



December 9, 2021

Board of County Commissioners  
Clackamas County

Members of the Board:

Approval of Amendment #4 of the MOU between Business and Community Services and Hoodland Women's Club to extend time to transfer properties to a Local Park District upon its formation

<b>Purpose/Outcomes</b>	Amend the Memorandum of Understanding (MOU) between Clackamas County Business and Community Services (BCS) and the Hoodland Women's Club to allow additional time for the formation of a Park District and subsequent transfer of property from Clackamas County to the newly formed Park District.
<b>Dollar Amount and Fiscal Impact</b>	Upon successful formation of a Park District by the Hoodland Women's Club, BCS would transfer certain real properties to the Park District.
<b>Funding Source</b>	County owned property assets
<b>Duration</b>	February 1, 2018 through December 31, 2022
<b>Previous Board Action</b>	The Board of County Commissioners (BCC) approved the original MOU on February 1, 2018, Agenda Item E.1; BCC approved Amend #1 MOU on April 30, 2020, Agenda Item F.1; BCC approved Amend #2 MOU on October 15, 2020, Agenda item F.1; BCC approved Amend #3 MOU on July 15, 2021, Agenda item C.1
<b>Strategic Plan Alignment</b>	<ol style="list-style-type: none"> <li>1) This MOU supports the BCS goal of providing outdoor recreation, camping, and land stewardship services to residents and visitors so they can experience clean, safe and healthy recreation and natural resource opportunities in rural Clackamas County by providing the Hoodland area community with park lands for utilization by a newly formed Park District.</li> <li>2) This MOU supports County strategic priority to Honor, Utilize, Promote and Invest in our Natural Resources by providing county assets to a newly formed Park District so community members can benefit from the land and engage in outdoor recreation, contributing to the Policy Perspective of supporting a healthy and active lifestyle.</li> </ol>
<b>County Counsel Review</b>	County Counsel Review Date: 11/10/2021 Counsel Initials: ARN
<b>Procurement Review</b>	Was the item processed through procurement? N/A
<b>Contact Person</b>	Sarah Eckman, BCS Interim Director, 503-894-3135 Tom Riggs, BCS – County Parks Manager, 503-781-3137
<b>Contract No.</b>	N/A

**BACKGROUND:**

On February 1, 2018, the Board of County Commissioners approved Business & Community Services (BCS) to enter into an MOU with the Hoodland Women's Club through the November 2020 election. The MOU provided the recognition of time for Hoodland Women's Club (HWC) and the desire of Clackamas County, as approved by the Board of County Commissioners and County Parks Advisory Board, to transfer certain real properties to a local Park District upon its successful formation so that the community can self-determine and support the ongoing uses of the transferred real property assets. If district formation is not successful, BCS County Parks would move forward with the sale of these surplus assets as presented to the BCC in 2018. Since that time, the HWC and community have been working diligently to navigate the complex processes for district formation.

On April 30, 2020, the BCC approved an amendment to the MOU due to the COVID-19 pandemic creating challenges to organizing and getting the park district on the ballot as planned. Two additional amendments followed, with the new goal of getting the proposed district on the May 2022 ballot. BCS, in coordination with the Board of County Commissioners, has agreed to a fourth amendment to the MOU, extending it through December 31, 2022 to provide additional time for the park district to be placed on the ballot.

Should a Park District not be formed resulting in the properties not being transferred, BCS intends this to be the last extension granted for this purpose due to the need to transition the real properties to other purposes to reduce and/or eliminate ongoing operational and maintenance costs.

**RECOMMENDATION:**

Staff respectfully recommends the BCC approve the MOU amendment #4 through December 31, 2022, and clarify that this will be the final extension of this MOU.

**ATTACHEMENT:**

Amendment #4 to Memorandum of Understanding between Clackamas County Business and Community Services and the Hoodland Women's Club

Respectfully submitted,

A handwritten signature in blue ink that reads "Sarah Eckman". The signature is written in a cursive, flowing style.

