Liaison Committee Coordinator
deanam@co.clackamas.or.us
503-742-4710

5th Draft Scope of Work for Review

Clackamas Regional Center Design Plan Area Multimodal Mixed-Use Area Designation and Transportation System Development Charge Update

Project Purpose

This project is intended to address two distinct but related issues.

- Ensure that the Clackamas Regional Center continues to develop into the center of commerce that is envisioned in the 2040 Growth Concept and ensure that the regional center continues to be the *"focus of transit and highway improvements"*.
- Update the County Transportation System Development Charge Methodology and TSDC Rates for both, the Joint Happy Valley / Clackamas County SDC District and the County wide SDC District.

Clackamas Regional Center Area

The Clackamas Regional Center Design Plan Area (CRCDPA) is a major hub for commercial development, business and jobs in Clackamas County and the region. It contains the following 2040 Growth Concept Design Types: the Clackamas Regional Center (CRC), the Fuller Road Station Community (FRSC), and the 82nd Avenue, Johnson Creek Boulevard and the Sunnyside Road Corridors. (See Figure 1) This area is an excellent candidate for implementation of the Multimodal Mixed Use Area Comprehensive Plan designation, created in 2011 as part of the Transportation Planning Rule update, as a means to support the on-going economic development and multimodal mixed use character of the Clackamas Regional Center Area. Once an MMA designation is in place, the County does not need to consider mobility standards in the approval of Comprehensive Plan or zoning amendments within the MMA area.

The Clackamas County Transportation System Plan (TSP) 2013 update includes a policy recommendation that directs the County to consider modifying the current Comprehensive Plan land use designations and transportation performance standards in all or part of the CRCDPA (See 5.DD.2.B) so that an alternative approach may be taken to fund a range of transportation infrastructure projects and support ongoing economic development within this planning area.

5.DD.2.B Develop alternative performance standards for intersections and alternative mobility standards within the Clackamas Regional Center design plan area. Determine if this area should be designated as a multimodal, mixed-use area (MMA) as provided in the Transportation Planning Rule (OAR 660-012-0060). (project #2820)

Figure 1



Clackamas Regional Center Area Design Plan

Regional Center, Corridors, and Station Community

Clackamas County Comprehensive Plan

MAP X-CRC-1

Last Amended February 11, 2013

2040 DESIGN TYPES

 Regional Center

 Clackamas Regional Center Area



Station Community



Corridor



Incorporated City



Department of Transportation & Development
159 Beaverton Rd. Oregon City, OR 97051

The TSP Update also states an interest in considering performance measures that integrate transportation system safety into the development review process. Finally, the TSP recommends the review and update of the Transportation System Development Charge (TSDC) methodology by considering alternative approaches to the estimation and collection of these infrastructure fees within the CRCDDPA.

These proposed changes to the County Comprehensive Plan and Zoning and Development Ordinance (ZDO) are expected to better address the concerns of development and the safety of all system users when transportation system performance is reviewed.

Transportation System Development Charge Update

The County has had an existing Transportation System Development Charge (TSDC) process since 1993. The County needs to update this process to reflect the recent modifications to the transportation project lists adopted as part of the 2013 TSP Update. A key component of this task will be the consideration of alternate approaches to the estimation of these infrastructure fees and potential modification of the process to simplify the administration of the TSDC process.

Project Response to TSP Policy Updates

This **project** will follow through on the recently adopted TSP policy updates by:

- Implementing the updated section of the Transportation Planning Rule (TPR), OAR 660-012-0060 (10), which allows for the creation of a Multimodal Mixed-Use Area (MMA) designation in the Clackamas County Comprehensive Plan, including review of the opportunities and challenges of applying this designation in the CRCDDPA area and the development of findings of consistency with the applicable provisions of the TPR.
- Identifying alternative transportation performance measures that support development and allow for a greater range of choices when funding transportation improvements.
- Updating the County Transportation System Development Charge (TSDC) methodology and fees.

Desired Outcomes

There are three expected outcomes for this project:

1. Multimodal Mixed-Use Area Designation
 - Determine if a Multimodal Mixed-use Area (MMA), as defined by the Transportation Planning Rule (OAR 660-012-0060 (8) and (10), Plan and Land Use Regulation Amendments) is needed and appropriate within the Clackamas Regional Center Design Plan Area (CRCDDPA),

- Identify the extent of a proposed Multimodal Mixed-Use Area (MMA), within the Clackamas Regional Center Design Plan Area (CRCDPA) and develop a recommendation on the adoption of the MMA boundary.
 - Develop findings of consistency with applicable provisions of the TPR, OAR 660-0012-0060 (8) and (10).
 - Conduct an analysis of safety for all modes of transportation at interchanges in or near the proposed MMA boundaries, develop a draft agreement to address any operational or safety effects of the MMA designation, and request ODOT concurrence to the MMA designation consistent with OAR 660-0012-0060(10)(E).
 - Adopt an MMA boundary and implementing language into the Comprehensive Plan and ZDO if the designation would result in favorable conditions for future development and build out of the CRC area.
2. Alternative Transportation Performance Measures Review and Selection.
- Review the existing state of the practice for alternative transportation performance standards and identify preferred alternative transportation performance measures that can be applied in a system planning environment and in the plan amendment and development review process within the MMA. This review and recommendations will include consideration of
 - Alternative mobility standards for County facilities as well as state highways within and near the proposed MMA.
 - Multimodal Level of Service (MMLOS) and other potential measures for assessing the adequacy of the transit, bicycle and pedestrian systems,
 - Performance measures and targets for safety, vehicle miles traveled freight reliability, congestion, and pedestrian, bicycle and transit mode shares adopted in the TSP consistent with the Metro RTP and Regional Transportation Functional Plan (RTFP), section 3.08.230.
 - Dynamic Traffic Assignment (DTA) and DTA Measures of Effectiveness,
 - Practical safety performance measures, and
 - Other alternative measures identified in the course of this review.
 - Develop a methodology and provide specific examples of how the preferred alternative performance measures would be applied during the development review and system review process.
 - Develop and disseminate information about the final proposed alternative performance measures, including proposed updates to the Comprehensive Plan and ZDO, and material to be used during the development review process.
 - If needed for the implementation of the alternative performance measures, develop a list of priority projects to implement.

- Consider the application of an MMA Transportation Project Impact Fee as an alternative approach to transportation infrastructure funding within the MMA.
3. System Development Charge Methodology Review and Update
- Review the overall TSDC methodology and consider alternate approaches
 - Select a preferred TSDC methodology and implement modifications to the project list, rate schedule and associated ordinances

MMA Project Site Description

The MMA study area consists of the CRCDDPA (see Figure 1 Comprehensive Plan Map X-CRC-2), which includes the Clackamas Regional Center, the Fuller Road Light Rail Station Area, and the 82nd Avenue, Johnson Creek Boulevard and the Sunnyside Road Corridors. The final boundary of the MMA, which will be developed during this process, is expected to be within the CRCDDPA boundary.

There are several opportunity areas ready for targeted investment within the CRCDDPA boundaries, including the Harmony Campus of Clackamas Community College, the Clackamas Town Center, the 82nd Avenue Planned Mixed Use Areas (3, 4 and 5), the Fuller Road Light Rail Station Community and the Eagle Landing development (a proposed two million square-foot development incorporating office, retail and housing). These areas are depicted on Comprehensive Plan Land Use Map X-CRC-2.

These opportunities are further leveraged by existing activity in the area including:

- active participation of business owners in planning and development,
- creation of the Harmony Campus Plan,
- the completed Clackamas Regional Center Pedestrian and Bicycle Plan,
- significant investment in transit and
- affordable housing investment near the light rail stations.

Changes since CET Application

The original application for the CRC MMA project was made prior to the release of the updated Regional Travel Demand Model (Gamma Version). The Gamma model contains a number of changes, listed below, from the previous version of this model:

- A. Changes in land use assumptions, which result in changes to forecast vehicle trips
 - a. Distribution and number of households
 - b. Distribution and amount of employment
 - c. Economic composition of households
- B. More detailed analysis of travel based on increased Travel Analysis Zones (TAZs)
- C. Changes in travel model trip assignments as a result of the new (2011) original destination tables derived from the Metro Household Travel Survey

D. Changes in the travel mode splits derived from the Metro Household Travel Survey, as shown below

Mode Share by Area of Residence, 1994 vs. 2011
(source: Metro Household Travel Survey)

	1994	2011	1994	2011
	Region	Region	Clackamas	Clackamas
Single-Occupancy Vehicle (SOV)	43.4%	42.5%	46.2%	45.1%
High-Occupancy Vehicle (HOV)	43.9%	41.2%	47.0%	42.5%
Total Auto	87.3%	83.8%	93.2%	87.6%
Transit	2.9%	4.2%	1.1%	2.9%
Walk	8.7%	9.2%	5.2%	8.2%
Bike	1.1%	2.8%	0.4%	1.3%

The combined effect of these factors is estimated to reduce the number of automobile trips by at least 18% from the previous Beta model estimates, which were used for the CET application process. This in turn has reduced the number of intersections forecast to fail to meet operational performance standards in 2035.

The County has decided to merge the CRC MMA planning process with a more general update of Transportation System Development Charge (TSDC) methodology in order to make these two planning processes more integrated and efficient and to better understand the impact on future development in this area.

Tasks

Clackamas County intends to undertake work in six related major tasks as part of this overall scope of work.

