

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Policy Session Worksheet

Presentation Date: 10/17/17 **Approx. Start Time:** 10:30 a.m. **Approx. Length:** 60 mins. **Presentation Title:** 2018 Legislative Agenda Planning Meeting
Department: Public and Government Affairs
Presenters: Gary Schmidt, Chris Lyons, Trent Wilson
Other Invitees: Department Directors and County Elected Officials

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

The Board is asked to review and provide feedback on the draft list of 2018 Clackamas County state and federal legislative priorities.

EXECUTIVE SUMMARY:

As in past years, each department was asked to participate in identifying federal and state policy and funding priorities. This planning session will include a discussion of those priorities to help identify and narrow the County's final legislative priorities for the 2018 calendar year. After today's meeting, government affairs staff will work with departments to further refine priorities. Final state and federal legislative agendas will be provided to the BCC for approval on Jan. 9, 2018.

Key dates moving forward:

- January 9, 2018 – BCC Approval of State & Federal Agendas
- February 1, 2018 – Legislative Breakfast
- February 5, 2018 – First day of 2018 state legislative session
- March 9, 2018 – Sine Die

FINANCIAL IMPLICATIONS (current year and ongoing):

The County's state legislative agenda supports continued State/County shared revenue agreements and other funding streams that support major county programs and services. Loss of these revenues would result in potential cuts to county programs and services. The County's federal legislative agenda also pursues additional funding and grants for county programs and priorities.

STRATEGIC PLAN ALIGNMENT:

- This item aligns with the Public and Government Affairs Strategic Business Plan goals to provide intergovernmental connections and relationship building, strategic policy development and messaging, legislative, advocacy, and outreach services to county elected officials and departments so they can build key partnerships to achieve policy goals important to Clackamas County, with special emphasis on the strategic results in the BCC Strategic Plan.
- This item aligns with all five of the County's Performance Clackamas goals:
 - Build Public Trust Through Good Government;
 - Grow a vibrant economy;
 - Build a strong infrastructure;
 - Ensure safe, healthy, and secure communities; and
 - Honor, utilize, promote, and invest in our natural resources.

LEGAL/POLICY REQUIREMENTS:

N/A

PUBLIC/GOVERNMENTAL PARTICIPATION:

Public and Government Affairs (PGA) continues to maintain close working relationships with the County's legislative delegation and staff at both the state and federal levels, who will be instrumental in helping to advance the County's legislative priorities.

OPTIONS:

N/A

RECOMMENDATION:

Staff recommends the Board discuss the draft priorities and provide input for county staff to further refine the 2018 state & federal legislative agendas.

ATTACHMENTS:

- Working Drafts of Clackamas County 2018 State & Federal Legislative Priorities

SUBMITTED BY:

Division Director/Head Approval _____

Department Director/Head Approval s/Gary Schmidt

County Administrator Approval _____

For information on this issue or copies of attachments, please contact Gary Schmidt @ 503-742-5908
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2018 State Legislative Priorities

Working Draft

County Initiatives

- **Annexation:** Support amending state statute to facilitate the orderly and logical annexation of unincorporated areas into cities.
- **Franchise Fees:** Support the ability for counties to impose permitting and franchise fees upon users of the public right-of-way in order to recover the cost of maintaining county infrastructure.
- **I-205 Congestion Relief and Safety Improvement Funding:** Advocate for state funding to support an additional lane of capacity in each direction of I-205 from Stafford Road to OR 99E. The Oregon portion of I-205 is federally designated as a High Priority Corridor and is of vital importance to both the Portland metropolitan region and users statewide. Without additional travel lanes, this section of I-205 will be overwhelmed by forecasted traffic volumes and will negatively impact regional freight mobility.
- **Sunrise Phase II Funding:** Advocate for state funding to support extension of the Sunrise Corridor from 122nd Ave. to 172nd Ave. or other operational enhancements that contribute to the entire Sunrise Corridor. This project is vital to improving access to thousands of acres of employment lands, many of which are ready for development.

County Counsel

- **Mortgage Electronic Registration System (MERS):** Oppose legislation to amend the Oregon Trust Deed Act and refine the definition of "beneficiary" for the purposes of trust deeds and cure deficiencies regarding the Mortgage Electronic Registration System (MERS).

