

## BOARD OF COUNTY COMMISSIONERS BUSINESS MEETING MINUTES

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

**Thursday, December 17, 2020 - 10:00 AM**

Virtual Meeting Via Zoom and in person at the Hearing Room in the PSB Building

**PRESENT: Chair Jim Bernard  
Commissioner Sonya Fischer  
Commissioner Ken Humberston  
Commissioner Paul Savas  
Commissioner Martha Schrader**

### CALL TO ORDER

- Roll Call
- Pledge of Allegiance

Chair Bernard:

- We are holding this meeting in person and virtually. If you've joined us on the Zoom app for this meeting, and you are interested in providing public comment, we will prompt you regarding how to do that when the time is right.
- You will have the option of providing your comments to us live.
- Alternatively, anyone can send in a comment to be read during the public Communication portion of our meeting over email. Just send it in at any time during the meeting by emailing [BCC@clackamas.us](mailto:BCC@clackamas.us).
- Be sure to include your name and area when you email.

*~Board Discussion~*

### **\*\*\* Wildfire Update**

<https://www.clackamas.us/meetings/bcc/business>

Nancy Bush, Disaster Mgmt gave a Wildfire update.

*~Board Discussion~*

### **\*\*\* COVID-19 Update**

<https://www.clackamas.us/meetings/bcc/business>

Nancy Bush, Disaster Mgmt. and Dr. Sarah Present gave a COVID-19 update.

*~Board Discussion~*

**COVID -19 PUBLIC DISCUSSION ITEM** <https://www.clackamas.us/meetings/bcc/business>

*~Board Discussion~*

1. \*Approval of an Addendum No 6 to Resolution No. 2020-14 Declaring a Local State of Emergency Regarding the COVID-19 (Stephen Madkour, County Counsel)

*~Board Discussion~*

### **Motion To Approve Addendum:**

Commissioner Humberston: I move we approve the Addendum No 6 to Resolution No. 2020-14 Declaring a Local State of Emergency Regarding the COVID-19 to February 26, 2021.

Commissioner Schrader: Second.

Clerk call the poll:

Commissioner Fischer: Aye.

Commissioner Humberston: Aye.

Commissioner Savas: Aye.

Commissioner Schrader: Aye.

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

Gary gave update on documents that he had signed

The following item was signed in accordance with Clackamas County [Emergency Declaration 2020-14](#) due to the COVID-19 Public Health Emergency.

DEPARTMENT	ITEM
Emergency Operations Center Disaster Management Signed by Chair Bernard – 12-15-2020	Authorization of a Winter Shelter hotel contract and authorization for disaster management director and/or H3S Director to submit additional requests to the board and or county administration. This is for 27 winter shelter room, this is not to exceed \$363,700 funded by Emergency Operations Solutions Grant COVID 19 funds.
Health Housing and Human Services Signed by Administrator Schmidt – 12-16-2020	Approval of a Sub recipient Agreement for Emergency Shelter Grant Funds with Greater Good Northwest to Provide Shelter Support Services This is for providing shelter support services to individuals and households in hotel based shelter. \$211,986 will come from the Emergency Shelter Grant focused on supporting COVID19 response.

Commissioner Humberston: I move we ratify these documents.

Chair Bernard: Second.

Clerk call the poll:

Commissioner Fischer: Aye.

Commissioner Humberston: Aye.

Commissioner Savas: Aye.

Commissioner Schrader: Aye.

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

Chair Bernard gave awards

*~Board Discussion~*

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

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

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

1. Approval to execute a Construction contract between the Housing Authority and Grace Point Contracting, LLC for Clackamas Height Skirting project
2. Approval to execute an Intergovernmental Agreement between the Housing Authority of Clackamas County and Behavioral Health to fund support services to residents impacted by COVID-19
3. Requesting approval to respond to Oregon Housing and Community Services Notice of Funding Availability for a loan of resources to support Publicly Supported Housing
4. Approval of Resolution No. 1951 Authorizing Metro Bond Funds Loan Financing, Project-Based Section 8 Vouchers and Related Matters, for the Fuller Road Station Project
5. Approval of Resolution No 1952 Authorizing the Execution, Acknowledgement and Delivery of Documents for the Webster Road Redevelopment Project

6. Approval to write off uncollectible rents, late charges and maintenance expenses for the second quarter of Fiscal Year 2021
7. Project Turnkey Purchase and Sale Agreement Approval

**PS would like to pull Item 5 and Item 7 for discussion:**

**MOTION:**

Commissioner Leenstra: I move we approve the Housing Authority Consent Agenda as amended.

Commissioner Humberston: Second.