These major tasks are as follows:

1. Project management
2. Public involvement
3. CRC Multimodal Mixed-Use Area (CRC MMA) identification and Comprehensive Plan amendments
4. Alternate transportation performance system measures assessment and recommendations for use in the MMA
5. Update Transportation System Development Charge (TSDC) methodology for all TSDC areas

6. Update TSDC rates for all areas of the County

1 Project Management

The project and its major tasks will be managed by the County Project Manager. The Consultant will designate a Consultant Project Manager and, if appropriate, Major Task Managers who will work with the County Project Manager to ensure the successful completion of all phases of this project.

Expected Outcome: The successful completion of all project tasks

2 Public Involvement

The County will lead the public involvement effort on this project with the support of the consulting team.

- The County will use its existing public information resources to provide newsletters, press releases, social media updates, website information and other appropriate community outreach activities.
- The County will set up a project website to distribute information concerning the project.
- The County's Community Relations Specialist assigned to the Department of Transportation and Development will oversee public involvement efforts and tasks for this project, working in conjunction with the County Project Manager.

The Consulting Team will be responsible for the production of the materials identified in subsequent tasks. These materials will be reviewed by the Community Relations Specialist and Technical Working Group(s) prior to being presented to the Stakeholder and/or Working Group(s).

It is envisioned that this project will have the following working groups and stakeholder groups, which may be combined as needed to address issues common to both groups. Technical Working Group(s) members will be ex-officio members of the Stakeholder Working Group(s).

Expected Outcome: The successful creation of a public involvement program and materials for this project.

2.1 MMA / Alternate transportation performance system measures task groups

MMA Technical Working Group members

- Clackamas County Transportation Planning
- Clackamas County Traffic Engineering
- Clackamas County Planning and Zoning

- Clackamas County Development Agency
- Clackamas County Engineering Development Review
- Clackamas County Business and Economic Development
- Clackamas County Transportation Maintenance
- Oregon Department of Transportation (Planning, Traffic Analysis, Preliminary Design)
- Metro
- Trimet
- City of Milwaukie
- City of Happy Valley
- Department of Land Conservation and Development

MMA Stakeholder Working Group members

- Technical Working Group members (ex-officio)
- Members of the development community with knowledge of the study area
- Members of the business community within the study area
- Study area residents
- Study area workers and/or other regular users
- Other interested parties identified by Clackamas County Transportation Planning Division

As part of its public involvement effort, the County will actively work with local stakeholders including such vital partners as the CRC Advisory Committee, Clackamas County's Development Review Board, the Development Liaison Committee, Clackamas County Bicycle – Pedestrian Committee, the North Clackamas County Chamber of Commerce and local Community Planning Organizations.

The Stakeholder Working Group (SWG) is expected to meet at least four times and assist with hosting at least two open houses. Additional meetings may be added if needed for the group to adequately address the issues at hand. Tentative topics for the MMA Stakeholder Working Group meetings and open houses are as follows

Stakeholder Meeting 1	Introduction to MMA and existing conditions
Stakeholder Meeting 2	MMA additional needs and performance standards
Open House 1	Review and comment on Clackamas Regional Center MMA: Background and Process
Stakeholder Meeting 3	MMA Boundary, Alternate Performance Standards, ODOT Coordination Issues, Funding Options
Stakeholder Meeting 4	Draft amendments and recommendations
Open House 2	Review draft MMA amendments to the Comp Plan and ZDO

Expected Outcome: Review of the project information, proposed Comprehensive Plan amendments, Zoning and Development Ordinance amendments, alternate performance standards and make recommendation to the Planning Commission and the Board of County Commissioner concerning the proposed amendments

2.2 Transportation System Development Charge (TSDC) task groups

TSDC Technical Working Group members

- Clackamas County DTD Administration
- Clackamas County Traffic Engineering
- Clackamas County Transportation Planning
- Clackamas County Engineering Development Review
- Clackamas County Planning and Zoning
- Clackamas County Development Agency
- Clackamas County Business and Economic Development
- Clackamas County Transportation Maintenance
- City of Happy Valley

The TSDC Stakeholder Working Group is expected to meet at least five times and may help host one open house. Additional meetings may be added if necessary for the group to adequately address the issues at hand. Tentative meeting topics for the TSDC Stakeholder Working Group meetings are as follows

Stakeholder Meeting 1	TSDC existing methodology and rates, TSDC districts, state requirements, background and existing procedure issues
Stakeholder Meeting 2	TSDC methodology modification recommendation(s)
Stakeholder Meeting 3	Draft TSDC project list modifications
Stakeholder Meeting 4	Draft TSDC rate modifications
Stakeholder Meeting 5	Draft TSDC Ordinance amendments
Open House - optional	Draft TSDC methodology update and revised project list and fee schedule

TSDC Stakeholder Working Group members

- Technical Working Group members (ex-officio)
- Home Builders Association representative
- Development Liaison Committee
- Other business community representatives
- Citizen representatives
- Other interested parties identified by Clackamas County Transportation Planning Division

Expected Outcome: Review of alternative TSDC fee methodologies, TSDC project lists and TSDC rates for all TSDC district in the County. Recommendations to the Board of County

Commissioner concerning the various portions of the proposed amendments to the TSDC Ordinance.

3 Clackamas Regional Center Multimodal Mixed-Use Area (MMA)

3.1 MMA Area Existing Conditions Report

The County will create an Existing Conditions Report for the CRCDDPA. It shall address the MMA approval process criteria, the characteristics of the study area, and provides background information for the alternative performance measure review.

The Existing Conditions Report will contain the following information:

- Study Boundary – CRCDDPA (*Including areas currently within cities*)
- Explanation of MMA legal implications and requirements per the TPR OAR 660-0012-0060 (8) and (10)
- Existing Comprehensive Plan / Zoning Analysis
 - Regulatory requirements
 - Analysis of study area by land uses allowed in the Comprehensive Plan and ZDO
- Existing and Planned Transportation Infrastructure Analysis as identified in the 2013 TSP Update, the Clackamas Regional Center Pedestrian and Bicycle Plan, the existing Urban Renewal Plans and any other appropriate transportation studies or plans.
 - Existing transportation infrastructure (by mode)
 - Planned transportation infrastructure (by mode)
 - Identified transportation infrastructure gaps and deficiencies
- Transit System Analysis
 - Routes and service frequencies
- Transportation System Operational Analysis Results from TSP Update (v/c)
 - Existing system
 - Planned system
- Transportation Safety Action Plan and Intelligent Transportation Systems (ITS) plan issues within MMA analysis area
- Other safety related data such as state and county crash rates, accident data, top 10% SPIS locations, existing and potential traffic queues on interchange exit ramps and DDACTS data for the planning area.
- Parking facilities analysis
- Interchange area safety analysis – methodology to be determined in collaboration with the Oregon Department of Transportation (ODOT)
- Existing household and employment forecast (2010 and 2035 or 2040, if available)
- Transportation system information from the TSP Update.
- Other information pertinent to the designation of the MMA within the CRCDDPA

Expected Outcome: The creation of an MMA Existing Conditions Memo that address the issues related to the designation of the MMA within the CRCDDPA.

3.2 MMA Area Additional Needed Infrastructure

The County and the Consulting Team will produce a memo outlining the needed transportation infrastructure on arterial and collector facilities regardless of jurisdictional ownership within CRCDDPA using the following sources:

- Identified transportation infrastructure gaps and deficiencies from the existing conditions report.
- Additional infrastructure needs identified based on available safety data and analysis.
- Additional infrastructure needs identified by ODOT or other jurisdictions.
- The County will consider assessing the needed transportation infrastructure by comparing the infrastructure needed to meet an acceptable Multimodal Level of Service (HCM MMLOS for vehicles, bikes, pedestrians and transit) with the existing transportation infrastructure to determine what additional infrastructure is needed.
- The inventory of existing and planned transportation infrastructure will be compared with the previously identified infrastructure needs, and a list of additional infrastructure needs in excess of the TSP projects will be developed.
- Where additional transportation infrastructure located on local roads or private property is needed to complete the transportation system for a particular mode, these facilities should be included in this inventory.
- The additional needed infrastructure will be summarized in a technical memo.

Expected Outcome: The creation of a Technical Memo that outlines the needed infrastructure and its estimated cost within the CRCDDPA.

3.3 ODOT Coordination Process and Memorandum of Understanding

The County will lead the discussion with ODOT concerning issues related to the ODOT facilities with the potential MMA.

- The County will meet with ODOT and review the Existing Conditions Report and the Additional Needed Infrastructure Memo to identify and address ODOT issues for obtaining ODOT concurrence with the proposed MMA designation.
- An assessment of transportation safety and operations issues within the CRCDDPA will be prepared as part of this task for consideration by the County and ODOT.
- A Memorandum of Understanding (MOU) between the County and ODOT will be drafted that addresses the ODOT issues identified during this process and the mutually agreed upon solution to these issues.
- The County will provide the opportunity for the cities of Milwaukie and Happy Valley to be parties to the MOU.

Expected Outcome: The successful signing of a Memorandum of Understanding (MOU) between the County and ODOT.

3.4 MMA Boundary Recommendation

The County will lead the creation of a MMA Boundary Recommendation memo for the CRCDDPA.