Economic Development

- **Brownfields:** Support legislation that facilitates the redevelopment of vacated industrial sites through measures such as recapitalizing the state Brownfields Redevelopment Fund, creating property tax incentives, and creating state tax credits.
- **Cross Laminated Timber:** Support efforts to develop the Cross Laminated Timber (CLT) industry in Clackamas County, in coordination with partners in the Pacific Northwest Manufacturing Partnership (PNMP). Clackamas County is well positioned to lead the emergence of the mass timber and CLT industry by addressing the supply chain needed to boost Oregon's productivity. CLT has the potential to create 6,100 direct jobs and 17,300 indirect jobs in Oregon over the next 15 years, while supporting efforts to address climate change through the sequestration of carbon.
- **Economic Development Funding:** Support continued state funding to counties for economic development programs.

- **Enterprise Zones:** Support the creation of additional Enterprise Zones in Oregon. Oppose measures that would mandate prevailing wage requirements on private industries within Enterprise Zones.
- **Film & Media Production:** Support legislation that provides state incentives to help recruit film and media projects to Oregon and keep current projects in the state.
- **Industrial Lands:** Support legislation to increase the supply of available land ready for industrial development. Support state financing and incentives to assist local governments in constructing infrastructure and preparing shovel-ready industrial sites.
- **Willamette Falls Legacy Project:** Support efforts to aid in the redevelopment of the 23-acre former Blue Heron paper mill site adjacent to Willamette Falls in Oregon City. Clackamas County has been working in partnership with Oregon City, Metro, and the State of Oregon to explore the feasibility of redeveloping the site, which presents significant structural and environmental challenges. The site's location provides a rare opportunity for a unique economic redevelopment project that would complement and strengthen Oregon City's downtown and create a regionally-significant visitor amenity and historic tourist attraction to benefit the local economy.
- **Willamette Falls Locks:** Support the repairing and reopening of the Willamette Falls Locks to restore river navigation to the Willamette River.

Finance

- **Financial Sustainability:** Ensure adequate and stable funding of county programs and services. Counties partner with the state to provide vital public services and are on the front line of ensuring that services continue and reach those who need them.
- **Preemption and Local Control:** Oppose preemption of local tax sources and other efforts to restrict local government authority, including but not limited to the administration of building codes within Clackamas County. Local control allows counties to create and fund programs that foster innovation and address the unique needs of their communities.
- **Public Employees Retirement System (PERS) Reform:** Support legislation to curb the ever increasing costs of PERS while maintaining an adequate and sustainable retirement program for employees. The PERS deficit has grown to \$25.3 billion and continues to increase at a rapid pace.
- **State/County Shared Revenue Agreements:** Support preservation of counties' share of cigarette, marijuana, liquor, video lottery, and recreational vehicle fee revenue. Monies received by counties fund economic development programs, county park and recreation areas, and essential front line services, including sheriff's patrol, jails, and health services.
- **Public Contracting:** Support considerations to the Public Contracting Code (ORS 279) that promote responsible use of public resources for local agencies.

Health, Housing & Human Services

- **Affordable Housing and Support Services:** 1) Support efforts to create and preserve affordable housing and support services for moderate, low, and very low income residents and those experiencing homelessness. 2) Support legislation that increases rental protection for tenants. 3) Support level funding for senior programs, including

Oregon Project Independence, Health Promotion activities, abuse prevention activities through the Gatekeeper program, and the Options Counseling program. 4) Support increased funding for veterans' housing needs to meet the rise in the number of homeless veterans in Clackamas County. 5) Support a moderate increase in the document recording fee in order to increase funding for affordable housing and homeless services.