Sarah Eckman  
Interim Director  
Business & Community Services

**AMENDMENT #4 TO MEMORANDUM OF UNDERSTANDING  
BETWEEN CLACKAMAS COUNTY BUSINESS AND  
COMMUNITY SERVICES AND  
AND THE HOODLAND WOMEN'S CLUB**

THIS AMENDMENT #4 is entered into by and between Clackamas County on behalf of its Department of Business and Community Services ("BCS"), a political subdivision of the State of Oregon, and the Hoodland Women's Club ("HWC") and shall become a part of that Memorandum of Understanding entered between the parties on February 1, 2018 (the "MOU").

**RECITALS**

WHEREAS, Clackamas County currently owns certain real properties known as Hoodland Park, 25400 East Salmon River Road in Welches Oregon. Specifically, the properties are known as the Dorman Center – Map 37E04AA03600 (2.71 acres) and 37E04AA03300 (1.24 acres), the Water Tower – Map 37E04 00903 (5.14 acres), and the Hunchback Strip – Map 37E04 00904 (10.62 acres);

WHEREAS, it is the intent and desire of Clackamas County, as acknowledged by the Board of County Commissioners and County Parks Advisory Board, to transfer the above referenced real property, consistent with applicable law, upon the successful formation of a Park District;

WHEREAS, the parties desire to extend the effective date of the MOU through December 31, 2022;

WHEREAS, the parties desire to further defer designation of the properties as surplus with the intention of selling for a period through December 31, 2022 to give time for the HWC to form and approve a Park District.

NOW, THEREFORE, in consideration of the mutual promises set forth below and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree to amend the Agreement as follows:

1. **General Provisions.** Section B.1 is hereby amended to provide a new deferral date, as set for below:

BCS will agree to defer designation of the properties as surplus with the intention of selling for a period through **December 31, 2022** to give time for the HWC to form and approve a Park District consistent with applicable law. Any further deferral is contingent upon written approval by the Clackamas County Board of Commissioners.

Except as expressly amended above, all other terms and conditions of the MOU shall remain in full force and effect. By signature below, the parties agree to this Amendment #4, effective upon the date of the last signature below.

**Clackamas County**

\_\_\_\_\_  
Chair, Board of County Commissioners

\_\_\_\_\_  
Date

**Hoodland Women's Club**

  
\_\_\_\_\_

Marci Slater, Committee Chair  
Hoodland Park District Petition Committee

11/21/21  
\_\_\_\_\_  
Date



December 9, 2021

Board of County Commissioners  
 Clackamas County

Members of the Board:

Approval of Local Grant Agreement Amendment #6 between Clackamas County and  
 Micro Enterprise Services of Oregon (MESO) for MESO to provide  
 a grant program on behalf of Clackamas County in support of the local  
small business community impacted by the COVID-19 pandemic

<b>Purpose/Outcomes</b>	Approve Local Grant Agreement Amendment #6 between Clackamas County and MESO for MESO to provide grants to the Clackamas County small business community.
<b>Dollar Amount and Fiscal Impact</b>	\$228,486 (CARES Act CFDA 20.019) and \$22,614 (State Lottery dollars) for programmatic and administrative expenditures allocated as follows: a) \$228,486 in State CARES Act dollars for grants to small businesses b) \$4,014 in State lottery dollars for grants to small businesses c) \$18,600 in State lottery dollars for administrative fees There are no general funds involved
<b>Funding Source</b>	- CARES Act funds issued to County by State of Oregon Department of Administrative Services - State Lottery dollars
<b>Duration</b>	Term and Effective Date. May 21, 2020 through December 31, 2021
<b>Previous Board Action</b>	<ul style="list-style-type: none"> <li>• Original agreement signed by the BCC on May 21, 2020, Agenda Item # E.1.</li> <li>• Amendment #1 signed by the BCC on July 16, 2020, Agenda Item # C.4.</li> <li>• Amendment #2 signed by BCS Director Laura Zentner on behalf of the BCC on August 26, 2020. Board agenda date August 20, 2020, Agenda Item # D.1.</li> <li>• Amendment #3 signed by BCC Chair Jim Bernard on December 17, 2020. Board agenda date December 17, 2020, Agenda Item # F.1.</li> <li>• Amendment #4 signed by BCC Chair Tootie Smith on June 16, 2021. Board agenda date June 16, 2021, Agenda Item # A.1.</li> <li>• Amendment #5 signed by BCC Chair Tootie Smith on September 23, 2021. Board agenda date September 23, 2021, Agenda Item # H.1.</li> </ul>
<b>Strategic Plan Alignment</b>	<ol style="list-style-type: none"> <li>1) This grant agreement amendment supports the BCS goal of giving businesses access to innovative tools and programs to help them locate or expand in Clackamas County. Providing grants to businesses impacted by COVID-19 will help them make it through the pandemic so they can operate/reopen under the new normal, and eventually expand as economic times improve.</li> <li>2) This grant agreement amendment supports the County strategic priority of Growing a Vibrant Economy by providing much needed assistance to Clackamas County small businesses so they can remain in business beyond the COVID-19 pandemic.</li> </ol>
<b>County Counsel Review</b>	County Counsel Review Date: December 7, 2021 Counsel Initials: ARN
<b>Procurement Review</b>	Was the item processed through procurement? No This agreement is a grant agreement, therefore is not subject to Procurement oversight.
<b>Contact Person</b>	Sarah Eckman, BCS Interim Director (503) 742-4303
<b>Contract No.</b>	BCS-20-038