Review all of the information developed in the preceding subtasks and determine if an MMA should be designated within the CRCDDPA. If so, recommend a final boundary for the MMA within this area for stakeholder review. Document the reasons for this decision in a memorandum to the stakeholders and work with the stakeholder to make a recommendation to the Planning Commission regarding the MMA boundary.

Expected Outcome: The creation of a Technical Memo that recommends a preferred MMA boundary within the CRCDDPA.

3.5 MMA Criteria Analysis – Based on Existing and Planned Conditions

The County will lead the creation of a MMA Criteria memo for the CRCDDPA. It shall be drafted, with appropriate input from the consulting team.

Produce an analysis of the MMA land use and transportation criteria and recommended MMA boundaries within the CRCDDPA. The intent of this process is to produce a memo that identifies how the MMA meets the criteria set out in the TPR.

Expected Outcome: The creation of a Technical Memo that shows how the recommended MMA meets the criteria set out in the TPR.

3.6 Comprehensive Plan / ZDO Amendments

The County will lead the development of draft Comprehensive Plan and ZDO amendments, as needed, to implement recommendations related to the designation of a MMA, including.

- Amendments to Chapter 10 of the Comprehensive Plan – Clackamas Regional Center Design Plan
- Amendments to Chapter 5 of the Comprehensive Plan – Transportation System Plan
- Amendments to the Zoning and Development Code (ZDO)

These draft amendments and a staff report will be forwarded to the County Planning Commission and the Board of County Commissioners for public review and hearings and adoption.

Expected Outcome: A draft a staff report and a set of amendments to the Comprehensive Plan and ZDO that will be presented to the Planning Commission for public hearings.

The cities of Happy Valley and Milwaukie will have the opportunity to adopt concurring amendments to their comprehensive plans and zoning ordinances based on the County amendments.

4 Alternative Transportation Performance System Measures in MMA

4.1 Alternative Transportation Performance Standards

There has been a substantial amount of work in the area of alternative transportation performance standards over the last several years in Oregon and at the national level. These studies have noted that alternative transportation performance standards have a variety of strengths and weaknesses when it comes to implementation. Some work well for system planning or corridor planning; others work better for land development analysis, and still others appear to be reasonable and desirable but are very difficult to implement.

As part of this major task, the County plans to build on, not recreate, the work done by other jurisdictions except for what is necessary to conduct an effective dialogue on which alternative performance standards, if any, should be used in the CRC MMA. However, we plan to identify specific examples using developments in the CRC area.

4.1.1 State of the Practice Memo – Alternative Performance Measures

- A State of the Practice memo will be created to address alternative transportation performance measures and the work recently completed as part of other projects, including:
 - ODOT Accessibility Performance Measures Report
 - Washington County Multi-Modal Performance Measures and Standards
 - City of Portland Alternative Transportation Standards Study
 - Oregon Highway Plan Policy 1F Highway Mobility Policy and Action 1F3, Alternative Mobility Targets, and associated ODOT Operational Notice PB-2.
 - Performance measures and targets for safety, vehicle miles traveled freight reliability, congestion, and pedestrian, bicycle and transit mode shares adopted in the TSP consistent with the Metro RTP and Regional Transportation Functional Plan (RTFP), section 3.08.230.
 - Any SHRP2 reports recommended by the Consultant that are pertinent to this memo, with the approval of the County
- Other reports or sources of information shall include:
 - Sustainable Transportation and Access Rating System
 - LEED ND
 - Highway Capacity Manual - Multi-Modal Level of Service
 - Highway Safety Manual – Predictive Method
- Excerpts from or links to the reports used to develop these memos and studies may be attached to the State of the Practice memo as appendices when desirable and possible to do so.

Expected Outcome: The creation of a Technical Memo that identifies the current understanding of the strengths and weakness of the numerous Alternative Performance Measures that are being considered for implementation.

4.1.2 Implementation Recommendations Memo

The second product in this major task will be the creation of an Implementation Recommendations memo with recommendations on the following topics:

- Ability to regularly undertake the analysis associated with the recommended alternative transportation performance measures as part of the planning and development process (i.e., transportation system plans, corridor plans, Comprehensive Plan amendments and zone changes), including descriptions of the data needs and software requirements to undertake this work.
- Ability to implement the alternative transportation performance measures to support future land development process (i.e., land development applications), including descriptions of the data needs and software requirements to undertake this work.
- Draft language that can be used with the public and decision-makers to explain what the alternative transportation performance measures are and how they work.
- This memo should also include a brief assessment on how the alternative performance measures could work outside of the CRC MMA in the remaining urban area or the rural areas. The County has substantial rural areas with a large investment in rural transportation infrastructure. The County recognizes that alternative transportation standards are generally not appropriate for the rural areas, but that there may be cases where the implementation of such measures could be beneficial to the evaluation of the transportation system.

Expected Outcome: The creation of a Technical Memo that makes recommendation on the implementation of alternative performance measures. This memo will be used by the stakeholders to recommend preferred alternative performance measures for possible implementation by the County.

4.2 Transportation System Safety Performance Measures Memo

The County has a strong interest in moving the analysis of development impacts toward a practical, data-driven, safety-based analysis utilizing the Highway Safety Manual (HSM) predictive methods. This interest is expressed in the following new policies in the Transportation System Plan Update (2013).

- *Revised TSP Policy 5.B.8 - Integrate Highway Safety Manual (HSM) principles into the planning, engineering, design, operation and maintenance of the transportation system.*
- *Revised TSP Policy 5.B.5 - Support programs that utilize data-driven approaches to improve safety of the transportation system.*

Given that Oregon has done some calibration work related to the Highway Safety Manual (HSM), sufficient data should be available. The County's goal is to maintain or improve roadway safety with each new development. The consult will develop guidelines and procedures for applying the HSM Predictive Methods for developments in the County. A proposed framework, guidelines, procedures and data needs will be developed. The need for changes to the

regulatory documents including Clackamas County Roadway Standards, Clackamas County Zoning and Development Ordinance or other standards and/or policies.

A technical memo will be developed that covers the following issues:

- Framework for using the HSM Predictive Method for safety analysis of developments going through various land use approvals.
- Guidelines, procedures and data needs to implement the framework.
- Recommended changes to Clackamas County Roadway Standards, Zoning and Development Ordinance or other standards and policies.
- The identification of any other issues related to the utilization of this methodology on a day-to-day basis to evaluate land development proposals

Expected Outcome: The creation of a Technical Memo that makes recommendation on the implementation of transportation system safety performance measures. This memo will be used by the stakeholders to recommend preferred transportation system safety performance measures for possible implementation by the County.

4.3 Alternative Infrastructure Funding Approach within the MMA

The designation of an MMA and the identification of needed transportation infrastructure present the County with the opportunity to consider alternate approaches to funding transportation capital improvements to support development within the MMA. The County will consider the possible adoption of an MMA Transportation Project Improvement Fee (TPIF) or some other fee in place of the Transportation System Development Charges as an approach to funding needed infrastructure within the CRCDDPA. Such a fee would be developed with the intent of funding the development of projects necessary to meet the alternative transportation performance standards within the MMA.

By implementing this project, the County will be able to address several issues at the same time:

- Provide more certainty to local business leaders, developers and community representatives when considering future development opportunities
- Address recent changes to State law that allow for the identification and adoption of multimodal mixed-use areas (MMA) to balance transportation and economic development during comprehensive plan changes
- Enhance and implement a portion of the 20-Year Capital Improvement Project List developed as part of the County's Transportation System Plan Update (These projects could be linked to the alternative performance standards used in the CRC MMA.)
- Allow a more flexible approach to addressing the impacts of new development of different sizes
- Allow funding of pedestrian, bicycle, and transit projects to ensure consistency with the desired multimodal characteristics of the MMA

4.3.1 MMA Alternative Funding Methodology Memo

The consultant will develop a memo that accomplishes the following:

- Outlines at least two approaches to an MMA alternate funding methodology for consideration by stakeholders and the County.
- Uses the inventory of existing, planned and needed transportation infrastructure from Tasks 3.1 and 3.2 to provide a planning level estimate of the total project cost as the basis for developing the MMA TPIF or other fee. (Project cost estimates will be developed using County infrastructure costing methodologies established in the 2013 TSP update.)
- Includes a draft method for spreading these infrastructure costs over forecast development in the MMA

Expected Outcome: The creation of a Technical Memo that describes one or more alternate funding approaches that could be used in the MMA and recommends a preferred funding approach. This memo will be used by the stakeholders to recommend alternate funding approaches for possible implementation by the County.

5 Transportation System Development Charge (TSDC) Methodology Update

The County has an existing TSDC methodology, but would like to consider replacing it with a new and as-yet-undefined TSDC methodology. This new methodology would be used to identify TSDC charges for the Joint County-Happy Valley TSDC District and the County-wide district that covers the remainder of the unincorporated County. If implemented, the TSDC district boundaries will not overlap with a boundary of any established CRCDDPA MMA alternative funding mechanism.

The County recently amended its TSDC methodology to make allowances for reduced vehicle trip levels associated with mixed-use land development and station area development, and wants to continue to support this form of development through TSDC fee reductions related to the internal trip capture and lower trip rates to these forms of land use.

The County would also like to streamline the administration of the TSDC process. One possible approach could be a simplification of the land use fee categories. The County would entertain recommendations on this alternative and on other administrative streamlining options.

The recently approved TSP update contains the following policies that address issues to consider when evaluating this change.

