



AGENDA

MOLALLA CITY COUNCIL MEETING

January 8, 2020

7:00 PM

Molalla Adult Center

315 Kennel Ave, Molalla, OR 97038

Mayor Keith Swigart

Council President Elizabeth Klein

Councilor Leota Childress

Councilor DeLise Palumbo

Councilor Terry Shankle

Councilor Jody Newland

Councilor Crystal Robles

1. CALL TO ORDER AND ROLL CALL

2. PRESENTATIONS, PROCLAMATIONS, CEREMONIES

3. PUBLIC COMMENT

(Citizens are allowed up to 3 minutes to present information relevant to the City but not listed as an item on the agenda. Prior to speaking, citizens shall complete a comment form and deliver it to the City Recorder.)

4. APPROVAL OF THE AGENDA

5. CONSENT AGENDA

(This section allows the City Council to consider routine items that require no discussion and can be approved in one comprehensive motion. An item may only be discussed if it is pulled from the consent agenda.)

A. Meeting Minutes – December 11, 2019

6. PUBLIC HEARINGS

A. Ordinance No. 2020-01: An Ordinance Annexing 15. 52 Acres Located at the Southwest Corner of OR211/OR213 and Assigning a C-2 City Zoning Designation to the Annexed Territory

7. GENERAL BUSINESS

A. Resolution No. 2020-01: A Resolution Appointing City Manager as Budget Officer for FY 2020-2021

B. Budget Calendar: Fiscal Year 2020-2021

8. REPORTS

A. City Manager and Staff

B. Mayor

C. City Councilors

9. ADJOURN

Agenda posted at City Hall, Library, and the City Website at <http://www.cityofmolalla.com/meetings>. This meeting location is wheelchair accessible. Disabled individuals requiring other assistance must make their request known 48 hours preceding the meeting by contacting the City Recorder's Office at 503-829-6855.



Minutes of the Molalla City Council Regular Meeting

Molalla Adult Community Center
315 Kennel Ave., Molalla, OR 97038
December 11, 2019

1. CALL TO ORDER AND FLAG SALUTE

The Molalla City Council Regular Meeting of December 11, 2019 was called to order by Mayor Keith Swigart at 6:59:32pm.

2. ROLL CALL

COUNCIL ATTENDANCE:

Mayor Keith Swigart – Present
Councilor Elizabeth Klein – Present
Councilor Leota Childress – Present
Councilor DeLise Palumbo – Present
Councilor Terry Shankle – Present
Councilor Jody Newland - Present
Councilor Crystal Robles - Present
Student Liaison Natalee Litchfield - Absent

STAFF IN ATTENDANCE

Dan Huff, City Manager - Present
Christie DeSantis, City Recorder - Present
Gerald Fisher, Public Works Director - Present
Chaunee Seifried, Finance Director - Absent
Alice Cannon, Planning Director - Absent
Diana Hadley, Library Director - Present

3. PRESENTATIONS, PROCLAMATIONS, CEREMONIES

A. Commission Appointment – Open Library Board seat

Jessica Coy, Media Center Specialist of Molalla High School, submitted an application for appointment for the current Library Board opening. Director Hadley asked for Council approval.

A motion was made by Councilor Newland to appoint Ms. Coy to the Library Board, seconded by Councilor Childress. Vote passed 7-0.

B. Pudding River Water Shed Appointment

Public Works Director, Gerald Fisher shared with Council that in October, staff was contacted by Pudding River Watershed Council and requested the appointment of a City of Molalla representative to their Board of Directors. Andy Peters, Operation Supervisor has immediate oversight of the maintenance and operation of the storm system and has volunteered to serve on the Board of Directors, if appointed by the City Council.

Councilor Childress commended Mr. Peters on the job that he does for the City of Molalla. Ms. Childress shared with everyone that Mr. Peters goes above and beyond in the way he interacts with the public, that he is respectful, kind, knowledgeable, and appreciated for his efforts. Staff, Council and audience gave Mr. Peters a round of applause for a job well done.