- **Air Quality:** Support legislation to improve air quality in the Portland metro area, including policies and funding to address air toxics, fine particulate matter from diesel engines, and wood smoke.
- **Domestic Violence:** Support legislation that promotes increased resources for victims of domestic violence and improved accountability for offenders.
- **Drug Take-Back Program:** Support legislation to establish a prescription drug take-back program to enhance access to safe and responsible disposal opportunities.
- **Early Learning Funding:** Support continued funding to Early Learning Hub Coordination to support early education and kindergarten readiness countywide.
- **Funding for Health and Human Services:** Support continuation of existing funding levels for health and human services programs - behavioral health, social services, public health, children, youth & families, community solutions (workforce & weatherization services), developmental disabilities - to enable Clackamas County programs to continue at current service levels and, in some cases, provide additional prevention, support, and treatment services to vulnerable individuals and families.
- **Medicaid Funding and Enrollment:** Support current and increased access to Medicaid for Oregon residents.
- **Prevention Funding - Youth Development Funds:** Support current or increased levels of Youth Development funds to support and allow for additional PreventNet School-based sites in Clackamas County.
- **Public Health Modernization Funding:** Support continued investments to strengthen the public health system in Oregon by building sustainable infrastructure that supports the health of our communities.
- **Opioids:** Support the Governors Opioid Task Force Policy recommendations, including safe prescribing and disposal, expanding access to treatment and recovery services, and improving coverage options for non-pharmacological chronic pain care.
- **Oregon Adult Abuse Prevention and Investigation (OAPPI) Statute Clarification:** Support updates to ORS 430.735 to clarify who has the authority to investigate abuse allegations of mental health clients enrolled in Coordinated Care Organizations (CCO). Currently 85% of abuse allegations in Clackamas County are screened out due to CCO enrollments.
- **Veterans & Surviving Spouse Tax Relief:** Support legislation that grants a higher property tax exemption for disabled veterans and surviving spouses of active duty military personnel killed in the line of duty.
- **Youth Tobacco Prevention:** Support legislation aimed at reducing youth tobacco use, including the preservation of existing Tobacco Prevention and Education (TPEP) funding.
- **Recreational Marijuana:** 1) Support efforts to regulate accessibility, marketing, and packaging of cannabis products targeting young consumers. 2) Support efforts to merge recreational and medical marijuana regulation and enforcement to allow for clear and

consistent guidelines for businesses and regulators. 3) Oppose legislation that would create an exemption in the Indoor Clean Air Act for cannabis cafes.

Human Resources

- **Collective Bargaining:** Oppose legislation affecting interim bargaining negotiations that reduces employer flexibility between contract periods and threatens scarce public resources.

Law Library

- **Law Library Funding:** Support continued funding of county law libraries at existing levels or higher. County law libraries preserve county residents' access to justice by providing direct professional legal research assistance and legal materials, resources, and services.

Public Safety

- **Clackamas County Courthouse Replacement Project:** Support efforts to assist in the replacement of the 80-year old, structurally-deficient Clackamas County Courthouse located in downtown Oregon City.
- **9-1-1 Centers:** Support legislation to improve operations, NextGen 911 development, and funding for 9-1-1 centers.
- **Earthquake Early Warning System for the West Coast:** Support additional state funding to establish an earthquake early warning system in the Pacific Northwest that could help reduce risks associated with earthquakes, including a Cascadia Subduction Zone earthquake. The ShakeAlert system is estimated to cost \$38.3 million plus an additional \$16.1 million to operate and maintain the system annually, and would cover the West Coast States of California, Oregon, and Washington. To date, the system has received nearly \$20 million from the federal government and a private foundation.
- **Justice Reinvestment:** Defend state funding for the Justice Reinvestment grant program, which received \$47 million in the 2017 session to fund community-based programs that help people succeed outside of prison, such as community corrections, re-entry programs, addiction treatment, and mental health services.
- **Juvenile Crime Prevention - Basic & Diversion Funding:** Support Juvenile Crime Prevention (JCP) Basic & Diversion funding from the Oregon Youth Authority at the highest level possible, which provides approximately \$910,000 annually to the County Juvenile Department.
- **Juvenile Crime Prevention - Prevention Funding:** Support Juvenile Crime Prevention (JCP) funding from the Youth Development Council at the highest funding level possible, which provides approximately \$206,000 annually to the County Juvenile Department.
- **Juvenile Crime Prevention Target Population:** Oppose any statutory changes to the current targeted population of children and youth who are eligible for services that are funded by Juvenile Crime Prevention (JCP) Prevention dollars currently administered by the Youth Development Council.