- *Revised TSP Policy 5.AA.4 -- Consider a Transportation System Development Charges methodology that calculates person trips to allow pedestrian, transit and bicycle projects, as well as vehicle projects, to be funded using TSDC funds.*
- *Revised TSP Policy 5.AA.6 - Urban - Evaluate creating a transportation facility funding program that establishes a "fee in lieu of" process that may be used by developers to pay for all on-site and off-site transportation facilities required as part of the land development process.*

5.1 TSDC Methodology Best Practices Memo

The consultant will develop a TSDC Methodology Best Practices memo that reviews the County's current TSDC methodology and a set of alternate fee calculation methodologies for review by the TSDC Technical and Stakeholder Working Groups.

This memo will include, at a minimum, the following information:

- Identification of alternative TSDC fee methodologies,
- Identification of data needed to implement each methodology,
- Suitability of each methodology for use in development review,
- Other administrative issues associated with each methodology,
- Fee-in-lieu-of improvement process options and recommendations and
- Pros and cons of existing and proposed approaches that are appropriately drafted to facilitate public discussion.

Expected Outcome: The creation of the TSDC Methodology Best Practices memo which will be used to recommend a preferred TSDC methodology.

5.2 TSDC Methodology Selection Process – Stakeholders

The TSDC Methodology Best Practices memo will be reviewed by the TSDC Technical Working Group, and all issues raised by this group will be addressed to the extent practical prior to the memo being forwarded to the TSDC Stakeholder Working Group for review. The TSDC Methodology Best Practices memo will be reviewed by TSDC Stakeholder Working Group with the intent of developing a consensus-based recommendation on a preferred methodology.

Expected Outcome: A stakeholder recommendation of a preferred TSDC methodology to the County and the City of Happy Valley.

5.3 TSDC Stakeholders Methodology Recommendations to Clackamas County Board of Commissioners (BCC) and Happy Valley City Council

When a recommendation on the preferred methodology is completed, it will be presented to the appropriate decision-makers for concurrence prior to continuing with this process. This task is intended to provide a preliminary direction on the TSDC methodology prior to undertaking the task of creating the TSDC project list and associated fee schedule.

Expected Outcome: Selection of a preferred TSDC methodology by the decision makers.

5.4 TSDC Methodology Change Directions from BCC and Happy Valley

When the Board of County Commissioners and the Happy Valley City Council reach agreement on the preferred methodology, including any recommended changes, the TSDC methodology will be finalized and the process will move to Task 6.

Expected Outcome: Directions from the County and the City of Happy Valley to proceed with Task 6.

6 Transportation System Development Charge Rate Update -- All Districts

Based on results of Task 5, the consultant will finalize the TSDC methodology and calculate TSDC rates for all districts.

6.1 Draft Project List

The consultant will work with the TSDC Technical Group to produce a project list in compliance with the TSDC methodology approved by the Board of County Commissioners and the Happy Valley City Council. These documents will be reviewed by the TSDC Technical Working Group and all issues raised by this group will be addressed to the extent practical prior to this memo being forward to the Stakeholder Working Group for review. This project list will set the baseline for the draft TSDC rates based on the new methodology.

Expected Outcome: The creation of a draft project list and estimated project costs for use in the calculation of the TSDC. Stakeholder concurrence that the project list and the project costs and a recommendation to the County and the City of Happy Valley

6.2 Review of Draft Project List by Decision-makers

When a recommendation on the project list is completed, it will be forwarded to the appropriate decision-makers for concurrence prior to continuing with this process. This task is intended to provide a preliminary direction on the TSDC methodology prior to undertaking the task of creating the TSDC fee schedule.

Expected Outcome: County and the City of Happy Valley concurrence on the project lists and the project costs. Direction from the decision makers for the project team to develop draft TSDC rate based on the select methodology and project list. .

6.3 Draft TSDC Rates Memo

The consultant will produce a set of draft TSDC rates based on the new methodology and revised project list, and a comparison of the new rates with the old rates. Recommendations will be provided that demonstrate areas for minimizing costs without compromising necessary investments to the transportation infrastructure needed to serve future development. These documents will be reviewed by the TSDC Technical Working Group and all issues raised by this group will be addressed to the extent practical prior to this memo being forwarded to the Stakeholder Working Group for review. The TSDC Rate Memo will be reviewed by the TSDC Stakeholder Working Group with the intent of developing a consensus-based recommendation on a new rate schedule.

Expected Outcome: A stakeholder recommendation of preferred TSDC rates to the County and the City of Happy Valley.

6.4 Review of Draft Rates by Decision-makers

When a recommendation on the TSDC rates is completed, it will be forwarded to the appropriate decision-makers for concurrence prior to continuing with this process. This task is intended to provide a preliminary direction on the TSDC methodology prior to undertaking the task of modifying the TSDC ordinance.

Expected Outcome: Concurrence by the County Board of Commissioners and the City of Happy Valley on the proposed TSDC rates and direction to draft an ordinance to revise the TSDC Ordinance

6.5 First Draft of TSDC Ordinance

A first draft of the revised TSDC ordinances will be developed and sent to the Board of County Commissioners and the Happy Valley City Council along with the draft TSDC project list and fee schedule.

Expected Outcome: Concurrence by the County Board of Commissioners and the City of Happy Valley on the final version of the TSDC Ordinance.

6.6 Stakeholders Rate Recommendation to BCC and Happy Valley

When a recommendation on the TSDC project list and rate schedule is completed, it will be forwarded to the appropriate decision-makers for concurrence prior to continuing with this process. This task is intended to provide a final direction on the proposed amendments to the TSDC ordinances.

Expected Outcome: Direction from the decision makers to forward the TSDC Ordinance to public hearing.

6.7 Final TSDC Ordinance Change Directions from BCC and Happy Valley

When the Board of County Commissioners and the Happy Valley City Council reach agreement on the preferred change to the TSDC ordinance, it will be finalized and the process will move to the public hearing and adoption process.

Expected Outcome: Public Hearings on the TSDC Ordinance and identification of revision base on public input.

6.8 Draft Final TSDC Ordinance Change and Public Review

The final version of the TSDC ordinance will be scheduled for public hearing and adoption per the normal procedures of Clackamas County and the City of Happy Valley.

Expected Outcome: Adoption of an update TSDC Ordinance.

Draft Project Budget – CET Funds

Task	CET Grant	County Match	Task Total
1 Project Management	\$10,000	\$2,000	\$12,000
2 Public Involvement	\$10,000	\$8,000	\$18,000
3 Clackamas Regional Center Multimodal Mixed-Use Area (MMA)	\$60,000	\$5,000	\$65,000
4 Alternative Transportation Performance System Measures in MMA	\$80,000	\$5,000	\$85,000
5 Transportation System Development Charge (TSDC) Methodology Update	\$0 Funded by County TSDC	\$0 Funded by County TSDC	\$0 Funded by County TSDC
6 Transportation System Development Charge Rate Update -- All Districts	\$0 Funded by County TSDC	\$0 Funded by County TSDC	\$0 Funded by County TSDC
Funding Source Total	\$160,000	\$20,000	\$180,000

Draft Budget

Task	CET Grant	County Match	TSDC Funds	Task Total
1 Project Management	\$10,000	\$5,000	\$10,000	\$25,000
2 Public Involvement	\$20,000	\$5,000	\$40,000	\$60,000
3 Clackamas Regional Center Multimodal Mixed-Use Area (MMA)	\$50,000	\$5,000	\$0	\$55,000
4 Alternative Transportation Performance System Measures in MMA	\$80,000	\$5,000	\$0	\$85,000
5 Transportation System Development Charge (TSDC) Methodology Update	\$0	\$0	\$75,000	\$75,000
6 Transportation System Development Charge Rate Update -- All Districts	\$0	\$0	\$75,000	\$75,000
Funding Source Total	\$160,000	\$20,000	\$200,000	\$380,000

DRAFT

Approval of Previous Business Meeting Minutes:

March 17, 2016

(draft minutes attached)

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, March 17, 2016 – 10:00 AM

Public Services Building

2051 Kaen Rd., Oregon City, OR 97045

PRESENT: Commissioner John Ludlow, Chair
Commissioner Jim Bernard
Commissioner Paul Savas
Commissioner Martha Schrader
Commissioner Tootie Smith
Housing Authority Commissioner Paul Reynolds

CALL TO ORDER

- Roll Call
- Pledge of Allegiance

Chair Ludlow recess as the Board of County Commissioners and convene as the Housing Authority Board for the next two items. He introduced Housing Authority Commissioner Paul Reynolds.

II. HOUSING AUTHORITY PUBLIC HEARING

1. Public Hearing on the Proposed 2016-2017 Housing Authority of Clackamas County Annual Plan

Chuck Robbins, Housing and Community Development presented the staff report.

~Board Discussion~

Chair Ludlow opened the public hearing and asked if anyone wishes to speak, seeing none he closed the public hearing, He announced there will be no Board Action on this item today, this item will come back for adoption at the March 31, 2016 Business meeting.

III. HOUSING AUTHORITY CONSENT AGENDA

Chair Ludlow asked the Clerk to read the Housing Authority consent agenda by title, he then asked for a motion.

1. In the Matter of Writing off Uncollectible Accounts for the Third Quarter of Fiscal Year 2016-2017

MOTION:

Commissioner Reynolds: I move we approve the Housing Authority consent agenda.