Clerk call the poll:

Commissioner Leenstra: Aye.

Commissioner Fischer: Aye.

Commissioner Humberston: Aye.

Commissioner Savas: Aye.

Commissioner Schrader: Aye.

Chair Bernard: Aye – the Ayes have it, the motion carries 6-0.

*~Board Discussion~*

Rich Swift came forward to discuss Items 5 and 7

*~Board Discussion~ on item # 5*

**MOTION:**

Commissioner Savas: I move we approve the Housing Authority Consent Agenda number 5.

Chair Bernard: Second.

Clerk call the poll:

Commissioner Leenstra: Aye.

Commissioner Fischer: Aye.

Commissioner Humberston: Aye.

Commissioner Savas: Aye.

Commissioner Schrader: Aye.

Chair Bernard: Aye – the Ayes have it, the motion carries 6-0.

*~Board Discussion~ on item #7*

*SF Called to question:*

*KH point of order for the motion*

*JB call to question ends discussion*

**MOTION:**

Commissioner Fischer: I move we approve the Housing Authority Consent Agenda number 7.

Chair Humberston: Second.

Clerk call the poll:

Commissioner Leenstra: Aye.

Commissioner Fischer: Aye.

Commissioner Humberston: Aye.

Commissioner Savas: abstain.

Commissioner Schrader: abstain.

Chair Bernard: Aye – the Ayes have it, the motion carries 4-0-2.

*~Board Discussion~*

*SF motions that the staff to look into all options*

*PS friendly amendment asking for health impact and assessments*

*SF doesn't want that to be part of her motion*

Chair Humberston: Second.

Clerk call the poll:

Commissioner Leenstra: Aye.

Commissioner Fischer: Aye.  
Commissioner Humberston: Aye.  
Commissioner Savas: Aye.  
Commissioner Schrader: Aye.  
Chair Bernard: Aye – the Ayes have it, the motion carries 6-0.

Chair Bernard announced the Board would adjourn as the Housing Authority Board

## **II. READING AND ADOPTION OF PREVIOUSLY APPROVED LAND USE ORDINANCE**

1. Adoption of previously approved zoning and development ordinance amendments ZDO-273 – Short-Term Rentals (Nate Boderman, County Counsel)

Nate Boderman presented item

*~Board Discussion~*

Commissioner Humberston: Adoption of previously approved zoning and development ordinance amendments ZDO-273 – Short-Term Rentals effective 1/17/2021.

Commissioner Schrader: Second.

the Clerk called the poll

Commissioner Fischer: Aye.

Commissioner Humberston: Aye.

Commissioner Savas: Aye.

Commissioner Schrader: Aye.

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

## **III. PUBLIC HEARINGS**

1. Second Reading on Ordinance and Board Order Temporarily Amending Clackamas County Code Section 2.05.160.2 to Allow for Vacation Accrual for Non-Represented Employees during Covid 19 Pandemic and Wildfire Emergency and Declaring an Emergency. (Stephen Madkour, County Counsel)

Stephen Madkour Presented item

*~Board Discussion~*

Chair Bernard opened the public hearing and asked Christina Terwilliger to moderate this portion.

- **Heather Riggs was pulled in but she was calling about public comment.**
- **No Emails**

Chair Bernard closed the public hearing and asked for a motion to read the Ordinance by title only.

Commissioner Humberston: I move we read the ordinance by title only.

Commissioner Schrader: Second.

the Clerk called the poll

Commissioner Fischer: Aye.

Commissioner Humberston: Aye.

Commissioner Savas: Aye.

Commissioner Schrader: Aye.

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

Clerk read the ordinance by title only

Commissioner Humberston: I move we approve the Ordinance and Board Order Temporarily Amending Clackamas County Code Section 2.05.160.2 to Allow for Vacation Accrual for Non-Represented Employees during Covid 19 Pandemic and Wildfire Emergency and Declaring an Emergency.

Commissioner Schrader: Second.

the Clerk called the poll

Commissioner Fischer: Aye.

Commissioner Humberston: Aye.

Commissioner Savas: Aye.

Commissioner Schrader: Aye.

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

❖ **Announce the Board will Recess as the Board of County Commissioners and Convene as the Water Environment Services for the next public hearing.**

2. Approval of a Resolution for Exemption and Authorization to use the Request for Proposals Method to Obtain a Progressive Design Builder for the Tri-City WRRF Outfall Project - *Procurement*

*Lynn Chicoine gave presentation on the item*

*~Board Discussion~*

*George Marlton - Presented*

Chair Bernard opened the public hearing and asked Christina Terwilliger to moderate this portion.

