



BOARD OF COMMISSIONERS

BOARD OF COUNTY COMMISSIONERS MEETING

1:00 PM, MONDAY, OCTOBER 04, 2021

Barnes Sawyer Rooms - Deschutes Services Bldg - 1300 NW Wall St – Bend

(541) 388-6570 | www.deschutes.org

AGENDA

MEETING FORMAT

In response to the COVID-19 public health emergency, Oregon Governor Kate Brown issued Executive Order 20-16 (later enacted as part of HB 4212) directing government entities to utilize virtual meetings whenever possible and to take necessary measures to facilitate public participation in these virtual meetings. Since May 4, 2020, meetings and hearings of the Deschutes County Board of Commissioners have been conducted primarily in a virtual format. Effective June 30, 2021, COVID-based restrictions have been discontinued.

Attendance/Participation options include: A) In Person Attendance and B) Live Stream Video: Members of the public may still view the BOCC meetings/hearings in real time via the Public Meeting Portal at www.deschutes.org/meetings.

Citizen Input: Citizen Input is invited in order to provide the public with an opportunity to comment on any meeting topic that is not on the current agenda. Citizen Input is provided by submitting an email to: citizeninput@deschutes.org or by leaving a voice message at 541-385-1734. Citizen input received by 8:00 a.m. before the start of the meeting will be included in the meeting record.

Zoom Meeting Information: Staff and citizens that are presenting agenda items to the Board for consideration or who are planning to testify in a scheduled public hearing may participate via Zoom meeting. The Zoom meeting id and password will be included in either the public hearing materials or through a meeting invite once your agenda item has been included on the agenda. Upon entering the Zoom meeting, you will automatically be placed on hold and in the waiting room. Once you are ready to present your agenda item, you will be unmuted and placed in the spotlight for your presentation. If you are providing testimony during a hearing, you will be placed in the waiting room until the time of testimony, staff will announce your name and unmute your connection to be invited for testimony. Detailed instructions will be included in the public hearing materials and will be announced at the outset of the public hearing.

For Public Hearings, the link to the Zoom meeting will be posted in the Public Hearing Notice as well as posted on the Deschutes County website at <https://www.deschutes.org/bcc/page/public-hearing-notices>.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ACTION ITEMS

- [1.](#) **1:00 PM** Consideration of Hazard Mitigation Assistance Pre-Application Form and Letter of Intent on behalf of Mid-State Electric
- [2.](#) **1:20PM** Rescinding Resolution 2021-051 and ending fire restrictions on County owned lands and unprotected lands
- [3.](#) **1:30PM** Consideration of Board Approval to Apply for Birth Certificate Grant Program
- [4.](#) **1:45 PM** House Bill 3295 / Marijuana Tax Revenue / Cannabis Advisory Panel

OTHER ITEMS

These can be any items not included on the agenda that the Commissioners wish to discuss as part of the meeting, pursuant to ORS 192.640.

EXECUTIVE SESSION

At any time during the meeting, an executive session could be called to address issues relating to ORS 192.660(2)(e), real property negotiations; ORS 192.660(2)(h), litigation; ORS 192.660(2)(d), labor negotiations; ORS 192.660(2)(b), personnel issues; or other executive session categories.

Executive sessions are closed to the public; however, with few exceptions and under specific guidelines, are open to the media.

ADJOURN



Deschutes County encourages persons with disabilities to participate in all programs and activities. This event/location is accessible to people with disabilities. If you need accommodations to make participation possible, please call (541) 617-4747.



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: October 4, 2021

SUBJECT: Consideration of Hazard Mitigation Assistance Pre-Application Form and Letter of Intent on behalf of Mid-State Electric

BACKGROUND AND POLICY IMPLICATIONS:

Mid-State Electric Cooperative requested the County submit a pre-application to the State of Oregon to be considered eligible to apply for the Building Resilient Infrastructure and Communities (BRIC) grant, which is a Hazard Mitigation Assistance Grant Program. This grant would fund infrastructure improvements to increase the resilience of the electrical infrastructure in Southern Deschutes County and Northern Klamath County.

The first applications would Fund a new Power Substation that would provide a new source for the two counties and Back up source for PAC and CEC.

The Second Application would rebuilding the Transmission Line from this Substation to MEC's Gilchrist Substation.

Next year MEC and CEC and possibly PAC will be applying to complete this project of Improving the 69 KV Transmission intertie point in Bend upgrading the Transmission Lines from Sunriver through Bend to Tumalo .

If a later application is submitted and approved, Deschutes County would serve as the sub-applicant for Mid-State Electric Cooperative as a consumer owned utility. The projects covered through this grant application include projects to be completed in both Deschutes and Klamath County.

ATTENDANCE:

Nathan Garibay, Emergency Services Manager, Deschutes County Sheriff's Office

Jim Anderson, Midstate Electric Cooperative GM/CEO

Thomas Weller, Midstate Electric Cooperative Electric Engineering Manager

Hazard Mitigation Assistance Pre-Application Form/Letter of Intent

Submitting this form ensures that your proposal is reviewed by the Mitigation Team. This document is the first step in the grant subapplication process. By submitting this form alone, it **does not guarantee funding**. To be considered for the grant funding, complete this form and submit it to shmo@mil.state.or.us. This form will also be used for the Interagency Hazard Mitigation Team (IHMT) review panel if/when activated for applicable grant program/grant round (shaded boxes to the right are for official use only for scoring/ranking pre-applications).