Councilor Klein inquired whether Mr. Peters would have to be approved by the Watershed Council Board. Mr. Fisher

stated that would most likely be the case. Mr. Fisher also shared that Anna Rankin, Board of Directors for the Watershed Council, would have liked to attend our Council meeting, however, the Pudding River Watershed Council meetings are held at the same time as Molalla City Council.

A motion was made by Councilor Childress to appoint Mr. Peters to the Pudding River Water Shed, seconded by Councilor Newland. Vote passed 7-0.

4. PUBLIC COMMENT

None.

5. APPROVAL OF THE AGENDA

A motion was made by Councilor Klein to approve the agenda, seconded by Councilor Newland. Vote passed 7-0.

6. CONSENT AGENDA

(This section allows the City Council to consider routine items that require no discussion and can be approved in one comprehensive motion. An item may only be discussed if it is pulled from the consent agenda.)

Councilor Newland requested that Item 6B be removed from the Consent Agenda for discussion, Council agreed.

A motion was made by Councilor Newland to approve the Consent Agenda with the removal of Item 6B for discussion, seconded by Councilor Palumbo. Vote passed 7-0.

- A. Meeting Minutes – November 11, 2019
- B. Resolution 2019-19: A Resolution Updating Stormwater Rates

Councilor Newland requested that Mr. Fisher explain to the public briefly the purpose of the Resolution. Mr. Fisher shared that the Water Fund is currently in a healthy situation, therefore, there will not be an increase to water rates at this time. Reserves will be used for work on replacing water lines on Fenton Avenue and Patrol Street, as it coincides with sewer lines that are being replaced in these areas.

There is still a fair amount of work to be completed for storm lines, which makes the rate increase necessary. The increase will be approximately .14 cents per month per household.

A motion was made by Councilor Childress to adopt Resolution 2019-19, seconded by Councilor Newland. Vote passed 7-0.

7. PUBLIC HEARINGS

- A. Ordinance 2019-14: An Ordinance repealing language in Chapter 2.17 Art Commission and replacing with new language regarding Community Program Committee

Mayor Swigart asked for a motion for the second reading of Ordinance 2019-14 at 7:11pm. A motion was made by Councilor Klein, seconded by Councilor Childress. The vote was interrupted by Councilor Palumbo, who asked to open discussion.

During discussion, Councilor Palumbo stated that there was currently no language in the Ordinance that explains to the public how to go about creating a Committee. Ms. Palumbo shared a suggested addendum with Council that would create the structure. (Exhibit A)

Discussion continued with focus on the language being presented as an individual committee, opposed to multiple committees.

Councilor Newland suggested that wording be updated to “*each* Community Program Committee” opposed to “*a* Community Program Committee”. Councilor Klein suggested rearranging the sentences in Section 2A of the Ordinance to read more fluid. Council agreed unanimously to the change. Council also agreed that a policy and procedure would need to be in place for creating a committee, which would be available to the public at City Hall, as well as the City’s website.

Mayor Swigart asked if any members of the public would like to speak to Council.

Ken Feters, owner of The Main Shop, commented to Council that his understanding was that the current Ordinance reading would allow community members to create a committee, along with Council approval. He feels it encourages cooperation between stakeholders and Council.

A motion was made by Councilor Klein to close the Public Hearing, seconded by Councilor Shankle. Vote passed 7-0.

A motion was made by Councilor Klein to adopt Ordinance 2019-14, seconded by Councilor Childress. Vote passed 7-0, with all Council members voting aye.

- B. Ordinance 2019-15: An Ordinance Updating and Replacing Language in Chapter 15.04 Building Code to be Consistent with State and County Building Codes

Mr. Huff presented Ordinance 2019-15 to Council, explaining that this Ordinance allows the City to continue its work with Clackamas County, as the City’s Building Inspection and Plan Review provider. The County alerted the City that our Code would need to be updated by December 31, 2019 to be consistent with recent changes in State Building Code.

The Public Hearing was opened to the public by Mayor Swigart at 7:43pm. As no members of the audience asked to speak, a motion was made by Councilor Childress to close the Public Hearing, seconded by Councilor Klein. Vote passed 7-0.