## **BACKGROUND:**

Business and Community Services (BCS) has developed a program with MESO to provide economic and social assistance to Clackamas County small businesses affected by COVID-19. A key element of this program is providing much needed cash to businesses.

On behalf of Clackamas County, MESO has already completed multiple rounds of grants and provided over 1,000 grants to county small businesses. Amending our agreement with MESO will allow us to fund 31 additional grant applicants who were eligible in the June 2021 application period, but were not funded due to lack of dollars.

Award amounts are \$7,500. Businesses eligible for these funds had to meet the following criteria, and MESO will query them to confirm they still have eligible expenses and remain open for business:

- i. The business is headquartered in Clackamas County and has its principal operations in Clackamas County.
- ii. If required by Oregon law to be registered with the Oregon Secretary of State to do business in Oregon, the business is so registered.
- iii. The business is either for-profit or an entity tax-exempt under section 501(c)(3).
- iv. During the Performance Period, the business incurred necessary expenditures due to the COVID-19 public health emergency.

## **Responses to Board of County Commissioner Questions:**

Members of the Board asked several questions about the grant administration process during Administrator's Issues on December 7, 2021. Following is a summary of those questions and the responses from staff:

**Q: Which 31 businesses will receive grants and how will they be selected?**

A: MESO will establish a list of 31 businesses once a fully executed agreement is in place. Businesses without past awards from Clackamas County, and those owned by minorities/women/veterans will be prioritized for funding. A final list of recipients will be published once all recipients are confirmed.

**Q: Are there any non-profits on the list? How were they informed of the grant opportunity?**

A: Yes, there are non-profits on the list for consideration. Businesses and non-profits were informed of the grant opportunity through a variety of channels, including press release, social media posts, email notices via networks such as the Chambers of Commerce, Business Recovery Centers, Clackamas County Economic Development Commission and Community Partners Roundtable.

**Q: What assistance has the County given out to businesses impacted by the COVID-19 pandemic?**

A: Approximately \$8,000,000 in grants has been distributed to small businesses. Other resources provided by the County include six Business Recovery Centers, scholarships at Clackamas Community College, Environmental Health fee waivers, temporary business zoning modifications, a *Who's Open?* business map and free Personal Protective Equipment.

**Q: What kind of businesses are receiving grants?**

A: The highest number of businesses are in the food and beverage industry. Other businesses fall within a variety of industries, including: agriculture, beauty/personal care, childcare, construction, education, health and medical, professionals and recreation. A list of all grant recipients will be published once all grants are confirmed.

## **RECOMMENDATION:**

Staff respectfully recommends the BCC approve grant agreement amendment #6 with MESO.