A. Hazard Mitigation Assistance Grant Programs

Select the grant program you are seeking funding under (*select one*):

- ☒ **Pre-Disaster (Annual):** Building Resilient Infrastructure and Communities (BRIC)
- ☐ **Pre-Disaster (Annual):** Flood Mitigation Assistance (FMA)
- ☐ **Post-Disaster:** Hazard Mitigation Grant Program (HMGP): [Click here to enter text.](#)
- ☐ **Post-Disaster:** Hazard Mitigation Grant Program (HMGP) Post Fire (PF): [Click here to enter text.](#)

B. Activity Type

Select the applicable activity type you are pursuing (*select all that apply*):

BRIC

- ☐ Capability- and Capacity-Building
- ☐ Project Scoping
- ☐ Building Codes
- ☐ Partnerships
- ☐ Planning
- ☒ Mitigation Project
- ☐ Technical Assistance

FMA

- ☐ Project Scoping
- ☐ Community Flood Mitigation Project
- ☐ Flood Hazard Mitigation Planning
- ☐ Individual Flood Mitigation Project
- ☐ Technical Assistance

HMGP and HMGP-PF

- ☐ Advance Assistance
- ☐ Plan
- ☐ Project
- ☐ 5 Percent Initiative

C. Subapplicant Information

1. County or Tribal Land your entity is based in: [Deschutes/Klamath](#)

2. Select the type of entity you fall under that is seeking HMA funding (*select one*):

- ☐ State Government ☐ Tribal Government
- ☒ Local Government ☐ Private Nonprofit (PNP)
- ☐ Special District ☒ Other [Consumer Owned Electric Cooperative](#)

3. Subapplicant: [Deschutes County](#)

Point of Contact Name and Job Title: [Nathan Garibay, Emergency Manager](#)

Phone Number: [541.617.3303](#)

E-mail Address: nathan.garibay@deschutes.org

Street Address: [63333 Hwy 20W](#)

City: [Bend](#)

State: [Oregon](#) Zip: [97703](#)

D. Mitigation Plan

1. Identify which FEMA-approved hazard mitigation plan your entity is included in below.

Plan Name: [Deschutes County Multi-Jurisdictional NHMP](#)

Expiration Date: [10/31/2026](#)

2. If this is a **proposal for a planning-related activity**, please identify Plan Type you will be pursuing funding for (*select one*):

- ☐ State Hazard Mitigation Plan ☐ Tribal Hazard Mitigation Plan
- ☐ Local Hazard Mitigation Plan ☐ Tribal (Local) Hazard Mitigation Plan
- ☐ Local Multijurisdictional Hazard Mitigation Plan ☐ Tribal (Local) Multijurisdictional Hazard Mitigation Plan
- ☐ Never had a Hazard Mitigation Plan ☐ Other planning-related activity: [Click here to enter text.](#)

E. Proposal

Proposal Title: 239-115kV substation backfeed with BPA, MEC, and PacifiCorp

Estimated Overall/Total Cost: **\$12,000,000.00**

Do you anticipate a non-federal cost share exceeding 25%?

☐ Yes ☒ No ☐ Unsure

If yes, please provide a brief narrative and estimated percentage your jurisdiction intends on putting forth for the local cost share/match: [Click here to enter text.](#)

Estimated Local Management Cost (is up to 5% of the amount listed above): **\$600,000.00**

Brief Proposal Description: [The 2020 wildfire season was the most devastating on record for state of Oregon.. The 2020 wildfires interrupted power to all of Midstate Electric Coops' customers. This project is to build redundancy to the electric power grid substation, that will tie in backfeeds to BPA and PacifiCorp systems which would allow for PSPS operations and shedding of power to minimize the outages. This will be a 230-115kV substation for the backfeed.](#)

F. Community Lifelines

Select all applicable community lifelines that your proposal will reduce risk to:

- ☒ **Safety and Security** (law enforcement/security, fire services, search and rescue, government services, and community safety)
- ☒ **Food, Water, Shelter** (food, water, shelter, agriculture)
- ☒ **Health and Medical** (medical care, patient movement, public health, fatality management, medical supply chain)
- ☒ **Energy** (power (grid) and fuel)
- ☒ **Communications** (infrastructure, alerts, warnings, and messages, 911 and dispatch, responder communications, finance)
- ☒ **Transportation** (highway, roadway, motor vehicle, mass transit, railway, aviation, maritime)
- ☐ **Hazardous Material** (facilities, HAZMAT, pollutants, contaminants)
- ☐ **Not Applicable**

G. Natural Hazards

Select all applicable natural hazards that your proposal will reduce/mitigate the risk of:

- | | | |
|--|------------------------------------|--|
| <input type="checkbox"/> Coastal Erosion | <input type="checkbox"/> Heat Wave | <input checked="" type="checkbox"/> Wildfire |
| <input type="checkbox"/> Drought | <input type="checkbox"/> Landslide | <input checked="" type="checkbox"/> Windstorm |
| <input type="checkbox"/> Earthquake | <input type="checkbox"/> Tsunami | <input checked="" type="checkbox"/> Winter Storm |
| <input type="checkbox"/> Flood | <input type="checkbox"/> Volcano | <input type="checkbox"/> Other: Please specify |

H. Climate Change

Will this proposal enhance climate change adaptation and resilience?

Climate change is defined as "Changes in average weather conditions that persist over multiple decades or longer. Climate change encompasses both increases and decreases in temperature, as well as shifts in precipitation, changing risk of certain types of severe weather events, and changes to other features of the climate system."

☒ Yes ☐ No ☐ Unsure ☐ Not Applicable

- If yes, please provide brief description how your proposal will enhance climate change adaptation and resilience: [Building redundancy to the power grid with enhanced mitigation strategies that are resilient to wildfires. The increased frequency and length of droughts and extreme winter weather events in the west provide much risk of outages. This project will keep power on during these critical events. With the ever-increasing climate changes temperatures in the region are higher and there are fewer opportunities for precipitation, this project will reduce the risk to critical infrastructure. Project includes "green" solutions, Will benefit a major natural gas pipeline Could include fiber communications to benefit underserved internet in the area.](#)

I. National Floodplain Insurance Program (NFIP)

Does this proposal involve mitigating a National Floodplain Insurance Program (NFIP) property?