Commissioner Bernard: Second.

Clerk calls the poll.

Commissioner Reynolds: Aye.

Commissioner Savas: Aye.

Commissioner Schrader: Aye.

Commissioner Bernard: Aye.

Commissioner Smith: Aye.

Chair Ludlow: Aye – the motion passes 6-0.

Chair Ludlow adjourned as the Housing Authority Board and re-convened as the Board of County Commissioners for the remainder of the meeting.

I. CITIZEN COMMUNICATION

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

1. Regina McCarthey, Milwaukie - supporting the Oak Grove Library.
2. Anita Ensley, Milwaukie - supporting the Oak Grove Library.
3. Les Poole, Gladstone – misc. issues including road funding, Oak Grove library, Advisory vote and an article regarding East Moreland.
4. Jim Knapp, Milwaukie – livability in Jennings Lodge and the five components of the McLoughlin Area Plan.

~Board Discussion~

IV. PUBLIC DISCUSSION ITEM

Department of Transportation & Development

1. Approval of the Clackamas County Planning & Zoning Division's Long Range Land Use Planning 2016-2017 Work Program

Mike McCallister and Jennifer Hughes, Planning Dept. presented the staff report.

~Board Discussion~

Chair Ludlow announced this is a discussion item and there are some folks signed up to speak on this subject.

The Following seven citizens spoke regarding the McLoughlin area of the Work Program.

1. Joseph Edge, Oak Grove
2. Mark Meek, Gladstone, Clackamas County Planning
3. Karen Bjorklund, Milwaukie
4. Nancy Gibson, Jennings Lodge
5. Baldwin Vanderbilt, Oak Grove
6. Ed Gronke, Milwaukie

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

Chair Ludlow asked for a motion.

MOTION:

Commissioner Smith: I move we approve the consent agenda.

Commissioner Savas: Second.

~Board Discussion~

Clerk calls the poll.

Commissioner Bernard: No.

Commissioner Smith: Yes.

Commissioner Schrader: No.

Commissioner Savas: Aye.

Chair Ludlow: Aye – the motion passes 3-2.

V. CONSENT AGENDA

Chair Ludlow asked the Clerk to read the consent agenda by title, he then asked for a motion.

MOTION:

Commissioner Smith: I move we approve the consent agenda.

Commissioner Schrader: Second.

Clerk calls the poll.

Commissioner Smith: Aye.

Commissioner Schrader: Aye.

Commissioner Savas: Aye.

Commissioner Bernard: Aye.

Chair Ludlow: Aye – the motion passes 5-0.

A. Health, Housing & Human Services

1. Approval of an Agency Service Contract with Northwest Family Services for Kindergarten Transition Support Services – *Children, Youth & Families*
2. Approval of a Revenue Agreement with Oregon Department of Education for Medicaid Reimbursement - *Children, Youth & Families*

B. Department of Transportation & Development

1. Approval of Amendment No. 2 to an Intergovernmental Agreement (Metro Grant Agreement No. 931973) with Metro for the Clackamas County Regional Center Way Finding System Project

C. Finance Department

1. **Resolution No. 2016-26** Acknowledging Expenditures in Excess of Appropriations for Fiscal Year 2015-2016 and Describing Correction Actions in Accordance with *ORS 297.466*

D. Elected Officials

1. Approval of Previous Business Meeting Minutes – *BCC*
2. Request by the Clackamas County Sheriff's Office for Modification of the Grant Agreement and Addition of the 2016 Operating and Financial Plan with the US Forest Service Mt. Hood National Forest - *ccso*

E. Community Corrections

1. Approval of Local Grant Agreement No. JR-15-032 between Clackamas County Community Corrections and Sub-Recipient Children's' Center for Community-Based Victims Services Programs
2. Approval of Local Grant Agreement No. JR-15-032 between Clackamas County Community Corrections and Sub-Recipient Clackamas Women's Services for Community-Based Victims Services Programs

VI. DEVELOPMENT AGENCY

1. Approval of an Access and Parking Easement Agreement between the Clackamas County Development Agency, Clackamas County Sheriff's Office and A4RK, Inc.

VII. COUNTY ADMINISTRATOR UPDATE

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

VIII. COMMISSIONERS COMMUNICATION

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

MEETING ADJOURNED – 8:06 PM



Capt. Jenna Morrison
Director

CLACKAMAS COUNTY COMMUNITY CORRECTIONS
1024 MAIN STREET • OREGON CITY • OREGON • 97045
TELEPHONE 503-655-8603 • • • FAX 503-650-8942

April 14, 2016

Board of County Commissioners
Clackamas County

Members of the Board:

Approval of Intergovernmental Agreement between Clackamas County Community Corrections and Clackamas Community College to Provide GED Instructional Services

Purpose/Outcome	This Agreement allows Clackamas Community College to provide GED instructional services at the Transition Center.
Dollar Amount and Fiscal Impact	The Agreement value is \$62,720.
Funding Source	State of Oregon Criminal Justice Commission, Justice Reinvestment Act funding.
Duration	Effective upon full execution and terminates December 31, 2017.
Previous Board Action/Review	New Agreement – no previous action.
Contact Person	Captain Jenna Morrison, Director - Community Corrections – 503-655-8725

BACKGROUND: Justice Reinvestment Act funding is intended to support the reduction of prison bed use. The Transition Center provides services to individuals release from the Clackamas County Jail, Oregon Department of Corrections, Clackamas County Corrections Center and those in the community at risk of returning to custody. The Transition Center is a collaborative effort between many community partners to provide additional resources to the jail and law enforcement to help improve public safety and offender accountability. One of those resources is a program to complete their General Educational Development (GED). The Jail has a long standing GED program with Clackamas Community College to provide GED prep and testing. The Transition Center will offer those same services to our clients including those that started the program in jail thus allowing them to continue their educational efforts without interruption.

RECOMMENDATION: Community Corrections respectfully requests that the Board of County Commissioners approves this Intergovernmental Agreement with Clackamas Community College to provide GED instructional services.

Respectfully submitted,

Captain Jenna Morrison
Director, Community Corrections

INTERGOVERNMENTAL AGREEMENT
BETWEEN
CLACKAMAS COUNTY, OREGON
AND
CLACKAMAS COMMUNITY COLLEGE

I. Purpose

This agreement is entered into between Clackamas County (COUNTY) and Clackamas Community College (COLLEGE) for the cooperation of units of local government under the authority of ORS 190.010.

This agreement provides the basis for a cooperative working relationship for the purpose of providing GED instructional services at the Transition Center. Both the COLLEGE and COUNTY desire to jointly plan, promote, and sponsor educational programs for recently incarcerated populations and others who wish to access employment and training services as well as additional life and wellness supports offered through the Transition Center.

II. Scope of Work and Cooperation

A. COLLEGE agrees to:

1. Recruit and hire qualified instructor(s) as well as pay for substitute instructors as necessary.
2. Provide liability and Worker's Compensation insurance coverage for instructor(s).
3. Confirm the class schedule prior to the start of each term.
4. Procure eight (8) sets of classroom textbooks at a cost to COUNTY of \$500.
5. Provide GED 2014 Instruction and Test Preparation Activities as described in Exhibit A.

B. The COUNTY agrees to:

1. Provide appropriate classroom facilities with access to student computers and internet service.
2. Inform the College, in a timely manner, of any changes or conflicts with regularly scheduled classes.
3. Assist with student registration according to COLLEGE policies and procedures.
4. Provide a locked cabinet for the classroom textbooks and access to a working printer and photocopier services as Transition Center staffing allows.
5. Pay the Compensation for instruction services and textbooks outlined in Section III.

Classes will be taught two times per week, for ten weeks during each term as published by the COLLEGE. Classes will be held Mondays and Wednesday 3:20pm-7:00pm or at a date/time agreed upon by both COUNTY and COLLEGE. Instruction will occur on the main floor of the Transition Center in one of the two conference rooms. The tables, student computers, white boards and large screen computer monitor will be available for the sole use of the COLLEGE during instructional time.

The COLLEGE shall meet the highest standards prevalent in the industry or business most closely involved in providing the appropriate goods or services.

III. Compensation

The COUNTY agrees to pay COLLEGE an amount not to exceed \$8,960.00 per school term, for a maximum of four (4) terms per calendar year, for the services outlined in Section II.A. above except for the service described in Section II.A.4. The service described in Section II.A.4. shall be billed by COLLEGE to COUNTY on a fixed fee of \$500 per eight (8) sets of textbooks as required outside of and in addition to the \$62,720 maximum value of this agreement. The maximum value is equal to seven (7) school terms that remain during the terms of this agreement.

Interim payments shall be made on the basis of requests for payment submitted as follows: COLLEGE will invoice COUNTY each school term. COUNTY will pay within thirty (30) days of receipt.

All requests for payment are subject to the approval of the COUNTY and will be submitted to Nora Jones at 1024 Main St, Oregon City OR, 97045.

IV. Liaison Responsibility

Camilo Sanchez will act as liaison from the COLLEGE for this project. Kelli Zook will act as liaison from the COUNTY.