A motion was made by Councilor Newland to continue with the Second Reading of Ordinance 2019-15, seconded by Councilor Palumbo. Vote passed, 7-0.

The Second Reading of Ordinance 2019-15 was read by Mayor Swigart.

A motion was made by Councilor Klein to adopt Ordinance 2019-15 as read, seconded by Councilor Newland. Vote passed 7-0, with all Council members voting aye.

- C. Ordinance 2019-16: An Ordinance Changing the Procedure for Processing Preliminary Land Partition Plats from a Type II Public Hearing Procedure to a Type II Administrative Decision Procedure, Appealable to Planning Commission

Mr. Huff presented the Staff Report to Council, explaining the Code change has been recommended by the Planning Commission.

The Public Hearing was opened to the public by Mayor Swigart at 7:48pm. As no members of the audience asked to speak, a motion was made by Councilor Palumbo to close the Public Hearing, seconded by Councilor Shankle. Vote passed 7-0.

During discussion, Councilor Newland asked Mr. Huff if the new Ordinance required owners to continue to provide

Public Notice, and he stated that it does.

Councilor Palumbo asked if in the case of an appeal, would questions be directed to Staff. Mr. Huff explained that yes, the appeal would begin with Staff, and then move to Planning Commission.

Councilor Newland felt that this would be beneficial to all parties.

A motion was made by Councilor Newland to continue to the Second Reading of Ordinance 2019-16, seconded by Councilor Shankle. Vote passed 7-0.

The Second Reading of Ordinance 2019-16 was read by Mayor Swigart.

A motion was made by Councilor Palumbo to adopt Ordinance 2019-16, seconded by Councilor Childress. Vote passed 7-0, with all Council members voting aye.

8. GENERAL BUSINESS

9. REPORTS

A. City Manager and Staff

Public Works Director Fisher informed the Council that the City terminated the contract with the contractor working on Fenton Avenue. An on-call contractor has been hired to finish the work. Paving took place today, and will be finished by Monday of next week.

City Recorder DeSantis brought blank Applications for Appointment to a Board or Committee for the audience, if they would like to submit one to the City.

City Manager Huff – Nothing to report.

B. Mayor

Mayor Swigart shared a handout with Council from the Clackamas County Board of County Commissioners for the Housing Authority of Clackamas County meeting. (Exhibit B)

In addition, he informed Council that the State of Oregon will be encouraging small cities to extend their Urban Growth Boundaries in the near future, to provide more residential homes. Mayor Swigart stated his concern with the State and to Clackamas County, that Molalla cannot house more residential homes until the Water Treatment Plant and Wastewater Treatment Plant have been properly updated.

C. City Councilors

Councilor Klein reported that the Visioning Process is coming to a close. She's excited to share the 23 page document with citizens, upon completion.

Councilor Childress thanked County Commissioner Ken Humbertson for joining the Molalla City Council meeting. She invited the public to the Piano in the Park on Saturday, December 14, 2019 at 5:30pm for Christmas Caroling.

Councilor Palumbo felt that the Visioning Committee is on point for what the citizens of Molalla are trying to accomplish, with regard to new committees being formed and action being taken.

Councilor Newland thanked everyone that volunteered to decorate our town for the Holiday Season. She directly thanked Councilor Shankle for all of the hard work that her and her family did to decorate the town.

Councilor Shankle invited business owners to the Chamber of Commerce breakfast that is being held at the Warming Center, 209 Kennel Avenue on Thursday, December 12, 2019 at 7:30am.

Councilor Robles – Nothing to report.

A motion was made by Councilor Newland for Council to recess into Executive Sesssion at 8:05pm, second by Councilor Childress. Vote passed 7-0.

10. RECESS INTO EXECUTIVE SESSION

Held pursuant to Oregon Public Record Law, ORS 192.660(2):

(e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

11. RECONVENE TO REGULAR SESSION

12. ADJOURN

A motion was made by Councilor Newland to adjourn the Regular Session at 8:53pm, seconded by Councilor Shankle. Vote passed 7-0.