The National Flood Insurance Program (NFIP) aims to reduce the impact of flooding on private and public structures. It does so by encouraging communities to adopt and enforce floodplain management regulations. In exchange, flood insurance is made available to property owners and renters. These efforts help mitigate the effects of flooding on new and improved structures.

☐ Yes ☒ No ☐ Unsure ☐ Not Applicable

If yes, please provide further information regarding the property (is the property in a Special Flood Hazard Area, is it considered a Severe Repetitive Loss Property or a Repetitive Loss Property, etc.): [Click here to enter text.](#)

J. Community

Select all items listed below that are applicable to the community that the proposal will benefit:

- | | | |
|--|---|---|
| <input type="checkbox"/> Limited water and sanitation access and affordability | <input type="checkbox"/> High unemployment and underemployment | <input type="checkbox"/> High housing cost burden and substandard housing |
| <input type="checkbox"/> High and/or persistent poverty | <input type="checkbox"/> Low income | <input type="checkbox"/> Limited access to health care |
| <input checked="" type="checkbox"/> Rural community | <input type="checkbox"/> Linguistic isolation | <input checked="" type="checkbox"/> Distressed neighborhoods |
| <input type="checkbox"/> Jobs lost through the energy transition | <input checked="" type="checkbox"/> Disproportionate impacts from climate | <input type="checkbox"/> All geographic areas within Tribal jurisdictions |
| <input type="checkbox"/> High energy cost burden and low energy access | <input type="checkbox"/> High transportation cost burden and/or low transportation access | <input type="checkbox"/> Disproportionate environmental stressor burden and high cumulative impacts |
| <input type="checkbox"/> Racial and ethnic segregation particularly where the segregation stems from discrimination by government entities | <input type="checkbox"/> Not Applicable | |

K. Additional Information

1. Is this an infrastructure project?

Infrastructure is defined as critical physical structures, facilities, and systems that provide support to a functioning community, its population, and its economy.

☒ Yes ☐ No ☐ Unsure ☐ Not Applicable

If yes, please provide further information regarding what type of infrastructure: [Electric Power Grid that powers essential services throughout the communities that Midwest Electric Cooperative provides services to.](#)

2. Does this project incorporate nature-based solutions?

Nature-based solutions are sustainable planning, design, environmental management, and engineering practices that weave natural features or processes into the built environment to promote adaptation and resilience. Such solutions enlist natural features and processes in efforts to combat climate change, reduce flood risks, improve water quality, protect coastal property, restore and protect wetlands, stabilize shorelines, reduce urban heat, add recreational space, and more.

☐ Yes ☒ No ☐ Unsure ☐ Not Applicable

If yes, please describe how it will incorporate nature-based solutions: [Click here to enter text.](#)

3. Does your entity have Building Code Effectiveness Grading Schedule (BCEGS) Rating of 1 to 5?

The Building Code Effectiveness Grading Schedule (BCEGS®) assesses the building codes in effect in a particular community and how the community enforces its building codes, with special emphasis on mitigation of losses from natural hazards. For more information regarding this question, please go to <https://www.isomitigation.com/bcegs/>.

☐ Yes ☐ No ☐ Unsure ☒ Not Applicable

If yes, please provide more information regarding your rating:

4. Is this proposal from a previous FEMA HMA advance assistance or project scoping award, High Hazard Potential Dams (HHPD) award, or DHS Cybersecurity and Infrastructure Security Agency's (CISA) Regional Resiliency Assessment Program (RRAP), or a previous recipient of BRIC non-financial Direct Technical Assistance?

☐ Yes ☒ No ☐ Unsure ☐ Not Applicable

If yes, please identify which award and brief description: [Click here to enter text.](#)

5. Does this proposal increase resilience and reduce risk of injuries, loss of life, and damage and destruction of property, including critical services, and facilities?

☒ Yes ☐ No ☐ Unsure ☐ Not Applicable

If yes, please briefly describe how the project will effectively reduce risk and increase resilience, realize benefits, and leverage innovation. Potential benefits could include how this project will address inequities and provide the greatest support to those with greatest need: [This project will prevent loss of power to all citizens in the communities that are tied to this sector of electrical power grid. Without power there is potential of risk to human Health and Safety, inability to provide essential needs for survival with water and food, fuel, and heat. This will service all citizens.](#)

6. Will this proposal utilize innovative techniques to facilitate implementation?

☐ Yes ☒ No ☐ Unsure ☐ Not Applicable

If yes, please provide brief description on how you intend to implement this proposal: [Click here to enter text.](#)

7. Will this proposal include an outreach strategy?

☐ Yes ☐ No ☒ Unsure ☐ Not Applicable

If yes, please provide brief description how your proposal will enhance climate change adaptation and resilience: [Click here to enter text.](#)

8. Will your entity be incorporating any partnerships (e.g., state, tribal, private, local community, etc.) that will ensure the proposal meets community needs, including those of disadvantaged populations?

☒ Yes ☐ No ☐ Unsure ☐ Not Applicable

If yes, please provide brief description how your proposal will incorporate partnerships and what is the anticipated outcome of those partnerships (e.g., leveraging resources such as financial, material, and educational resources, coordinating multi-jurisdictional projects, heightened focus on equity related issues, etc.): Midstate Electric Cooperative will be partnering with Bonneville Power Administration and PacifiCorp through Deschutes County to build in the redundancy to the system from substation to transmission lines. This will be a multi-jurisdictional project that will impact many communities with more resilient power system to protect Human Health and Safety as well as economic security.

(For official use only)

Total Pre-application Score:

Hazard Mitigation Assistance Pre-Application Form/Letter of Intent

Submitting this form ensures that your proposal is reviewed by the Mitigation Team. This document is the first step in the grant subapplication process. By submitting this form alone, it **does not guarantee funding**. To be considered for the grant funding, complete this form and submit it to shmo@mil.state.or.us. This form will also be used for the Interagency Hazard Mitigation Team (IHMT) review panel if/when activated for applicable grant program/grant round (shaded boxes to the right are for official use only for scoring/ranking pre-applications).