V. Special Requirements

- A. The COUNTY and COLLEGE agree to comply with all applicable local, state, and federal ordinances, statutes, laws and regulations.
- B. The COLLEGE agrees to indemnify, save harmless and defend the COUNTY, its officers, commissioners, agents and employees from and against all claims and actions, and all expenses incidental to the investigation and defense thereof, arising out of or based upon damage or injuries to persons or property caused by the errors, omissions, fault or negligence of the COLLEGE or the COLLEGE'S employees, subject, where applicable, to the limitations and conditions of the Oregon Tort Claims Act, ORS 30.260 through 30.300, and the Oregon Constitution, Article XI, Section 7.
- C. The COUNTY agrees to indemnify, save harmless and defend the COLLEGE, its Board, Executive Leadership, and employees from and against all claims and actions, and all expenses incidental to the investigation and defense thereof, arising out of or based upon damage or injuries to persons or property caused by the errors, omissions, fault or negligence of the COUNTY or the COUNTY'S employees, subject, where

INTERGOVERNMENTAL AGREEMENT

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applicable, to the limitations and conditions of the Oregon Tort Claims Act, ORS 30.260 through 30.300, and the Oregon Constitution, Article XI, Section 7.

- D. Record and Fiscal Control System. All payroll and financial records pertaining in whole or in part to this agreement shall be clearly identified and readily accessible. Such records and documents should be retained for a period of three (3) years after receipt of final payment under this agreement; provided that any records and documents that are the subject of audit findings shall be retained for a longer time until such audit findings are resolved.
- E. Access to Records. The COUNTY, the State of Oregon and the Federal Government, and their duly authorized representatives shall have access to the books, documents, papers, and records of the COLLEGE which are directly pertinent to the agreement for the purpose of making audit, examination, excerpts, and transcripts. The COLLEGE will maintain student records authority for the purpose of promoting instruction, career development, guidance and educational progress of the student.
- F. This agreement is expressly subject to the debt limitation of Oregon Counties set forth in Article XI, Section 10, of the Oregon Constitution, and is contingent upon funds being appropriated therefor. Any provisions herein which would conflict with law are deemed inoperative to that extent.
- G. The COLLEGE is subject to Americans with Disabilities Act (ADA). By entering into this agreement COUNTY will comply with the ADA to work with the COLLEGE in addressing any accommodation requirements made by program participants.
- H. The COLLEGE will uphold the nondiscrimination policy approved by the Board. By entering into this agreement, COUNTY agrees with the COLLEGE in the timely reporting and response necessary for investigation. Nondiscrimination policy as outlined in Exhibit A.
- I. The COLLEGE will maintain student records authority for the purpose of promoting instruction, career development, guidance and educational progress of the student. By entering into this agreement, COUNTY agrees with the COLLEGE in the protection of the rights and privacy for students.

VI. Amendment

This agreement may be amended at any time with the concurrence of both parties. Amendments become a part of this agreement only after the written amendment has been signed by both parties.

VII. Term of Agreement

This agreement becomes effective upon full execution and is scheduled to terminate December 31, 2017.

INTERGOVERNMENTAL AGREEMENT

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The COUNTY certifies that sufficient funds are available and authorized for expenditure pursuant to this Agreement in Fiscal Year 2015-2016. The funds needed for the balance of the Agreement are subject to appropriation by the Board of County Commissioners during budget processes. If the Board does not appropriate funds for subsequent fiscal years for the balance of this contract, the COUNTY may immediately terminate this Agreement by giving written notice of termination to the COLLEGE. The COLLEGE shall not be entitled to compensation for any work performed after the date of such written termination notice. The COUNTY shall also have the right to accelerate or decelerate the work to match funding limitations.

This agreement is subject to termination by either of the parties when thirty (30) days' prior written notice has been provided.

Upon termination of this agreement, any unexpended balances of agreement funds shall remain with the COUNTY.

COLLEGE'S failure to perform the scope of work identified or failure to meet established performance standards shall be subject to consequences that include but are not limited to:

- (A) Reducing or withholding payment; or
- (B) Declaring a default, terminating the agreement and seeking damages and other relief under the terms of the agreement or other applicable law.

The COLLEGE agrees to perform the scope of work as described in the agreement documents and meet the performance standards set forth therein.

(Signature Page Attached)

INTERGOVERNMENTAL AGREEMENT

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DATED this _____ day of (month), (year).

**CLACKAMAS COUNTY BOARD
OF COMMISSIONERS**

**CLACKAMAS COMMUNITY
COLLEGE**

Chair

Jim Huckestein

Recording Secretary

Vice President of College Services

Date

Approved as to form

County Counsel

- Exhibit A – Clackamas Community College Nondiscrimination Policy
- Exhibit B - Course Overview

Exhibit A
Nondiscrimination Policy

The Board is committed to nondiscrimination and an environment free of harassment based on an individual's protected classes of race, color, national origin, religion, sex, age, disability, veterans' status, sexual orientation¹ or marital status. This policy prevails in matters concerning staff, students, the public, educational programs and services and individuals with whom the Board does business.

The Board directs the President and designees to develop policies and procedures to accomplish these purposes, and to do so by involving staff in their development, to announce them generally to staff and public, and to provide for their implementation.

The President shall appoint and make known the individuals to contact on issues concerning the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (ADA), Section 504 of the Rehabilitation Act of 1973, Title VI, Title VII, Title IX and other civil rights or discrimination issues.

A nondiscrimination and equal opportunity statement will be included in all course announcements, employment application forms, and recruiting materials for prospective students and employees.

The College will publish procedures providing for prompt and equitable resolution of student and employee complaints.

Federal civil rights law prohibit discrimination against an individual because he/she has opposed any discrimination act or practice or because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing. The ADA further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising the rights guaranteed under the Act.

END OF POLICY

Legal Reference(s):

[ORS 174.100](#)
[ORS 192.630](#)
[ORS 659.815](#)
[ORS 659.850](#)
[ORS 659.855](#)
[ORS 659.860](#)

[ORS 659.865](#)
[ORS 659.870](#)
[ORS 659A.003](#)
[ORS 659A.006](#)
[ORS 659A.009](#)
[ORS 659A.029](#)

[ORS 659A.030](#)
[ORS 659A.033](#)
[ORS 659A.040](#)
[ORS 659A.043](#)
[ORS 659A.103](#)
[ORS 659A.109](#)

¹Sexual orientation means an individual's actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual's gender identity, appearance, expression or behavior differs from that traditionally associated with the individual's sex at birth.

[ORS 659A.112](#) - 659A.139
[ORS 659A.142](#)
[ORS 659A.233](#)
[ORS 659A.236](#)
[ORS 659A.300](#)
[ORS 659A.303](#)

[ORS 659A.309](#)
[ORS 659A.320](#)
[ORS 659A.403](#)
[ORS 659A.406](#)
[ORS 659A.409](#)

[OAR 839-003-0000](#)
[OAR 589-006-0050](#)
[OAR 589-008-0100](#)
[OAR 589-010-0100](#)

Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107.

Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-634; 29 C.F.R Part 1626.

Americans with Disabilities Act of 1990; Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630; 28 C.F.R. Part 35.

Equal Pay Act of 1963, 29 U.S.C. § 206(d).

Rehabilitation Act of 1973, 29 U.S.C. §§ 503, 791, 793-794.

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683.

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d.

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e.

Vietnam Era Veterans' Readjustment Assistance Act of 1974, 38 U.S.C. § 4212.

Wygant v. Jackson Bd. of Educ., 476 U.S. 267.

Americans with Disabilities Act Amendments Act of 2008.

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. § 4212.

Title II of the Genetic Information Nondiscrimination Act of 2008.

Cross Reference(s):

ACA - Americans with Disabilities Act

GBA - Equal Employment Opportunity

JB - Nondiscrimination: Equal Education Opportunities and Freedom of Access

EXHIBIT B

COURSE OVERVIEW

GED 2014 Instruction and Test Preparation Activities:

Course Overview: Basic academic skill development in four areas: Math, Social Studies, Language Arts, and Science. Diagnostic tests determine individual academic needs. Students who pass General Educational Development (GED) tests receive high school equivalency certificates.

Skills Assessment & Placement: Provides assessments, analysis of assessments, orientation, and next steps for students preparing for their GED or other essential skills competency. Students take assessments including but not limited to CASAS, practice GED Ready tests, and other course-related tests.

Enrollment: Open-entry/exit class. Instructor consent required. Maximum of 25 students per term enrollment cap.

Advising: Students will have access to an academic coach and the financial aid application process throughout their enrollment period. Additional college supports may also be offered to GED students as relevant to educational and career goal-seeking activities.

Graduation: For students who successfully complete the GED 2014, participation in the College annual cap and gown ceremony is available for the graduate plus four additional guests of his/her choice. Additional tickets may be available up on request. Graduates may also be celebrated with cap and gown and photo opportunity at the Transition Center on an ad hoc basis.

GED 2014 Exams: Students who are identified as good candidates to pass the official GED 2014 exams will be referred to the Testing Center at the College. There are four official GED 2014 tests which cost approximately \$38 each; the student will be responsible for paying GED testing fees directly to Pearson. There is no cost beyond the GED fee for the use of College Testing Services.

Textbooks: Corrections will purchase eight classroom sets of GED preparation texts for student use. College will assist in the purchase of the books, estimated at \$500 total, and Corrections will reimburse this one-time cost as part of this agreement. Books will be available during each class session and maintained in a locked cabinet on site at the Transition Center when class is not in session. Corrections may develop procedures for check-out services for student use off site, as desired.