Keith Swigart, Mayor

Date

ATTEST:

Christie DeSantis, City Recorder

PROPOSED ADDENDUM TO CHAPTER 2.17 .010 Section 2, Committee Established.

Section A.1

A new Community Program Committee for a specified purpose may be proposed to the City Council for consideration.

A proposal shall include the specified purpose of the new Community Program Committee. It must provide the duration of the committee, whether permanent or temporary, and the specified duration of its activities.

The proposal shall contain applications from at least three persons to compose the committee. The applicants must be eligible and meet applicable residency and other requirements as specified in the ordinance. A committee will not be active until it has been approved by the City Council and the new members are also approved as provided in the ordinance.

(Proceeding to Part A, to be renamed A.2:

A.2. A Community Program Committee shall consist of five members appointed by the City Council. All Community Program Committees shall function under the direction of policy established by the City Council and may have one City Councilor as a voting member. A Councilor may also be assigned as a liaison.

B. At least three persons shall be City residents or own a business within the City limits. The remaining appointed members do not require City residency.

C. Members of the Committee shall elect from among their members a chair and vice-chair.

D. The Committee shall meet as deemed necessary and shall establish rules or procedures necessary to conduct business consistent with state or city requirements.

E. Committee meetings shall be publicly noticed and be in conformance with Oregon's open meetings requirements.

F. Summary minutes of Committee proceedings shall be recorded and retained in conformance with Oregon's public records requirements. Minutes of proceedings shall be submitted to the City Council for informational purposes as minutes are adopted.

G. In January of each year the Committee shall submit a report on its activities to the City Council.

H. All appointments to the Committee may be terminated at the pleasure of the Mayor with the consent of the City Council for the remaining portion of the term.

2.17.020 Mission.

The Mission of a Community Program Committee is to:

- A. Carry out established City Council Policy.
- B. Encourage greater participation and opportunities for the Molalla area.
- C. Facilitate cooperation, coordination and communication among groups and individuals engaged in the community based on City Council policy direction.

D. Sponsor, facilitate or coordinate events and activities to showcase the Molalla area.

E. Encourage and promote Molalla based on Council policy direction.

F. Pursue funding sources, projects and programs to enhance the Molalla Area.

G. May provide liaison and representation to the City Council.

2.17.030 Definition of Community Program.

A Community Program includes, but not limited to; art and culture, economic development, visual design, community livability and such other endeavors promoting and enhancing the Molalla Community as may be designated by the Council.

2.17.040 City Support.

The City will provide web page access if deemed necessary. Other related support may occur through consultation with the City Manager; however, funding for events and projects is expected to be generated by the Committee. Ordinance No. 2019-14 Repealing Language in Chapter 217

The City shall receive and disburse funds for the Committee in accordance with the City's accounting and purchasing practices and provide guidance to the Committee on fundraising and finance matters.

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS
Sitting/Acting as:
Board of Commissioners of the Housing Authority of Clackamas County

Study Session Worksheet

Presentation Date: 12/10/2019 **Approx Start Time:** 11:00 AM **Approx Length:** 30 minutes

Presentation Title: Housing Affordability and Homelessness Task Force (Task Force)
Priority Recommendations and Final Report

Department: H3S/Housing Authority of Clackamas County (HACC)

Presenters: Jill Smith, Vahid Brown, Jennifer Hughes, Task Force members

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

Staff is requesting the Board of County Commissioners review and accept the Executive Summary and final report from the Housing Affordability and Homelessness Task Force and consider directing staff to take next steps related to priority recommendations.

Staff requests the Board of County Commissioners recognize the diligent efforts of this advisory body appointed to research, recommend, and support new policies and strategies for increasing housing affordability and alleviating homelessness in Clackamas County.