A. Hazard Mitigation Assistance Grant Programs

Select the grant program you are seeking funding under (*select one*):

- ☒ **Pre-Disaster (Annual):** Building Resilient Infrastructure and Communities (BRIC)
- ☐ **Pre-Disaster (Annual):** Flood Mitigation Assistance (FMA)
- ☐ **Post-Disaster:** Hazard Mitigation Grant Program (HMGP): [Click here to enter text.](#)
- ☐ **Post-Disaster:** Hazard Mitigation Grant Program (HMGP) Post Fire (PF): [Click here to enter text.](#)

B. Activity Type

Select the applicable activity type you are pursuing (*select all that apply*):

BRIC

- ☐ Capability- and Capacity-Building
- ☐ Project Scoping
- ☐ Building Codes
- ☐ Partnerships
- ☐ Planning
- ☒ Mitigation Project
- ☐ Technical Assistance

FMA

- ☐ Project Scoping
- ☐ Community Flood Mitigation Project
- ☐ Flood Hazard Mitigation Planning
- ☐ Individual Flood Mitigation Project
- ☐ Technical Assistance

HMGP and HMGP-PF

- ☐ Advance Assistance
- ☐ Plan
- ☐ Project
- ☐ 5 Percent Initiative

C. Subapplicant Information

1. County or Tribal Land your entity is based in: [Deschutes/Klamath](#)

2. Select the type of entity you fall under that is seeking HMA funding (*select one*):

- ☐ State Government ☐ Tribal Government
- ☒ Local Government ☐ Private Nonprofit (PNP)
- ☐ Special District ☐ Other

3. Subapplicant: [Deschutes County](#)

Point of Contact Name and Job Title: [Nathan Garibay, Emergency Manager](#)

Phone Number: [541.617.3303](#)

E-mail Address: nathan.garibay@deschutes.org

Street Address: [63333 Hwy 20W](#)

City: [Bend](#)

State: [Oregon](#) Zip: [97703](#)

D. Mitigation Plan

1. Identify which FEMA-approved hazard mitigation plan your entity is included in below.

Plan Name: [Deschutes County Multi-Jurisdictional NHMP](#)

Expiration Date: [10/31/2021](#)

2. If this is a **proposal for a planning-related activity**, please identify Plan Type you will be pursuing funding for (*select one*):

- ☐ State Hazard Mitigation Plan ☐ Tribal Hazard Mitigation Plan
- ☐ Local Hazard Mitigation Plan ☐ Tribal (Local) Hazard Mitigation Plan
- ☐ Local Multijurisdictional Hazard Mitigation Plan ☐ Tribal (Local) Multijurisdictional Hazard Mitigation Plan
- ☐ Never had a Hazard Mitigation Plan ☐ Other planning-related activity: [Click here to enter text.](#)

E. ProposalProposal Title: **115kV Loop Feed to Gilchrist Substation**Estimated Overall/Total Cost: **\$12,000,000.00**

Do you anticipate a non-federal cost share exceeding 25%?

☐ Yes

 ☒ No

 ☐ Unsure

If yes, please provide a brief narrative and estimated percentage your jurisdiction intends on putting forth for the local cost share/match: [Click here to enter text.](#)

Estimated Local Management Cost (is up to 5% of the amount listed above): **\$600,000.00**

- Brief Proposal Description: **The 2020 wildfire season was the most devastating on record for state of Oregon. The 2020 wildfires interrupted power to all of Midstate Electric Coops' customers. This project is to build redundancy to the electric power grid substations, that services the customer base in the region and build fire harden system to have resiliency in the system to protect the community. 69kV to 115kV conversion, Fire harden line, convert 3 other substation to 115kV, and Enhances reliability**

F. Community LifelinesSelect all applicable community lifelines that your proposal will reduce risk to:

- ☒ **Safety and Security** (law enforcement/security, fire services, search and rescue, government services, and community safety)
- ☒ **Food, Water, Shelter** (food, water, shelter, agriculture)
- ☒ **Health and Medical** (medical care, patient movement, public health, fatality management, medical supply chain)
- ☒ **Energy** (power (grid) and fuel)
- ☒ **Communications** (infrastructure, alerts, warnings, and messages, 911 and dispatch, responder communications, finance)
- ☒ **Transportation** (highway, roadway, motor vehicle, mass transit, railway, aviation, maritime)
- ☐ **Hazardous Martial** (facilities, HAZMAT, pollutants, contaminants)
- ☐ **Not Applicable**

G. Natural HazardsSelect all applicable natural hazards that your proposal will reduce/mitigate the risk of:

- | | | |
|--|------------------------------------|--|
| <input type="checkbox"/> Coastal Erosion | <input type="checkbox"/> Heat Wave | <input checked="" type="checkbox"/> Wildfire |
| <input type="checkbox"/> Drought | <input type="checkbox"/> Landslide | <input checked="" type="checkbox"/> Windstorm |
| <input type="checkbox"/> Earthquake | <input type="checkbox"/> Tsunami | <input checked="" type="checkbox"/> Winter Storm |
| <input type="checkbox"/> Flood | <input type="checkbox"/> Volcano | <input type="checkbox"/> Other: Please specify |

H. Climate Change

Will this proposal enhance climate change adaptation and resilience?

Climate change is defined as "Changes in average weather conditions that persist over multiple decades or longer. Climate change encompasses both increases and decreases in temperature, as well as shifts in precipitation, changing risk of certain types of severe weather events, and changes to other features of the climate system."