- **No Comments**

- **No Emails**

Chair Bernard closed the public hearing and asked for a motion to read the Ordinance by title only.

Commissioner Humberston: I move for Approval of a Resolution for Exemption and Authorization to use the Request for Proposals Method to Obtain a Progressive Design Builder for the Tri-City WRRF Outfall Project.

Commissioner Schrader: Second.

the Clerk called the poll

Commissioner Fischer: Aye.

Commissioner Humberston: Aye.

Commissioner Savas: Aye.

Commissioner Schrader: Aye.

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

❖ **Announce the Board will recess as Water Environment Services and Reconvene as the Board of County Commissioners.**

#### **IV. PUBLIC DISCUSSION ITEMS**

1. Acceptance of Land Donation for Parks Purposes Made by John and Marilee Wetten and Delegation of Authority to County Counsel to Complete Real Property Transaction (Stephen Madkour, County Counsel)

Stephen Madkour Presented

*~Board Discussion~*

Chair Bernard opened the public hearing and asked Christina Terwilliger to moderate this portion.

- **No Comments**
- **No Emails**

Chair Bernard closed the public hearing and asked for a motion.

Commissioner Humberston: I move for Acceptance of Land Donation for Parks Purposes Made by John and Marilee Wetten and Delegation of Authority to County Counsel to Complete Real Property Transaction.

Commissioner Savas: Second.

the Clerk called the poll

Commissioner Fischer: Aye.

Commissioner Humberston: Aye.

Commissioner Savas: Aye.

Commissioner Schrader: Aye.

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

~Board Discussion and thank yous for the Wettens~

5 Min Recess:

## **V. CONSENT AGENDA**

<https://www.clackamas.us/meetings/bcc/business>

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

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

1. Approval for a Revenue Agreement with Oregon Health Authority for the Alternative Payment Methodology and Advanced Care Model (APCM) Program – *Health Centers*
2. Approval to Execute an Intergovernmental Agreement with Housing Authority of Clackamas County to Fund Support Services for Residents Impacted by COVID-19 – *Behavioral Health*
3. Approval of a Sub-recipient Agreement with Clackamas Women’s Services (NHA) and the Community Development Division for the CDBG Children’s Programming FY20-21 – *Community Development*
4. Approval of a Personal Services Contract between Clackamas County and Henry Schein for the Dental Equipment for the New Sandy Health Center Project – *Community Development*
5. Approval of Amendment #2 to the Clackamas ASA Ambulance Service Contract – *Public Health*
6. Approval for Professional Services Agreements for temporary physician staff with CHG Companies, Inc., dba CompHealth, Fusion Healthcare Staffing, LLC, KPG Healthcare, LLC, and Maxim Healthcare Staffing Services, Inc. - *Procurement*

### **B. Department of Transportation & Development**

1. Approval of Quitclaim Deed and Bill of Sale between Clackamas County and Water Environment Services Pertaining to the Utilities Building at 902 Abernethy Road
2. Approval of an Agreement with Confluence Environment Center for an Americorps Member
3. A Board Order Approving the Transfer of the Collection Service Franchise and Service Area Held by Bliss Sanitary Service, Inc. through a Change in Control
4. A Board Order Approving Waste Management Fee Adjustments for the Franchised Operations of the Clackamas County Garbage & Recycling Transfer Station
5. Approval of an Intergovernmental Agreement with Metro to Implement the FY 20-21 Annual Waste Reduction and Recycle at Work Program
6. Authorization to Purchase Quantity 11 Dodge vehicles for the Clackamas County Sheriff’s Office - *Procurement*

**C. Elected Officials**

1. Approval of Previous Business Meeting Minutes – *BCC*
2. Request by the Clackamas County Sheriff’s Office for approval of a 2nd Amendment to the Intergovernmental Agreement (IGA) with Tri-Met for Police Services– *Sheriff’s Office*
3. Request by the Clackamas County Sheriff’s Office to approve the 4th Amendment to the Intergovernmental Agreement (IGA) with the Oregon Marine Board– *Sheriff’s Office*
4. Request by the Clackamas County Sheriff’s Office to Accept a Grant from Oregon Impact for reimbursement related to Pedestrian Safety Enforcement – *Sheriff’s Office*
5. Request by the Clackamas County Sheriff’s Office to Accept a Grant from Oregon Impact for reimbursement related to Driving under the Influence of Intoxicants High Visibility Enforcement – *Sheriff’s Office*
6. Approval of the Clackamas County Investment Policy – *County Treasurer*

**D. Juvenile**

1. Approval of Personal Services Contract Amendment #5 with Parrott Creek Child and Family Services to Provide Sex Offender Treatment to Youth – *Procurement*