EXECUTIVE SUMMARY:

Background:

The Clackamas County Board of County Commissioners (BCC) attended a series of panel discussions in 2017/2018 to learn about housing affordability and homelessness in the County. At the panel discussion it was evident to the BCC that there was a very clear need and a call to engage the community and move toward solutions regarding homelessness and housing affordability crisis in the region. In 2018, recognizing the need to address the crisis surrounding housing affordability and the number of people who are unhoused, the BCC formed an independent task force to advise the Board on potential solutions. As a result, the independent task force was created and appointed by the BCC, driven by the realities and costs of development and lived experience of our affordability and homelessness crisis.

The Affordable Housing and Homelessness Policy Task Force was an advisory body appointed to research, recommend and support new policies and strategies on increasing housing affordability and alleviating homelessness in Clackamas County. The Task Force gathered information and made specific near-term recommendations on regulatory changes and mechanisms that would foster the maintenance and development of affordable housing for all income levels, including those who are homeless.

The Task Force was comprised of representatives from the public, private and non-profit sectors, with business and development expertise, knowledge of providing affordable housing, and lived experience with housing affordability. Members were selected and recruited by Clackamas County.

Overarching Principles Identified

- Recognizing the historic and current housing disparities, the Task Force created its own Equity Lens with a goal to turn intentions into actions and strive to right historical wrongs in our society

- The Task Force also encourages housing placement and retention funding be delivered via culturally specific providers in Clackamas County to further ensure more equitable outcomes.

Final Report and Priority Recommendations

The final report consists of 19 recommendations divided into five categories:

1. Shelter off the streets and services for the currently unsheltered
2. Planning, zoning and development
3. Housing services for those experiencing homelessness or at-risk of being homeless
4. Tenant protections
5. Funding

The Task Force realized that the County does not have all the resources required to implement the full set of recommendations and understood that they may need to be implemented in phases. In their final meeting, on November 20th, the Task Force, with help from County staff, worked together to identify which recommendations were of the highest priority to the Task Force.

Priority Recommendations:

1. Adopt a Construction Excise Tax of 1% on residential and commercial construction to fund housing affordability and services.
 - o A Construction Excise Tax (CET) provides one of the few ways to address housing affordability and homelessness without impacting current services or requiring additional borrowing. The Task Force recommends that the County adopt a CET of 1% on residential construction and of 1% on commercial construction. Based on historic trends, together these fees should yield around \$2 million per year.
2. Identify and create additional capacity for Shelter off the Streets (SOS) and mobile programs for those that remain unsheltered.
3. Create flexible short-term funding aligned with case management services to address both housing retention and housing placement services
4. Prioritize wrap-around case management services and priority access to affordable housing for people with disabilities experiencing long term chronic homelessness.
5. (Planning and Zoning) Include housing affordability packages in upcoming annual planning work programs to include consideration of the elements listed in the attached final report.

Next Steps

FINANCIAL IMPLICATIONS (current year and ongoing):

Is this item in your current budget? ☒ YES ☐ NO

What is the funding source? New funding sources are recommended, existing housing and service funding resources may be re-prioritized.

STRATEGIC PLAN ALIGNMENT:

- How does this item align with your Department's Strategic Business Plan goals?
 - o Sustainable and Affordable Housing
 - o Efficient & effective services
- How does this item align with the County's Performance Clackamas goals?

- o Public trust through good government
- o Ensure safe, healthy and secure communities

LEGAL/POLICY REQUIREMENTS: N/A at this time

PUBLIC/GOVERNMENTAL PARTICIPATION:

The Task Force met publicly from May 2018 to November 2019 and discussed the following:

Meeting Date	Topic
May 2018	<ul style="list-style-type: none"> • Overview of committee purpose, goals, process and staff resources • Charter
June 2018	<ul style="list-style-type: none"> • Overview of precedent County work • Preliminary focus areas, draft goals and early actions
July 2018	<ul style="list-style-type: none"> • Housing affordability policy tools • Refine proposed goals and actions
September 2018	<ul style="list-style-type: none"> • Focus areas, short-term actions • Overview of existing County efforts around equity • Task Force Equity Lens
October 2018	<ul style="list-style-type: none"> • Application of draft Equity Lens to the Task Force's work
November 2018	<ul style="list-style-type: none"> • Planning, zoning and development recommendations
December 2018	<ul style="list-style-type: none"> • Housing stability, short term rent assistance, tenant protections and resident services recommendations
January 2019	<ul style="list-style-type: none"> • Final recommendations for housing services and safety off the streets
March 2019	<ul style="list-style-type: none"> • Final recommendations for planning, zoning and development • Focus area housing services • Draft tenant protections recommendations
April 2019	<ul style="list-style-type: none"> • Draft tenant protections recommendations • Funding opportunities and strategies
July 2019	<ul style="list-style-type: none"> • Housing needs assessment findings • Refined tenant protections recommendations and housing services recommendations
August 2019	<ul style="list-style-type: none"> • Final recommendations for housing services, tenant protections and funding
November 2019	<ul style="list-style-type: none"> • Priority Task Force recommendations

All meeting materials were posted on the County's website.

Conclusion

- The Task Force recognizes that there is limited budget to address the growing housing crisis which is why the implementation of a Construction Excise Tax was identified as the top priority.
- Safety off the Streets for those who are homeless was identified as the largest gap currently facing Clackamas County, this was identified as a high priority.
- For all of the five priority recommendations Task Force members strongly encourage the Board of County Commissioners to direct staff to identify new funding sources and/or re-prioritize existing funding to focus on identified priorities and gaps in service.

OPTIONS:

1. Accept the final report from the Housing Affordability and Homelessness Taskforce and Direct staff to research and make recommendations to the Board of County Commissioners for all five priorities identified by task force members. Direct staff to bring detailed recommendations within the first quarter of FY 2021.
2. Direct staff to research and make recommendations to the Board of County Commissioners for a specific number of the five priorities identified by task force members. Direct staff to bring detailed recommendations for each BCC identified area of focus within the first quarter of FY 2021.
3. Further review the full report and recommendations and direct staff to act based upon future discussion of the report finding and priorities.
4. Accept the final report from the Housing Affordability and Homelessness Taskforce and direct staff to implement recommendations with modifications from the Commissioners
5. Accept the final report from the Housing Affordability and Homelessness Taskforce but take no further action at this time.

RECOMMENDATION:

The Housing Affordability and Homelessness Task Force is requesting the Board approve Option 1, which includes accepting the final report from the task force and:

1. Direct staff to research and make recommendations to the Board of County Commissioners for all five priorities identified by task force members. Direct staff to bring detailed recommendations within the first quarter of FY 2021.

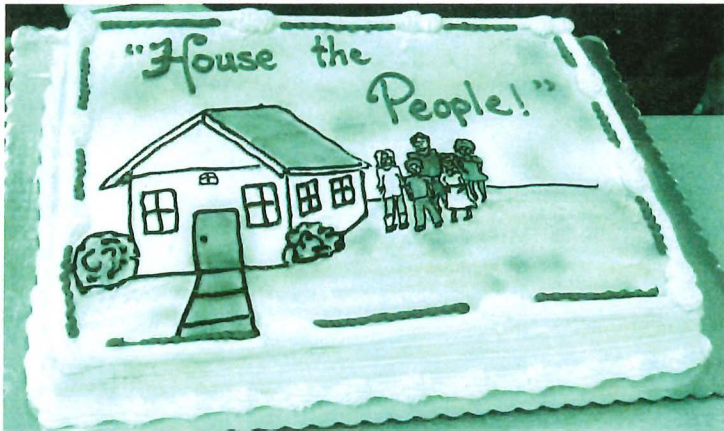
ATTACHMENTS:

- Task Force Executive Summary with five priority recommendations
- Full Task Force report including 19 detailed recommendations

SUBMITTED BY:

Division Director/Head Approval _____ _
Department Director/Head Approval _____ _
County Administrator Approval _____ _

For information on this issue or copies of attachments, please contact Jill Smith@ 503-742-5336



Housing Affordability and Homelessness Task Force



A Report to the Board of County Commissioners

December 2, 2019

Executive Summary

Recognizing the need to address the crisis surrounding housing affordability and the number of people who are unhoused in Clackamas County, the Board of County Commissioners formed an independent task force in 2018 to advise on potential solutions. The Task Force met for 18 months and has put forth a set of 19 recommendations to the Board. Of those 19 recommendations, the Task Force identified several recommendations as their top priority for immediate implementation based on their potential to address the most urgent needs in the County.