☒ Yes

 ☐ No

 ☐ Unsure

 ☐ Not Applicable

- If yes, please provide brief description how your proposal will enhance climate change adaptation and resilience: [Building redundancy to the power grid with enhanced mitigation strategies that are resilient to wildfires. The increased frequency and length of droughts and extreme winter weather events in the west provide much risk of outages. This project will keep power on during these critical events. With the ever-increasing climate changes temperatures in the region are higher and there are fewer opportunities for precipitation, this project will reduce the risk to critical infrastructure. Could include fiber communications to benefit underserved internet in the area.](#)

I. National Floodplain Insurance Program (NFIP)

Does this proposal involve mitigating a National Floodplain Insurance Program (NFIP) property?

The National Flood Insurance Program (NFIP) aims to reduce the impact of flooding on private and public structures. It does so by encouraging communities to adopt and enforce floodplain management regulations. In exchange, flood insurance is made available to property owners and renters. These efforts help mitigate the effects of flooding on new and improved structures.

☐ Yes ☒ No ☐ Unsure ☐ Not Applicable

If yes, please provide further information regarding the property (is the property in a Special Flood Hazard Area, is it considered a Severe Repetitive Loss Property or a Repetitive Loss Property, etc.): [Click here to enter text.](#)

J. Community

Select all items listed below that are applicable to the community that the proposal will benefit:

- | | | |
|--|---|---|
| <input type="checkbox"/> Limited water and sanitation access and affordability | <input type="checkbox"/> High unemployment and underemployment | <input type="checkbox"/> High housing cost burden and substandard housing |
| <input type="checkbox"/> High and/or persistent poverty | <input type="checkbox"/> Low income | <input type="checkbox"/> Limited access to health care |
| <input checked="" type="checkbox"/> Rural community | <input type="checkbox"/> Linguistic isolation | <input checked="" type="checkbox"/> Distressed neighborhoods |
| <input type="checkbox"/> Jobs lost through the energy transition | <input checked="" type="checkbox"/> Disproportionate impacts from climate | <input type="checkbox"/> All geographic areas within Tribal jurisdictions |
| <input type="checkbox"/> High energy cost burden and low energy access | <input type="checkbox"/> High transportation cost burden and/or low transportation access | <input type="checkbox"/> Disproportionate environmental stressor burden and high cumulative impacts |
| <input type="checkbox"/> Racial and ethnic segregation particularly where the segregation stems from discrimination by government entities | <input type="checkbox"/> Not Applicable | |

K. Additional Information

1. Is this an infrastructure project?

Infrastructure is defined as critical physical structures, facilities, and systems that provide support to a functioning community, its population, and its economy.

☒ Yes ☐ No ☐ Unsure ☐ Not Applicable

If yes, please provide further information regarding what type of infrastructure: [Electric Power Grid that powers essential services throughout the communities that Midstate Electric Cooperative provides services to.](#)

2. Does this project incorporate nature-based solutions?

Nature-based solutions are sustainable planning, design, environmental management, and engineering practices that weave natural features or processes into the built environment to promote adaptation and resilience. Such solutions enlist natural features and processes in efforts to combat climate change, reduce flood risks, improve water quality, protect coastal property, restore and protect wetlands, stabilize shorelines, reduce urban heat, add recreational space, and more.

☐ Yes ☒ No ☐ Unsure ☐ Not Applicable

If yes, please describe how it will incorporate nature-based solutions: [Click here to enter text.](#)

3. Does your entity have Building Code Effectiveness Grading Schedule (BCEGS) Rating of 1 to 5?

The Building Code Effectiveness Grading Schedule (BCEGS®) assesses the building codes in effect in a particular community and how the community enforces its building codes, with special emphasis on mitigation of losses from natural hazards. For more information regarding this question, please go to <https://www.isomitigation.com/bcegs/>.

☐ Yes ☐ No ☐ Unsure ☒ Not Applicable

If yes, please provide more information regarding your rating:

4. Is this proposal from a previous FEMA HMA advance assistance or project scoping award, High Hazard Potential Dams (HHPD) award, or DHS Cybersecurity and Infrastructure Security Agency's (CISA) Regional Resiliency Assessment Program (RRAP), or a previous recipient of BRIC non-financial Direct Technical Assistance?

☐ Yes ☒ No ☐ Unsure ☐ Not Applicable

If yes, please identify which award and brief description: [Click here to enter text.](#)

5. Does this proposal increase resilience and reduce risk of injuries, loss of life, and damage and destruction of property, including critical services, and facilities?

☒ Yes ☐ No ☐ Unsure ☐ Not Applicable

If yes, please briefly describe how the project will effectively reduce risk and increase resilience, realize benefits, and leverage innovation. Potential benefits could include how this project will address inequities and provide the greatest support to those with greatest need: [This project will prevent loss of power to all citizens in the communities that are tied to this sector of electrical power grid. Without power there is potential of risk to human Health and Safety, inability to provide essential needs for survival with water and food, fuel, and heat. This will service all citizens.](#)

6. Will this proposal utilize innovative techniques to facilitate implementation?

☐ Yes ☒ No ☐ Unsure ☐ Not Applicable

If yes, please provide brief description on how you intend to implement this proposal: [Click here to enter text.](#)

7. Will this proposal include an outreach strategy?

☐ Yes ☐ No ☒ Unsure ☐ Not Applicable

If yes, please provide brief description how your proposal will enhance climate change adaptation and resilience: [Click here to enter text.](#)

8. Will your entity be incorporating any partnerships (e.g., state, tribal, private, local community, etc.) that will ensure the proposal meets community needs, including those of disadvantaged populations?

☒ Yes ☐ No ☐ Unsure ☐ Not Applicable

If yes, please provide brief description how your proposal will incorporate partnerships and what is the anticipated outcome of those partnerships (e.g., leveraging resources such as financial, material, and educational resources, coordinating multi-jurisdictional projects, heightened focus on equity related issues, etc.): Midstate Electric Cooperative will be partnering with Deschutes County to build in the redundancy to the system from substation to Transmission lines. This will be a multi-jurisdictional project that will impact many communities with more resilient power system to protect Human Health and Safety as well as economic security.