**E. County Counsel**

1. Approval of an Amendment to an Intergovernmental Agreement between Clackamas and Multnomah Counties for HIPAA and Part 2 Officer
2. Approval of a Board Order Scheduling a Public Hearing regarding the Dissolution of the Shady Dell Water Control District

**F. Business & Community Services**

1. Approval of Local Grant Agreement Amendment #3 between Clackamas County and Micro Enterprise Services of Oregon (MESO) for MESO to provide a small grants program on behalf of Clackamas County in support of the local business community impacted by the COVID-19 pandemic
2. Approval of State of Oregon, Department of Administrative Services, Grant Agreement with Clackamas County to provide CARES Act funding for grants to the local small business community impacted by the COVID-19 pandemic

**G. Technology Services**

1. Authorization to Contract for the Microsoft Enterprise Agreement for Software and Licensing from Dell Marketing L.P. - *Procurement*

**H. Disaster Management**

1. Approval of FY20 State Homeland Security Grant Program Application to the State of Oregon for Six Projects
2. Approval of a Master Subscription Agreement with ESO for an electronic patient care records (ePCRs) software - *Procurement*

**I. Department Human Resources**

1. Deferred Compensation Plan Document Update

Commissioner Savas would like to pull A.5 and B.6 for further discussion

Commissioner Humberston: I move we approve the consent agenda as amended.

Commissioner Savas: Second.

the Clerk called the poll

Commissioner Fischer: Aye.

Commissioner Humberston: Aye.

Commissioner Savas: Aye.

Commissioner Schrader: Aye.

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

~Board Discussion~

Commissioner Savas: I move we approve the consent agenda item A.5.  
Commissioner Humberston: Second.  
the Clerk called the poll  
Commissioner Fischer: Aye.  
Commissioner Humberston: Aye.  
Commissioner Savas: Aye.  
Commissioner Schrader: Aye.  
Chair Bernard: Aye – the Ayes have it, the motion carries 5-0.

~Board Discussion~

Commissioner Humberston: I move we remove the consent agenda item B.6.

❖ **Announce the Board will Recess as the Board of County Commissioners and Re Convene as the Water Environment Services for the next consent agenda.**

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

1. Approval of Quitclaim Deed and Bill of Sale between Clackamas County and Water Environment Services Pertaining to the Utilities Building at 902 Abernethy Road
2. Approval of an Intergovernmental Agreement between the City of Gladstone and Water Environment Services Pertaining to Joint Collection System Work
3. Approval of an Intergovernmental Agreement with Clackamas County, Health, Housing and Human Services – Public Health
4. Approval of a Contract between Water Environment Services and Tribeca Transport, LLC. for the Supernatant Hauling at the Boring Sewage Treatment Plant – *Procurement*
5. Approval of Contract between Water Environment Services and Hach Company to provide Flow Meters – *Procurement*

### **MOTION:**

Commissioner Humberston: I move we approve the consent agenda.  
Commissioner Schrader: Second.  
the Clerk called the poll  
Commissioner Fischer: Aye.  
Commissioner Humberston: Aye.  
Commissioner Savas: Aye.  
Commissioner Schrader: Aye.  
Chair Bernard: Aye – the Ayes have it, the motion carries 5-0.

❖ **Announce the Board will adjourn as Water Environment Services and Reconvene as the Board of County Commissioners for the rest of the hearing.**

**VII. PUBLIC 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.)*

1. Heather Riggs – Yes for the Econolodge
2. Sara Gross Samuelsson – Yes For the Econolodge
3. Terri Gilrey – Gyms and No for the Econolodge
4. Al Scott – Milwaukie – No for the Econolodge
5. Les Poole – Gladstone – Metro Tax



6. Jennifer Harding – Eastside Athletic Club, No for the Econolodge
7. Ama Hoesly – Pastor – Yes for the Econolodge

EMAILS

1. Tom and Leslie Weaver – Jennings Lodge – No for Econolodge
2. Dave Schultz – No for Econolodge
3. Thelma Haggemiller – Oak Grove – No for Econolodge

**VIII. COUNTY ADMINISTRATOR UPDATE**

Gary was Seeking approval to send letter to Pacific Northwest search and rescue

Chair Bernard Moved for approval to send letter

Commissioner Humberston 2<sup>nd</sup>

Commissioner Fischer: Aye.

Commissioner Humberston: Aye.

Commissioner Savas: (stepped away)

Commissioner Schrader: Aye.

Chair Bernard: Aye – the Ayes have it, the motion carries 4-0.

**IX. COMMISSIONERS COMMUNICATION**