Technology: Corrections will provide access to a minimum of eight computers with internet access, which will be available during class-time for student use in the Transition Center. The College will provide funding for student access to online assessment and learning tools. Instructor computer is TBD as related to hook-up necessary for use of big screen monitor in conference room.



Capt. Jenna Morrison
Director

CLACKAMAS COUNTY COMMUNITY CORRECTIONS
1024 MAIN STREET • OREGON CITY • OREGON • 97045
TELEPHONE 503-655-8603 • • • FAX 503-650-8942

April 14, 2016

Board of County Commissioners
Clackamas County

Members of the Board:

Acceptance of Grant Award between Care Oregon and Clackamas County Community Corrections, Community Service Program for a Community Garden Project

Purpose/Outcome	This Award allows Community Corrections, Community Service Program funding to create a teaching garden for Community Service and Transition Center clients.
Dollar Amount and Fiscal Impact	The Award is \$1,500.
Funding Source	Care Oregon
Duration	March 30, 2016
Previous Board Action/Review	New Agreement – no previous action.
Strategic Plan Alignment	Build Public Trust through Good Government Ensure Safe, Healthy and Secure Communities:
Contact Person	Captain Jenna Morrison, Director, Community Corrections – 503-655-8725

BACKGROUND: Community Corrections applied for a Sponsorship Grant in the amount of \$1,500 to help create a Community Garden prepared for and maintained by Community Service clients to supply healthy food baskets for clients of the Transition Center. The award will fund the purchase of seeds and starts, soil amendments, fertilizers, planters, fencing and drip irrigation. This will be a teaching garden utilizing Community Corrections employees with specialized knowledge of garden and horticultural practices with labor provided by clients sentenced to Community Service hours. These clients will have the opportunity to gain valuable life skills from our staff while helping provide healthy food to clients transitioning back into the community. Community Corrections intends to grow and refine the program each year adding fruit trees, winter crops, and optimizing for dense planting with high yields of nutritious foods.

RECOMMENDATION: Community Corrections respectfully requests that the Board of County Commissioners accepts this Grant Award from Care Oregon to provide Community Corrections, Community Service Program funding to create a Community Garden Project.

Respectfully submitted,

Captain Jenna Morrison
Director, Community Corrections



315 SW Fifth Avenue, Suite 900
Portland, Oregon 97204
503-416-4100 or 800-224-4840
800-735-2900 (TTY/TDD)
www.careoregon.org

March 30, 2016

County of Clackamas, Oregon
Attn: Ryan Brown
2051 Kaen Rd.
Oregon City, OR 97045

Dear Ryan;

CareOregon thanks you for your commitment to improving the health and well-being of some of Oregon's most disenfranchised people. We are pleased to support the "Community Garden Project" in April, 2016. Please see the enclosed check in the amount of \$1,500.

Thank you for helping to ensure better health for all people at less cost.

Better together,

Martin Taylor
Director, Public Policy and Community Relations

Good Morning Martin,

My name is Ryan Brown and I'm the Community Service Coordinator for Clackamas County Community Corrections. I am writing you today requesting a sponsorship grant of \$1,500 for a community garden project we are beginning this spring. We have an approved garden site off Kaen Road near our county offices in Oregon City. The site is roughly one half acre.

The main purpose of the garden is to provide nutritious vegetables/fruits to individuals and families exiting our county jail and re-integrating into society. Immediately next to the garden site we have our Transition Center staffed by county employees and non-profit partners to help these folks gain access to housing, medical care, employment, and treatment services to optimally prepare them for productive reintegration into society. With the yields from this garden we hope to provide healthy food baskets to folks in transition; both symbolically and tangibly providing the means for a healthy new beginning.

This garden will be a teaching garden utilizing county employees with specialized knowledge of garden and horticultural practices. The labor will be provided by any number of the 1,500 individuals on my caseload each year that are sentenced by the courts to community service for restitution. Many of the folks maintaining the garden area will gain valuable life skills from our staff all while helping to provide healthy food to individuals/families in need.

If awarded, we intend to use these funds towards purchasing our seeds/starts, soil amendments, organic fertilizers, propagation planters, fencing, and drip irrigation. The program already possess most of the tools required, but we anticipate a small tool budget as well. We intend to grow and refine the program year over year adding fruit trees, winter crops, and optimizing for dense planting with high yields of nutritious foods. We would greatly appreciate these funds as we begin this endeavor which we hope will create healthier life choices for thousands of folks in our community. Please don't hesitate to reach out for any clarification and thank you for your consideration!

Best,

Ryan C. Brown



MARC GONZALES
DIRECTOR

DEPARTMENT OF FINANCE

PUBLIC SERVICES BUILDING

2051 KAEN ROAD | OREGON CITY, OR 97045

April 6, 2016

Board of County Commissioners
Clackamas County

Members of the Board:

**A Resolution Approving the Submission of
The Assessor's CAFFA Grant Application for FY 2016-2017**

Purpose/Outcome	This resolution is an annual requirement to accompany the application for a grant from the State of Oregon Department of Revenue to the Clackamas County Assessor's Office.
Dollar Amount and Fiscal Impact	The grant provides approximately 18% of the revenue for the Assessor's Office.
Funding Source	The State of Oregon
Safety Impact	None
Duration	Effective July 1, 2016 to June 30, 2017
Previous Board Action/Review	None
Contact Person	Bob Vroman, County Assessor 503-655-8302 Jian Zhang, Finance Department 503-742-5434
Contract No.	None

BACKGROUND:

County Assessment Function Funding Assistance (CAFFA) is a grant from the State of Oregon to Clackamas County Assessor's Office. The grant provides approximately 18% of the revenue for the Assessor's Office. All documents required to be included in the grant application are attached. They include a summary of expense, two staffing reports, two work activity forms, and two narrative reports of staff changes, Grant Application Resolution and Racial and Ethnic Impact Statement.

The application and accompanying documents must be received in Salem by May 1, 2016, and this material has been reviewed and approved by County Counsel.

RECOMMENDATION:

Staff respectfully recommends that the Board of Commissioners approve this resolution, so that this grant application may be submitted to the state.

Respectfully submitted,
Diane D. Padilla
Budget Manager

In the matter of Approving
the Submission of a Grant
Document to the Oregon
Department of Revenue

Resolution No.

Clackamas County is applying to the Department of Revenue in order to participate in the Assessment and Taxation grant, and

WHEREAS, this state grant provides funding for counties to help them come into compliance or remain in compliance with ORS 308.232, 308.234, Chapters 309, 310, 311, 312, and other laws requiring equity and uniformity in the system of property taxation, and

WHEREAS, Clackamas County has undertaken a self-assessment of its compliance with the laws and rules that govern the Oregon property tax system. The County is generally in compliance with ORS 308.232, 308.234, Chapters 309, 310, 311, 312, and other laws requiring equity and uniformity in the system of property taxation, and

WHEREAS, Clackamas County agrees to appropriate the budgeted dollars based on 100 percent of the expenditures certified in the grant application in the amount of \$8,270,322 the total expenditure amount for consideration in the grant. If 100 percent is not appropriated, no grant shall be made to the county for the quarter in which the county is out of compliance, and

WHEREAS, Clackamas County designates Marc S. Gonzales, Director of Finance, phone number (503)742-5405, as the County contact person for this grant document, and

WHEREAS, The Board finds it would be in the best interest of Clackamas County to adopt this resolution and submit the attached grant documents to the Oregon Department of Revenue.

NOW, THEREFORE, the Clackamas County Board of Commissioners do hereby resolve that this application be approved and the grant documents be submitted to the Oregon Department of Revenue.

Dated this 14th day of April, 2016

CLACKAMAS COUNTY BOARD OF COMMISSIONERS

Chair

Recording Secretary



Gregory L. Geist
Director

April 14, 2016

Board of County Commissioners
Clackamas County

Members of the Board:

Approval of an Intergovernmental Agreement with
City of West Linn and Clackamas County Service District #1
for Environmental Laboratory Services

Purpose/Outcomes	Provide environmental laboratory analysis required for West Linn to meet their permit requirements as an MS 4 co-permittee.
Dollar Amount and Fiscal Impact	Annual revenue of \$ 10,000.
Funding Source	N/A - No County General Funds are involved.
Duration	Effective upon signature and expires on June 30, 2017
Previous Board Action	None
Strategic Plan Alignment	1. Supports key results for environmental monitoring 2. Supports the goal of ensuring ratepayers have a properly functioning infrastructure that supports healthy waterways
Contact Person	Mona LaPierre, Monitoring and Compliance Manager, WES, 503-557-2830
Contract No.	N/A

BACKGROUND:

Clackamas County Service District No. 1 ("CCSD#1") and the City of West Linn are co-permittees on Phase I municipal separate storm sewer system permits ("MS4 Permits") issued by the Oregon Department of Environmental Quality ("DEQ"). Requirements of the permit include monitoring and laboratory analysis in the MS4 permitted area.

Five of the co-permittees have developed a Comprehensive Clackamas County Monitoring Plan dated June 2013. DEQ adopted the plan, and the City of West Linn wishes to have an intergovernmental agreement ("IGA") so that laboratory analysis will be performed by CCSD#1 staff and reimbursed based upon time and materials.

District staff assessed the impact of the arrangement and determined that it could be accommodated without significant impact to our current regulatory and district obligations. In addition, coordinating these services between the co-permittees will allow for a holistic approach in data analysis for the County's MS4 system. This IGA is based upon cost of analyses.