(For official use only)

Total Pre-application Score:



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: October 4, 2021

SUBJECT: Rescinding Resolution 2021-051 and ending fire restrictions on County owned lands and unprotected lands

RECOMMENDED MOTION:

Move approval of Resolution 2021-073, rescinding the declared state of emergency and removing the imposed public use restrictions on all unprotected wildlands within unincorporated Deschutes County, and all lands owned by Deschutes County.

BACKGROUND AND POLICY IMPLICATIONS:

On June 28, 2021 the Board approved resolution 2021-051 placing public use fire restrictions on County owned lands and unprotected lands within Deschutes County. While that resolution would expire automatically on October 15, weather conditions have moderated enough such that these restrictions can end immediately.

BUDGET IMPACTS:

None

ATTENDANCE:

Ed Keith, County Forester

REVIEWED

LEGAL COUNSEL

10/04/2021 Item #2.

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

A Resolution Rescinding the Declared State of
Emergency and Removing the Imposed Public
Use Restrictions on all Unprotected Wildlands
Within Unincorporated Deschutes County, and
all Lands Owned by Deschutes County

*
*
*

RESOLUTION NO. 2021-073

WHEREAS, ORS 401.309 authorizes the county governing body to declare a state of emergency within the county; and

WHEREAS, on June 28, 2021, the Deschutes County Board of Commissioners approved Resolution No. 2021-051 which imposed use restrictions on unprotected wildlands within unincorporated Deschutes County, effective through October 15, 2021; and

WHEREAS, current weather patterns have greatly decreased the threat and likelihood of high intensity wildland fires, including wildland-urban interface wildfires;

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, as follows:

Section 1. Pursuant to ORS 401.309 and the Deschutes County EOP, the State of Emergency that was declared on June 28, 2021 is, upon signing of this Resolution, rescinded and withdrawn.

Section 2. Effective upon signing of this Resolution, the Public Use Restrictions on all unprotected wildlands within unincorporated Deschutes County, and all lands owned by Deschutes County, are removed and withdrawn.

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

Dated this _____ of _____, 20__

ANTHONY DEBONE, Chair

PHIL CHANG, Vice Chair

ATTEST:

Recording Secretary

PATTI ADAIR, Commissioner



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: October 4, 2021

SUBJECT: Consideration of Board Approval to Apply for Birth Certificate Grant Program

RECOMMENDED MOTION:

Move approval of Birth Certificate Grant Program application.

BACKGROUND AND POLICY IMPLICATIONS:

Without a birth certificate, it is difficult for homeless individuals to obtain the identification necessary to access services, social security, and benefits, as well as housing.

House Bill 2402 SECTION 2. (1) states:

The Oregon Health Authority shall establish a grant program for the purpose of allowing an individual who is homeless to obtain a certified copy of the individual's record of live birth at a reduced rate or free of charge.

Deschutes County Health Services intends to apply for Oregon Health Authority's Birth Certificate Grant Program. Funds will be used to obtain birth certificates for homeless individuals who have lost their birth certificate. In turn, birth certificates can be used to obtain identification needed for entitlements and housing.

BUDGET IMPACTS:

Grant funds determined at the time of award of approximately \$2,000.

ATTENDANCE:

Molly Wells Darling, Program Manager Access and Integration



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: October 4, 2021

SUBJECT: House Bill 3295 / Marijuana Tax Revenue / Cannabis Advisory Panel

RECOMMENDED MOTION:

N/A.

BACKGROUND AND POLICY IMPLICATIONS:

The purpose of this agenda item is to consider appointing members to the Cannabis Advisory Panel (CAP), and reviewing a draft order, charter, and meeting agenda for October 18. Based on Board input, staff can, if directed, return on October 6 under other Agenda Items, to finalize those three documents.

BUDGET IMPACTS:

None.

ATTENDANCE:

Peter Gutowsky, Planning Manager



COMMUNITY DEVELOPMENT

MEMORANDUM

TO: Deschutes County Board of Commissioners

FROM: Peter Gutowsky, AICP, Planning Manager

DATE: September 29, 2021

SUBJECT: House Bill 3295 / Marijuana Tax Revenue / Cannabis Advisory Panel

The purpose of this memorandum is to consider appointing members to the Cannabis Advisory Panel (CAP) and reviewing a draft order, charter, and meeting agenda. The first meeting of the CAP is scheduled for Monday, October 18, 2021 from 6:00 to 8:00 p.m. in the Deschutes Services Center.

I. CAP Appointments

On July 14, 2021, the Board of County Commissioners (Board) agreed to convene a CAP as authorized under House Bill (HB) 3295.¹ On August 14, 2021, the Board directed staff to initiate a recruitment for a member of the public.² The recruitment period opened on August 23 and closed on September 13. Six candidates applied. The Board revisited all of the candidates noted below in Table 1 on September 27. They expressed support for all the candidates with the exception of the members at large and marijuana retail license positions. The Board expressed a desire to reach out to those two subgroups for follow-up conversations. Formal appointments are expected on October 6.

Table 1 – CAP / Consideration of Appointment

Name	Representation	Board Selection(s)
Hunter Neubauer	A person who holds a license issued under ORS 475B.070 for a premises located in the county (i.e. marijuana production license).	Hunter Neubauer
Matt Hurt Joseph Stapleton ³	A person who holds a license issued under ORS 475B.105 for a premises located in the county (i.e. marijuana retail license).	TBD
Dustin Miller, Detective	A designee of the county sheriff.	Dustin Miller
Tony DeBone, Chair Phil Chang, Vice Chair Patti Adair, Commissioner	A designee of the county commission.	Tony DeBone, Chair Phil Chang, Vice Chair Patti Adair, Commissioner

¹ <https://olis.oregonlegislature.gov/liz/2021R1/Downloads/MeasureDocument/HB3295>. Section 3

² Ibid. See 1(e).

³ Matt Hurt and Joe Stapleton both expressed interest. They represent the two marijuana dispensaries operating in rural Deschutes County.