- **Oregon Juvenile Delinquency Code:** Oppose statutory changes to the Oregon Juvenile Delinquency Code which do not align with identified best practices, are not developmentally appropriate for adolescents, or run counter to positive youth development.
- **Reentry After Incarceration:** Oppose legislation that would remove the County's authority to decide who may be released from prison to reside in Clackamas County.

Resolution Services

- **Mediation/Conciliation Funding:** Support continued funding of mediation/conciliation programs at existing levels or higher. County mediation assists people and organizations in finding mutually agreeable solutions through direct facilitation and skill-building resources.

Tourism

- **Transient Lodging Tax (TLT):** Support legislation clarifying that intermediaries such as AirBnB, Expedia, and Travelocity are responsible for collecting and remitting both the state TLT as well as any applicable local TLTs.

Transportation & Development

- **Land Use:** 1) Support amending state law so that counties may allow Accessory Dwelling Units (ADUs) in rural areas. 2) Support efforts to finalize Clackamas County's urban and rural reserves process.

2018 Federal Legislative Priorities

Working Draft

Federal Forest Management

- **Federal Forest Management and Oregon & California (O&C) Lands:** Support legislation for responsible management of federal forest lands, including O&C Lands, which will reduce wildfire risk and also improve the financial stability of counties by creating a predictable, long-term solution to county revenue needs. Federal forest legislation should balance economic, social, and environmental values so that significant areas of federal forests are dedicated to the production of forest products, while other forests are dedicated to environmental protection.
- **Secure Rural Schools & Community Self-Determination Act:** Support permanent reauthorization or extension of the Secure Rural Schools and Community Self-Determination Act (County Payments) or similar legislation. Extending the Secure Rural Schools Act would continue critical funding to timber dependent counties in Oregon while Congress works to enact legislation to allow for responsible management of federal forest lands. This historically important source of revenue, derived from federal O&C Lands, is critical to timber-dependent counties in Oregon, including Clackamas County.
- **Cross Laminated Timber (CLT):** Support efforts to develop the Cross Laminated Timber (CLT) industry in Clackamas County, in coordination with partners in the Pacific Northwest Manufacturing Partnership (PNMP). Clackamas County is well positioned to lead the emergence of the mass timber and CLT industry by addressing the supply chain needed to boost Oregon's productivity. CLT has the potential to create 6,100 direct jobs and 17,300 indirect jobs in Oregon over the next 15 years, while supporting efforts to address climate change through the sequestration of carbon.
- **Wildfire Disaster Funding:** Support policy changes at the Department of the Interior and the U.S. Forest Service to prohibit "fire borrowing" and prescribe necessary funding for essential wildfire suppression. New, dedicated funding to wildfire suppression will help free up resources to increase federal forest management and lower future wildfire occurrences.

Finance

- **Payment in Lieu of Taxes (PILT):** Support reauthorization of PILT, which helps to offset losses in property taxes due to non-taxable federal lands located within Clackamas County. Clackamas County receives \$700,000 annually from this program.

Health, Housing & Human Services

- **Funding for Housing Programs:** Support no less than \$3.3 billion in Community Development Block Grant (CDBG) formula funding, which assists the County with constructing infrastructure improvements in low-income areas; Support no less than \$1.2 billion in formula funding for the HOME Investment Partnerships Program (HOME), which

is a keystone in the development of any affordable housing projects in the County; Support \$2.6 billion for Homeless Housing Assistance grants, including at least \$270 million for the Emergency Solutions Grant program plus an amount to fully fund expiring supportive housing and Shelter Plus Care rent subsidy contracts; Support full funding for existing Housing Choice Voucher (formerly known as Section 8) project-based and tenant-based rental contracts, full funding for administrative fees under existing administrative fee methodology to cover the cost of administering the program, and \$500 million in Section 108 Loan Guarantee authority. The Voucher Program provides assistance to 1,531 families in Clackamas County that rent units in the private rental housing market.