## **ATTACHMENT:**

Local Grant Agreement Amendment #6 between Clackamas County and Micro Enterprise Services of Oregon (MESO)

Respectfully submitted,



Sarah Eckman  
Interim Director, Business & Community Services

Federal and State Subrecipient Agreement Amendment (FY 21-22)

**Business & Community Services**

Subrecipient Grant Agreement Number No. 20-038

Board Order Number:

Department/Division: Business & Community Services

Amendment No. 6

Recipient: Micro Enterprise Services of Oregon

Amendment Requested By: Business & Community Services

**Approved as to form:**

\_\_\_\_\_  
County Counsel

\_\_\_\_\_  
Date

Changes:  Work Plan

Agreement Budget

Agreement Term

Other: Add federal terms and conditions

**Justification for Amendment:**

This Amendment #6 is entered into between Micro Enterprise Services of Oregon (“Subrecipient”) and Clackamas County (“County”) and shall become part of that Subrecipient Grant Agreement (“Agreement”). This Amendment #6 adds additional funds to extend business relief payments, adding additional CARES and State Lottery dollars. This Amendment adds to the maximum compensation.

Maximum compensation is increased by \$251,100 for a revised maximum of \$8,376,042. This Amendment #6 becomes effective upon signature. The purpose of this Amendment #5 is to make the following changes to the Agreement:

1. **Section 4, Grant Funds**, is hereby replaced with the following (changes in italics):

**Grant Funds.** The maximum, not to exceed, grant amount COUNTY will pay is **\$8,376,042**. Disbursements will be made in accordance with the schedule and requirements contained in Exhibit D: Required Financial Reporting and Payment Request. Failure to comply with the terms of this Agreement may result in withholding of payment. Funding on this award is sourced as follows:

**4.1 CARES Act (Catalogue of Federal Domestic Assistance [CFDA] #: 21.019)** issued to COUNTY by DAS and the U.S. Department of the Treasury (Federal Award Identification #: Unavailable) and reserved for small business grant payments: **\$311,000**.

**4.2 COUNTY State Lottery dollars** reserved for technical assistance, online tool development, and administration fees: **\$317,420**.

**4.3 COVID-19 Emergency Business Assistance Program Forgivable Loan dollars** entered into between the County and the State of Oregon (“State Business Assistance Loan”) (Loan Agreement No. C2020197), reserved for small business grant payments: **\$45,000**

- 4.4 **Second COVID-19 Emergency Business Assistance Program Forgivable Loan** (*Catalogue of Federal Domestic Assistance [CFDA] #: 21.019*) entered into between the County and the State of Oregon (“Second State Business Assistance Loan”) (Loan Agreement No. C2020385), reserved for small business grant payments: **\$155,000**
- 4.5 **CARES Act (Catalogue of Federal Domestic Assistance [CFDA] #: 21.019)** issued to County by DAS and the U.S. Department of the Treasury (Federal Award Identification #: Unavailable; State grant #2503) and reserved for small business grant payments and administration fees: **\$4,179,636**.
- 4.6 **CARES Act (Catalogue of Federal Domestic Assistance [CFDA] #: 21.019)** issued to County by DAS and the U.S. Department of the Treasury (Federal Award Identification #: Unavailable) and reserved for small business grant payments and administration fees: **\$672,000**. (Added via Amendment #4)
- 4.7 **CARES Act (Catalogue of Federal Domestic Assistance [CFDA] #: 21.019)** issued to County by DAS and the U.S. Department of the Treasury (Federal Award Identification #: SLT0038) and reserved for small business grant payments and administration fees: **\$2,467,500**. (Added via Amendment #5)
- 4.8 **CARES Act (Catalogue of Federal Domestic Assistance [CFDA] #: 21.019)** issued to County by DAS and the U.S. Department of the Treasury (Federal Award Identification #: SLT0038) and reserved for small business grant payments: **\$228,486**. (Added via Amendment #6)

2. **Section 5, Disbursements**, is hereby amended to add the following:

- 5.6 \$228,486 (CARES Act **CFDA 20.019**) for small grants to small businesses pursuant to the terms and conditions of the CARES Act payable upon execution. SUBRECIPIENT must invoice COUNTY to receive advanced payment of the amounts listed in this section (5.6).
- 5.7 \$4,014 in State lottery dollars for additional small grants to small businesses.
- 5.8 \$18,600 in State lottery dollars for administrative fees.