Name	Representation	Board Selection(s)
Andrew Aasen Jeremy Dickman Mary Fleischmann Dustin Kallberg Liz Lotochinski Haley Rose Stinson	A member of the public.	TBD
Kyle Gorman (or designee from Oregon Water Resources Department)	A watermaster, as described in ORS 540.020, who is appointed for a water district in, partially in or near the county.	Kyle Gorman
Gary Bracelin ⁴	A representative of the county who is knowledgeable about economic development in the county.	Gary Bracelin

II. Draft Order and Charter

A draft order and charter are attached for the Board's consideration (Attachments 1 and 2). Both have been revised to reflect the Board's recent conversations relating to:

- Ex-officio role and annual representation by the Board
- Staggered terms
- Election of a CAP chair
- Establishing CAP quarterly agendas.

The order lists the panelists and their terms, while the charter defines their roles and responsibilities, as well as the mission, composition, and standard protocols. Based on Board input, staff can, if directed, return on October 6 under other Agenda Items, to finalize both documents.

III. Draft CAP Agenda

A draft CAP agenda for October 18 is attached for the Board's consideration (Attachment 3). Similar to the draft order and charter, staff can, if directed, return on October 6 under other Agenda Items if revisions are necessary.

Attachments:

1. Draft Order No. 2021-045
2. Draft CAP Charter
3. Draft CAP Agenda

⁴ The Bend Chamber of Commerce in coordination with Economic Development of Central Oregon (EDCO) recommended Gary Bracelin. Mr. Bracelin is affiliated with Tokyo Starfish, a marijuana dispensary in Bend.

REVIEWED

LEGAL COUNSEL

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Order Approving the Appointment of a
Cannabis Advisory Panel

*

*

ORDER NO. 2021-045

WHEREAS, the Oregon Legislature on June 26, 2021, adopted House Bill ("HB") 3295 to ensure that counties that participate in Oregon's marijuana economy receive a share of marijuana revenue; and

WHEREAS, Marijuana tax revenue has not been paid to Deschutes County by the Oregon Department of Revenue since 2019, when the Board of County Commissioners ("Board") passed Ordinance 2019-014, prohibiting the establishment of future (new) marijuana production and processing businesses in unincorporated Deschutes County (commonly referred to as an Opt Out); and

WHEREAS, HB 3295 requires the Board to appoint a Cannabis Advisory Panel ("CAP") as a precondition to receive marijuana tax revenue; now, therefore,

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, HEREBY ORDERS as follows:

Section 1. The following persons are appointed to the County's Cannabis Advisory Panel:

- | | |
|----------------------------------|------------------------------|
| 1. Hunter Neubauer | 6. Patti Adair |
| 2. TBD, Marijuana retail license | 7. TBD, Member of the public |
| 3. Dustin Miller | 8. Kyle Gorman |
| 4. Tony DeBone | 9. Gary Bracelin |
| 5. Phil Chang | |

Section 2. The Board's role on the CAP is as an ex-officio member because the CAP provides recommendations to the county commission per HB 3295. County commission representation on the CAP will be determined annually by the Board.

Section 3. The Board shall appoint and reappoint members to the CAP. Terms are staggered in two and three year terms as follows:

1. Hunter Neubauer, October 18, 2021 to October 17, 2023
2. TBD, Marijuana retail license, October 18, 2021 to October 17, 2023
3. Dustin Miller, October 18, 2021 to October 17, 2023
4. TBD, Member of the public, October 18, 2021 to October 17, 2024
5. Kyle Gorman, October 18, 2021 to October 17, 2024
6. Gary Bracelin, October 18, 2021 to October 17, 2024

Section 4. This Order is effective upon signing.

Dated this _____ of October, 2021

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

ANTHONY DeBONE, Chair

PHIL CHANG, Vice Chair

ATTEST:

Recording Secretary

PATTI ADAIR, Commissioner

DRAFT

CANNIBIS ADVISORY PANEL

October 2021

I. Background

Introduced by Representative Jason Kropf (D, Bend), sponsored by Representative Jack Zika (R, Redmond), and ultimately adopted by the Oregon Legislature on June 26, 2021, House Bill (HB) 3295 ensures that counties that participate in Oregon's marijuana economy receive a share of marijuana revenue. For Deschutes County, to receive marijuana tax revenue, the Board of County Commissioners (Board) must appoint a Cannabis Advisory Panel (CAP).

Marijuana tax revenue has not been paid to Deschutes County by the Oregon Department of Revenue since 2019, when the Board passed Ordinance 2019-014, prohibiting the establishment of future (new) marijuana production and processing businesses in unincorporated Deschutes County (commonly referred to as an Opt Out). Ordinance No. 2019-015, adopted on October 16, 2019, further clarified that Ordinance No. 2019-014 has no impact on the County's past marijuana production land use decisions and does not preclude those applicants from moving forward in the licensure process with the Oregon Liquor Control Commission (OLCC). On November 3, 2020, Ballot Measure 9-134 asked voters if they wanted to repeal the opt-out ordinances—a "yes" vote would once again allow new marijuana production and processing businesses in Deschutes County, and a "no" vote would continue to prohibit new marijuana production and processing businesses in Deschutes County. Ultimately, Deschutes County residents voted "no" to Measure 9-134, thereby upholding the opt-out and prohibiting future/new recreational marijuana production and processing businesses from being established in the unincorporated county.

II. Purpose

The Board appointed the CAP in October 2021 to meet quarterly and provide at least three recommendations:

1. The use of moneys transferred to the county under ORS 475B.759;
2. Increases in public safety measures related to marijuana use and marijuana entitles in the county; and
3. Issues presented by the production, processing, wholesaling and distribution of marijuana in the unincorporated area subject to the jurisdiction of the county.