County Counsel reviewed this document.

RECOMMENDATION:

District staff recommends the Board of County Commissioners sitting as the board for the Clackamas County Service District #1 approve Intergovernmental Agreement with the City of West Linn for Environmental Laboratory Services.

Respectfully submitted,

Gregory Geist, Director
Water Environment Services

**INTERGOVERNMENTAL AGREEMENT
BETWEEN
CLACKAMAS COUNTY SERVICE DISTRICT NO. 1
AND
CITY OF WEST LINN**

This Intergovernmental Agreement (“Agreement”) is entered into by and between the **City of WEST LINN-est Linn** (“City”), a political subdivision of the State of Oregon, and **Clackamas County Service District No. 1** (“District”), a county service district formed under Oregon Revised Statutes 451, for the provision of stormwater quality monitoring services. This Agreement is authorized pursuant to ORS 190.110.

1. **Effective Date and Duration.** This Agreement shall become effective upon signature by District representative. Unless earlier terminated or extended, this Agreement shall expire on June 30, 2017 (“Expiration Date”). This Agreement shall automatically renew for one (1) additional two-year period, unless otherwise terminated by the parties pursuant to Section 9 below. This Agreement may be otherwise extended by mutual written agreement of the parties at any time prior to its Expiration Date.
2. **Statement of Work.** The statement of work (the “Work”) is contained in Attachment 1, attached ~~hereto~~ and incorporated by reference into this Agreement. District agrees to perform the Work in accordance with the terms and conditions of this Agreement.
3. **MS4 Compliance.** The City remains responsible for compliance with all of its Municipal Separate Storm Sewer System (“MS4”) Permit requirements. The District assumes no liability regarding any fees, fines, or other costs that may arise from a failure of the City to meet its MS4 requirements.
4. **Consideration.** The City agrees to pay District based upon time and materials for the tasks as referenced in Attachment 1.
5. **Schedule of Performance.** The delivery schedule for the provision of these services is also contained in Attachment 1, ~~attached hereto and incorporated by reference into this Agreement.~~
6. **Project Site.** The Project site location is provided in Attachment 1.
7. **Project Managers; Notice.** Each party has designated a project manager to be the formal representative for this Agreement. All reports, notices, and other communications required under or relating to this Agreement shall be directed to the appropriate individual. To be effective, any notice required to be given under this Agreement may be given by personal delivery to the address below or may be sent by certified mail, return receipt requested and if sent via certified mail return receipt requested such notice will be deemed delivered three (3) business days after postmark. Notice may also be given by overnight delivery service, effective upon receipt of such delivery.

City of ~~WEST LINN~~West Linn
NAME Attn: Beth Randolph
Address 4100 Norfolk St.
~~WEST LINN~~West Linn, OR 97068
(503) ~~742-8624~~

Clackamas County Service District No. 1
Mona LaPierre
c/o Water Environment Services
150 Beavercreek Road
WEST LINN, OR 97045
(503) 557-2830

8. **Amendments.** The terms of this Agreement shall not be waived, altered, modified, supplemented, or amended, in any manner whatsoever, except by written instrument signed by both parties.
9. **Payment.**
 - A. Within 45 days of conducting a sampling event on behalf of City, District shall submit an itemized invoice to City for reimbursement of services performed during the sampling event, which shall include a description of the project and District contract number and the allocation of costs.
 - B. City shall pay all invoices within 30 days.
10. **Termination.**
 - A. The parties may agree to an immediate termination of this Agreement or at a time certain upon mutual written consent.
 - B. Either party may terminate this Agreement effective not less than 30 days from delivery of written notice for any reason. City shall be responsible for any costs of Work done on its behalf prior to the effective date of the termination.
 - C. Either party may terminate this Agreement in the event of a breach by the other party. However, prior to such termination, the party seeking termination shall give the other party written notice of the party's intent to terminate. If the breaching party has not cured the breach within 10 days or a longer period as granted in the cure notice, the party seeking compliance may terminate this Agreement.
11. **Funds Available and Authorized.** Both parties certify that at the time the Agreement is written that sufficient funds are available and authorized for expenditure to finance costs of this Agreement within each party's current appropriation and limitation through ~~their~~ each party's current fiscal year ~~2013-2014~~. Both parties understand and agree that payment of amounts under this Agreement attributable to Work performed after the end of the current fiscal year is contingent on either party receiving appropriations, limitations, or other expenditure authority.
12. **Captions.** The captions or headings in this Agreement are for convenience only and in no way define, limit or describe the scope or intent of any provisions of this Agreement.
13. **Access to Records.** Both parties and their duly authorized representatives shall have access to the documents, papers, and records which are directly pertinent to the specific Agreement for the purpose of making audit, examination, excerpts, and transcript.

14. **Compliance with Applicable Law.**
 - a. Both parties shall comply with all federal, state, and local laws, regulations, executive orders and ordinances applicable to the Work under this Agreement. Both party's performance under this Agreement is conditioned upon either parties compliance with the provisions of the Oregon Revised Statutes, including but not limited to ORS 279A, B, and C, which are incorporated by ~~this relevant~~ reference ~~herem~~.
 - b. The City is and remains responsible for compliance with its MS4 Permit obligations. The District assumes no liability regarding any fees, fines, or other costs related to meeting those permit obligations by entering into this Agreement.
15. **No Third Party Beneficiary.** The District and City are the only parties to this Agreement and as such, are the only parties entitled to enforce its terms. Nothing contained in this Agreement gives or shall be construed to give or provide any benefit, direct, indirect, or otherwise to third parties unless third persons are expressly described as intended to be beneficiaries of its terms.
16. **Indemnification.** Within the limits of the Oregon Tort Claims Act, each party agrees to indemnify and defend the other and its officers, employees, agents and representatives from and against all claims, demands, penalties and causes of action of any kind or character relating to or arising from this Agreement, including the cost of defense, attorney fees arising in favor of any person on account of personal injury, death or damage to property and arising out of or resulting from the negligent or other legally culpable acts or omissions of the indemnitor, its employees, agents, subcontractors or representatives.
17. **Merger Clause.** This Agreement constitutes the entire agreement between the parties. No waiver, consent, modification or change of terms of this Agreement shall bind either party unless in writing and signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this agreement.
18. **Oregon Law and Forum.** This Agreement shall be construed according to the laws of the State of Oregon, without giving effect to the conflict of law provisions thereof.
19. **Severability.** If any provision of this Agreement is found to be unconstitutional, illegal or unenforceable, this Agreement nevertheless shall remain in full force and effect and the offending provision shall be stricken. The Court or other authorized body finding such provision unconstitutional, illegal or unenforceable shall construe this Agreement without such provision to give effect to the maximum extent possible the intentions of the parties.

[Signature Page Follows]

IN WITNESS WHEREOF, the parties ~~hereto~~ have caused this Agreement to be executed in duplicate by their duly authorized officers or representatives as of the day and year first above written.

City of ~~WEST LINN~~ West Linn

**Clackamas County Board of County
Commissioners Acting as the Governing
Body for Clackamas County Service District
No. 1 by:**

[Insert Name],

Chair

Date

Date

Recording Secretary

Approved as to Form:

Approved as to Form:

City Counsel

County Counsel

ATTACHMENT #1
Clackamas County Service District #1 and City of West Linn
Stormwater Quality Monitoring Project
Statement of Work

PURPOSE

The purpose of this attachment (the “Attachment”) is to define the specific responsibilities of the City of West Linn (“City”) and Clackamas County Service District No. 1 (“District”). City desires to obtain stormwater quality monitoring and laboratory services from District in order to comply with its Phase I MS4 NPDES permit (“Permit”) monitoring requirements.

PROJECT DESCRIPTION AND LOCATION

The project (“Project”) involves the analyses of samples from monitoring sites located in the City of West Linn as specified in the Comprehensive Clackamas County Stormwater Monitoring Plan dated June, 2013 (“Plan”).

PROJECT COSTS

The cost of the Project will be based upon time and materials and established laboratory fees plus an 8% premium. This data will be captured through the Water Environment Services Time Card and Financial Systems. Rates are adjusted annually and effective July 1.

RESPONSIBILITIES

Laboratory Analysis

The City Shall:

1. Collect field and lab samples at the site specified for routine and storm events.
2. For storm samples, an attempt should be made to collect lab samples that are composites representing three individual samples collected throughout the event and separated by a minimum of one hour. The time and date when sample are collected should also be documented.
3. Analyze grab samples in the field as specified in the Permit. The time and date of when these samples are collected should also be documented.
4. Collect adequate samples such as field blanks and duplicates in order to conduct the required quality assurance and quality control reviews of the data.
5. Deliver samples to the lab prior to 2:30 pm on the day of sampling unless there is a prior agreement from the District for an alternate time.
6. Submit payment to the District for City’s share of the Project cost within 30 days of receipt of invoice from the District and all deliverables as described in Responsibilities above.
7. Provide an updated contact list of City personnel that are involved with stormwater sampling to the District to ensure clear communications.

The District Shall:

1. Analyze the grab and composite samples in the lab for analyses as specified in the Permit, the Comprehensive Clackamas County MS4 Stormwater Monitoring Plan, and as requested on the District's Chain of Custody form.
2. Provide hard copy results of the field and laboratory results to the City within 45days of the date the City provides the sample.
3. Submit an invoice that itemizes the costs to the City within 60 days of conducting a sampling event.