- **Veteran Homelessness:** Support continued appropriation of resources through the Veterans Affairs Supported Housing (HUD-VASH) vouchers, Supportive Services for Veteran Families (SSVF) grant program, and the Grants and Per Diem program to support the goal of ending homelessness among veterans and military families.
- **Public Health Funding:** Support continuation of existing funding to the Centers for Disease Control and Prevention's Public Health Emergency Preparedness (PHEP) and the U.S. Department of Health & Human Services' Prevention and Public Health Fund. These programs are critical to assisting public health departments with prevention activities, as well as efforts to prepare for responding to a range of public health threats.
- **Prevention Funding - Youth Development Funds:** Support current or increased levels of funding for Title 20 programs, which help the Oregon Department of Education fund additional PreventNet school-based sites in Clackamas County.
- **Medicaid Funding and Enrollment:** Support current levels or expanded Medicaid enrollment. Support maintaining the Children's Health Insurance Program (CHIP).
- **Housing, Tenant Rights, and Tools for Affordable Development:** Support new tools giving local jurisdictions the flexibility to encourage the development of affordable housing to serve households earning 60% of area median income and below.
- **Weatherization and Energy Assistance Programs:** Oppose funding reductions to the Department of Health & Human Services' Low Income Home Energy Assistance Program (LIHEAP) and the Department of Energy's Low Income Weatherization Assistance Program. Clackamas County receives approximately \$1 million per year in federal energy assistance to help meet the heat and electricity needs of more than 3,000 low-income households in the County.

Public Safety

- **Homeland Security Grant Program (HSGP):** Support the Homeland Security Grant Program (HSGP), which is a primary source of federal funding for building and sustaining national preparedness programs. HSGP funds activities in planning, organization, equipment purchasing, training, and exercises.
- **Hospital Preparedness Program (HPP):** Support the Hospital Preparedness Program (HPP), which provides federal funding for disaster preparedness planning for hospitals and health systems within the Metro region.
- **9-1-1 Funding:** Support legislation to improve operations, NextGen 9-1-1 development, and funding for 9-1-1 centers.

- **UASI Areas Security Initiative (UASI):** Support funding for the Urban Areas Security Initiative (UASI) program, which provides grants to assist high-threat, high-density urban areas in efforts to build and sustain the capabilities necessary to prevent, protect against, mitigate, respond to, and recover from acts of terrorism. These grants are key to enhancing the Portland metropolitan region's preparedness efforts for threats or acts of terrorism.
- **Emergency Management Performance Grant (EMPG):** Support continuation of grant funding for the Emergency Management Performance Grant (EMPG) Program as a stand-alone grant and process, which provides approximately \$208,000 annually to the County's emergency management program. EMPG is the backbone of the nation's emergency management system and provides key assistance in building and implementing the county's emergency management capabilities. The grant includes funding for staff and program materials for emergency management plan updates, relationship building, response, and recovery. It is important that funding continue in order to support local emergency management as the number and frequency of natural disasters in the United States continue to rise.
- **Earthquake Early Warning System for the West Coast:** Support additional federal funding to establish an earthquake early warning system in the Pacific Northwest that could help reduce risks associated with earthquakes, including a Cascadia Subduction Zone earthquake. The ShakeAlert system is estimated to cost \$38.3 million plus an additional \$16.1 million to operate and maintain the system annually, and would cover the West Coast States of California, Oregon, and Washington. To date, the system has received nearly \$20 million from the federal government and a private foundation.
- **Community Oriented Policing (COPS) Funding:** Support robust federal funding for Community Oriented Policing Services (COPS) grants to local governments. The Office of Community Oriented Policing Services, which advances the practice of community policing in law enforcement agencies, has awarded more than \$2.7 million in grant funding to Clackamas County since 1999. The Clackamas County Sheriff's Office has been a leader in creating and implementing innovative community policing strategies, as well as developing regional and interagency partnerships, which exemplify the types of investments the COPS program seeks to make.
- **First Responder Network Authority (FirstNet):** Support FirstNet, which was created by Congress in 2012 and is working to build, operate, and maintain the first high-speed, nationwide wireless broadband network dedicated to public safety. This network will be an essential tool to first responders on life-saving missions.
- **Juvenile Justice Grant Funding:** Support increased federal investment in juvenile justice programs. Federal appropriations to states, localities and tribes for key federal juvenile justice programs have been cut dramatically in the last decade: since 2002, funding for the Juvenile Justice and Delinquency Prevention Act (JJDP) Title II State Formula Grants Program has declined by 50%; funding for JJDP Title V Local Delinquency Prevention Grants Programs has been cut by nearly 80%; and funding for the Juvenile Accountability Block Grant Program (JABG) has been reduced by 90%. Despite the fiscal climate, federal funds to support state and local juvenile justice standards and improvements must be