In putting forward these recommendations, the Task Force emphasized that the County's efforts must be multi-pronged. No one type of solution will help address the needs for housing in the County. The Task Force also said all the recommendations must be implemented with an equity lens and the body adopted a lens for this purpose.

The Task Force's high priority recommendations include strategies for funding, housing services and housing supply. They are:

- Adopt a Construction Excise Tax of 1% on residential and commercial construction to fund housing affordability and services.
- Identify and create additional capacity for Shelter off the Streets (SOS) and mobile hygiene and trash collection programs for those that remain unsheltered.
- Create flexible short-term funding aligned with case management services to address both housing retention and housing placement services.
- Use wrap around case management services and priority access to affordable housing for people with disabilities experiencing long term chronic homelessness.
- Include housing affordability packages in upcoming annual planning work programs.

All 19 recommendations and rationale made by the Task Force may be found in the appendix.

Housing Affordability and Homelessness Task Force



Background

The Clackamas County Board of County Commissioners (BCC) attended a series of panel discussions in 2017 to learn about housing affordability and homelessness problems in the County. At the panel discussion, it was evident to the BCC that there was a clear need and a call to engage the community to move toward solutions in the region. The passage of affordable housing initiatives in nearby cities and counties and the potential future regional affordable housing bond measure emphasized the importance of being proactive and strategic in identifying priorities. The independent task force was created and appointed by the BCC, driven by the realities and costs of development and lived experience of the County's affordability and homelessness crisis.

Purpose/Charge of Task Force

The Housing Affordability and Homelessness Task Force was an advisory body appointed to research, recommend and support new policies and strategies on increasing housing affordability and alleviating homelessness in Clackamas County. The Task Force gathered information and made specific near-term recommendations on regulatory changes and mechanisms that would foster the maintenance and development of affordable housing for all income levels, including those who are homeless.

Meeting dates and topics

The Task Force met publicly from May 2018 to November 2019 and discussed the following topics:

May 2018	<ul style="list-style-type: none"> • Overview of committee purpose, goals, process and staff resources • Charter
June 2018	<ul style="list-style-type: none"> • Overview of precedent County work • Preliminary focus areas, draft goals and early actions
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November 2019	<ul style="list-style-type: none"> • Priority Task Force recommendations
Meeting materials were posted on the County's website.	

Housing Affordability and Homelessness Task Force



Membership

The Task Force was composed of representatives from the public, private and non-profit sectors, with business and development expertise, knowledge of providing affordable housing, and lived experience with the housing affordability crisis. Members were selected and recruited by Clackamas County.

Process for Decision-Making

The Task Force's discussions and recommendations were supported by data, analyses and reports provided by the County staff and consultants. Task Force members were encouraged to bring additional data to the group for consideration. At each meeting, members could request additional data and information from technical experts.

The Task Force operated by consensus, taking votes only where needed. Minority opinions were included in the meeting summaries.

Discussion Results

In the year and a half that the Task Force met, the body developed a set of 19 recommendations that aim to strengthen the County's ability to increase housing affordability and reduce the number of people experiencing homelessness. The set of recommendations addresses funding, housing services and housing supply.

Recognizing the historic and current housing disparities, the Task Force created its own Equity Lens to be applied during the implementation of all recommendations. Equity in the County is defined as

The principled commitment to ensuring the absence of visible and invisible barriers to fairness in representation, opportunity and access.

The Task Force's goal is to turn intentions into actions and strive to right historical wrongs in our society, creating a welcoming Clackamas County for community members of all different backgrounds.

At the Task Force's final meeting, members expressed that the situation in the County requires immediate action. They cited rising cost of rents and to enter home ownership is out of reach for many households. Almost half of renters in the County were cost burdened in the 2012-2016 time frame according to data presented to the Task Force.