III. Structure and Membership

The CAP consists of ☒ voting members appointed by the Board. Appointments and reappointments shall be made by the Board. Terms are staggered for two or three years. The Board's role on the CAP is as an

Commented [PG1]: Confirm #

ex-officio member because the CAP provides recommendations to the county commission per HB 3295. County commission representation on the CAP will be determined annually by the Board.

A Project Management Team consisting of county staff will support the CAP in the following areas:

- Meeting facilitation and communications
- Website updates and maintenance
- Provide an overview of public meeting laws and ethics, education (i.e., applicable laws and rules), technical information and memorandums, and options for decision making
- Meeting minutes

IV. Meeting Agendas

The Board will establish and/or delegate the quarterly CAP meeting agendas.

Commented [PG2]: Confirm.

V. Record Keeping and Transparency

As an official public body, meeting minutes will be taken and posted on a designated website. They will be shared via email with all members prior to the meeting for review, and be approved as drafted or modified by the CAP at a subsequent meeting. All opinions, perspectives, and views will be captured in meeting minutes. This Charter also will be posted to the project website and remain a publically available document.

VI. Membership

The CAP is comprised of ~~x~~ members listed in the table below.

Commented [PG3]: Confirm

Name	Organization / Background	Terms
Hunter Neubauer	A person who holds a license issued under ORS 475B.070 for a premises located in the county (i.e. MJ production license)	October 18, 2021 to October 17, 2023
TBD , Marijuana Retail License	A person who holds a license issued under ORS 475B.105 for a premises located in the county (i.e. MJ retail license)	October 18, 2021 to October 17, 2023
Dustin Miller, Detective	A designee of the county sheriff	October 18, 2021 to October 17, 2023
Tony DeBone, Chair Phil Chang, Vice Chair Patti Adair, Commissioner	A designee of the county commission	N/A
TBD , Member of the Public	A member of the public	October 18, 2021 to October 17, 2024
Kyle Gorman or designee from Oregon Water Resources Department	A watermaster, as described in ORS 540.020, who is appointed for a water district in, partially in or near the county	October 18, 2021 to October 17, 2024

Commented [PG4]: Confirm

Gary Bracelin	A representative of the county who is knowledgeable about economic development in the county	October 18, 2021 to October 17, 2024
---------------	--	--------------------------------------

VII. CAP Chair

Starting on October 18, 2021, the CAP shall elect from among its membership a chair. No panelist shall be chair for more than two consecutive years.

Commented [PG5]: Confirm

VIII. Ground Rules and Expectations

1. Attendance. The CAP strives for full attendance at every meeting.
2. Inclusivity and Civility. CAP members are expected to create space for diverse or contradictory opinions, and support collaboration in all meetings.

IX. Meeting Times, Quorum, Participation, Schedule

CAP meetings will be scheduled quarterly starting on October 18 from 6:00 to 8:00 p.m. at the Deschutes Services Center, 1300 NW Wall Street, Barnes and Sawyer rooms, Bend, OR. Meetings will be conducted in-person and electronically. Meeting agendas will be posted on the project website and provided to CAP members via email approximately one (1) week prior to each meeting.

Regular check-ins with the Board by the Project Management Team may occur monthly or more frequently if necessary. A quorum (majority) of the CAP members shall be required to make recommendations.

SCHEDULE

Date	Topics of Discussion
October 18, 2021	Introductions, Purpose/Charter, Ground Rules, HB 3295 recommendations, Electing a Chair, January CAP Meeting Date
January TBD	HB 3295 recommendations, other issues
April TBD	TBD
July TBD	TBD
The CAP will meet continue to meet quarterly in January, April, July, and October.	

Commented [PG6]: Confirm



COMMUNITY DEVELOPMENT

Deschutes County Cannabis Advisory Panel

Meeting #1: Monday, October 18, 2021, 6:00-8:00 pm
Deschutes Services Building, Barnes and Sawyer Rooms, 1300 NW Wall Street, Bend

Zoom Link

TIME	TOPIC	DESIRED OUTCOME
6:00 (:15)	1. Welcome from Deschutes County: Tony DeBone, Phil Chang, and Patti Adair <i>See Packet: Charter</i> <ul style="list-style-type: none">Purpose and desired outcomes of the Cannabis Advisory Panel (CAP)	Welcome attendees, establish the purpose of the CAP
6:15 (:15)	2. Welcome from Oregon State Representatives Jason Kropf and Jack Zika <ul style="list-style-type: none">Discuss legislative intent for HB 3295	Overview of HB 3295
6:30 (:05)	3. Overview of agenda: TBD (facilitator)	Clarity on the agenda and housekeeping items.
6:35 (:25)	4. Check-in from Advisory Panel members <i>See Packet: Roster of members</i> Two minutes each: <ul style="list-style-type: none">Name, where you live, why you chose to serve on the CAPOpportunity to suggest additional issues to be discussedWhat do you want to accomplish?	List of best hopes for the group.
7:00 (:15)	5. Public meeting laws: County Legal Counsel <i>See packet: Meeting Laws / Quorum</i>	Common understanding of the law with regard to meetings of the CAP.
7:15 (:05)	Break	

Commented [PG1]: Confirm facilitator

TIME	TOPIC	DESIRED OUTCOME
7:20 (:20)	6. Elect Chair <i>See Packet: Charter</i> <ul style="list-style-type: none"> Discuss, nominate and select a chair 	Select a chair.
7:40 (:10)	7. Public Comments Members of the public are welcome at every CAP meeting. There will be a short time at each meeting set aside for verbal public comment. Each person's time will be limited to allow time for everyone who wishes to speak. In addition, written comments will be accepted at any time, and will be posted to the County's website, where all CAP members will be expected to read them.	Opportunity to hear from members of the public who are present.
7:50 (:10)	8. Next steps <ul style="list-style-type: none"> Agenda and date for next meeting: January 2022. Date and time TBD. 	
8:00	9. Wrap up and Adjourn	

Commented [PG2]: Confirm.