3. **Exhibit A, Statement of Program Objectives**, the following language is hereby added to this Exhibit:

CARES Act funds (\$251,100) added to this Agreement in Amendment #6 will be disbursed by SUBRECIPIENT to Clackamas County businesses via the following method:

- a) **Fund Unfunded Grant Applications:** SUBRECIPIENT will fund 31, \$7,500 grant applications received under Clackamas County’s prior grant application period(s) that were not funded due to applications in excess of the available grant funding. In funding the 31 grants, SUBRECIPIENT will continue to use its prior grant application process and distribute the funds provided by this Amendment #6 to business that meet the following eligibility criteria:
  - 4.4.1 The business is headquartered in Clackamas County and has its principal operations in Clackamas County.
  - 4.4.2 If required by Oregon law to be registered with the Oregon Secretary of State to do business in Oregon, the business is so registered.
  - 4.4.3 The business is either for-profit or an entity tax-exempt under section 501(c)(3) of the Internal Revenue Code.
  - 4.4.4 During the Performance Period, the business incurred necessary expenditures due to the COVID-19 public health emergency, including

those necessary expenditures incurred in response to Grantee's return to an "Extreme Risk" level effective as of April 30, 2021.

The following businesses are **ineligible** to apply for or receive funding under this Amendment #6:

- 1) Passive real estate holding companies and entities holding passive investments.
- 2) Non-profit entities that do not have federal 501(c)(3) status.
- 3) Businesses that experience a decline in revenues for reasons other than those caused by the COVID-19 pandemic (e.g. seasonal or cyclical businesses cycles).
- 4) Businesses that are delinquent on federal, state or local taxes that were due on or before the date of application.
- 5) Businesses that do not comply with all federal, state and local laws and regulations.
- 6) Businesses that have closed and do not intend to reopen.

5 **Exhibit B, Program Budget** is hereby replaced with the following amended budget (changes in italics):

	CARES (CFDA 21.019)	Lottery (Local funding)	State # C202197	CARES (CFDA 21.019) C2020385	Total
Program Assistance	<i>7,432,095</i>	<i>4,014</i>	45,000	<i>155,000</i>	<i>7,636,109</i>
Technical Assistance		100,000			100,000
Online tools		1,500			1,500
Admin Fee	<i>426,527</i>	<i>211,906</i>			<i>638,433</i>
<b>Total</b>	<i>7,858,622</i>	<i>317,420</i>	45,000	<i>155,000</i>	<b><i>8,376,042</i></b>

Except as amended hereby, all other terms and conditions of the Agreement remain in full force and effect.

*[Signature page follows]*



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IN WITNESS WHEREOF, the parties hereto have caused this Amendment #6 to be executed by their duly authorized officers.

**Micro Enterprise Services of Oregon**

4008 NE MLK Jr. Blvd.  
Portland, OR 97212

**CLACKAMAS COUNTY**

Commissioner: Tootie Smith, Chair

Commissioner: Sonya Fischer

Commissioner: Mark Shull

Commissioner: Paul Savas


Commissioner: Martha Schrader

**Signing on behalf of the Board:**

Cobi Lewis

Name: \_\_\_\_\_

Title: Executive Director \_\_\_\_\_

Signed:  \_\_\_\_\_

Dated: 12 / 08 / 2021 \_\_\_\_\_

\_\_\_\_\_  
Tootie Smith, Chair

Dated: \_\_\_\_\_

<b>TITLE</b>	Clackamas and MESO Amendment 6: Additional Grant Recipient...
<b>FILE NAME</b>	20-038 A.6 - FINA...t - additiona.pdf
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<b>STATUS</b>	● Completed

## Document History



SENT

**12 / 08 / 2021**  
19:43:51 UTC

Sent for signature to Cobi Lewis (clewis@mesopdx.org) from intakes@mesopdx.org  
IP: 50.53.198.221



VIEWED

**12 / 08 / 2021**  
19:44:42 UTC

Viewed by Cobi Lewis (clewis@mesopdx.org)  
IP: 172.56.42.19



SIGNED

**12 / 08 / 2021**  
19:46:28 UTC

Signed by Cobi Lewis (clewis@mesopdx.org)  
IP: 172.56.42.19



COMPLETED

**12 / 08 / 2021**  
19:46:28 UTC

The document has been completed.