considered essential investments. These monies support programs that are based in evidence, proven to prevent delinquency, and reduce recidivism and increase public safety - critical investments that are worth the cost.

- **Juvenile Justice and Delinquency Prevention Act (JJDP):** Support reauthorization of the Juvenile Justice and Delinquency Prevention Act (JJDP), which established the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to support local and state efforts to prevent delinquency and improve the juvenile justice system. Reauthorization is critical to providing research, resources, and application of best practices in juvenile justice throughout Clackamas County.

Transportation and Development

- **I-205 Congestion Relief and Safety Improvement Funding:** Advocate for federal funding to support an additional lane of capacity in each direction of I-205 from Stafford Road to OR 99E. The Oregon portion of I-205 is federally designated as a High Priority Corridor and is of vital importance to both the Portland metropolitan region and users statewide. Without additional travel lanes, this section of I-205 will be overwhelmed by forecasted traffic volumes and will negatively impact regional freight mobility.
- **Sunrise Phase II Funding:** Advocate for federal funding to support extension of the Sunrise Corridor from 122nd Ave. to 172nd Ave. or other operational enhancements that contribute to the entire Sunrise Corridor. This project is vital to improving access to thousands of acres of employment lands, many of which are ready for development.
- **Mt. Hood Cooper Spur Land Exchange:** Support efforts to finalize the Mt. Hood Cooper Spur land exchange, which will provide greater certainty for future development at Government Camp while permanently protecting new areas on the Mountain. This land exchange was initially authorized by the Omnibus Public Land Management Act of 2009.
- **Transportation Investment Generating Economic Recovery (TIGER) Funding:** Support the continuation of the federal TIGER grant program, which provides capital funding for large transportation projects.

Water Environment Services

- **Clean Water State Revolving Fund (CWSRF):** Support robust continued funding for the Clean Water State Revolving Fund (CWSRF) program, which is a federal-state partnership that provides communities a permanent, independent source of low-cost financing for a wide range of water quality infrastructure projects.
- **Clean Water Act:** Support efforts to revise EPA administrative rules on the Clean Water Act to lessen administrative burdens on NPDES permit holders while continuing to protect public health and water quality.

Willamette Falls Projects

- **Willamette Falls Legacy Project:** Support efforts to aid in the redevelopment of the 23-acre former Blue Heron paper mill site adjacent to Willamette Falls in Oregon City. Clackamas County has been working in partnership with Oregon City, Metro, and the

State of Oregon to explore the feasibility of redeveloping the site, which presents significant structural and environmental challenges. The site's location provides a rare opportunity for a unique economic redevelopment project that would complement and strengthen Oregon City's downtown and create a regionally-significant visitor amenity and historic tourist attraction to benefit the local economy.

- **Willamette Falls Locks:** Support the repairing and reopening of the Willamette Falls Locks to restore river navigation to the Willamette River. The Locks bridge the upper and lower stretches of the Willamette River, without which the Willamette becomes two disconnected rivers for navigation purposes.
- **Willamette Falls Heritage Area:** Support federal designation of the Willamette Falls National Heritage Area. Designation as a historic area will strengthen the identity of the historic working communities of Oregon City and West Linn by preserving and promoting their distinctive natural, cultural, scenic, recreational, and industrial resources. Clackamas County remains an active partner in the Willamette Falls Heritage Area Coalition and fully supports federal designation of the Willamette Falls as a National Heritage Area.
- **Willamette Falls Sea Lions:** Support efforts to address aggressive sea lions at Willamette Falls, which pose a danger to river users and are threatening endangered salmon runs and other fish species.