The Task Force emphasized the importance of implementing a multi-pronged approach because of the complexity of the issues and the lack of a single solution (or "silver bullet"). They also highlighted the need for regional partnerships for a holistic and successful strategy. Currently,

Housing Affordability and Homelessness Task Force



Clackamas County does not have sufficient resources to serve its residents and some move or travel to find services elsewhere, creating burdens in other locations.

The final set of 19 recommendations are divided into five categories:

- o Shelter off the streets and services for the currently unsheltered
- o Planning, zoning and development
- o Housing services for those experiencing homelessness or at-risk of being homeless
- o Tenant protections
- o Funding

The full set of recommendations can be found in the appendix.

Priority Recommendations and Rationale

The Task Force realized that the County does not have all the resources required to implement the full set of recommendations and understood that they may need to be implemented in phases. The Task Force, with help from County staff, worked together to identify which recommendations were of the highest priority to the Task Force. The Task Force ranked the recommendations into high, medium and low priorities. The Task Force asks the BCC to act on the top priority recommendations first and then continue with the medium and low priority recommendations.

In the process of prioritizing recommendations, the Task Force decided the adopted Equity Lens should be used and applied to all the recommendations and asks that an Equity Lens be applied throughout implementation. To ensure more equitable outcomes, the Task Force also encourages housing placement and retention funding to be delivered via culturally specific providers in Clackamas County.

Priority Recommendations:

Adopt a Construction Excise Tax of 1% on residential and commercial construction to fund housing affordability and services.

A Construction Excise Tax (CET) provides one of the few ways to address housing affordability and homelessness without impacting current services or requiring additional borrowing. The Task Force recommends that the County adopt a CET of 1% on residential construction and of 1% on commercial construction. Based on historic trends, together these fees should yield around \$2 million per year.

Identify and create additional capacity for Shelter off the Streets (SOS) and mobile hygiene and trash collection programs for those that remain unsheltered.

- Locate spaces for self-governing tent cities and camping communities with hygiene and trash collection services.

Housing Affordability and Homelessness Task Force



- Identify space for legal RV camping, with waste disposal services.
- Locate publicly-owned property to provide these spaces, and investigate the use of underutilized sites, vacant buildings and willing private property owners.
- Work to assure that SOS shelters are a transition vehicle to permanent housing.
- Provide personal hygiene services.
- Provide trash and garbage options, including safe needle deposit and exchange for those that remain unsheltered.

Create flexible short-term funding aligned with case management services to address both housing retention and housing placement services.

This short-term resource is best for families and individuals who are not disabled and have not experienced long term chronic homelessness but need a short-term infusion of assistance to stabilize. Flexibility is key to ensure the correct short-term investments are made to achieve long term housing stability. Task Force members identified the Short-Term Rental Assistance (STRA) program model with highly flexible funding and an emphasis on creative, problem-solving approaches unique to each household in need as a viable option.

Prioritize wrap-around case management services and priority access to affordable housing for people with disabilities experiencing long term chronic homelessness.

- Identify and prioritize funding for ongoing intensive case management services targeted to serve families and individuals with significant disability experiencing chronic/long-term homelessness.
- Create preferences for families and individuals with significant disability experiencing chronic/long-term homelessness aligned with the ongoing wrap around intensive case management services.
- Use current data to identify priority populations and gaps in current funding. Understand homeless inflow and outflow data and adjust operations as needed to achieve homeless reduction goals ongoing.

Include housing affordability packages in upcoming annual planning work programs to include consideration of the following elements. Specific Recommendations:

- Provide a tiered density bonus for inclusion of affordable housing and create a transferrable development rights bonus system
- Increase maximum density for multi-family development in commercial zoning districts.
- Develop a hierarchy of parking standards based on proximity to transit that considers credits for alternative modes, the nature of the occupancy and affordability.
- Provide enhanced ability to create Shelter off the Streets (SOS) housing. Other jurisdictions have allowed camping "rest areas" as well as transitional shelters, which are currently only allowed in very limited areas in the county.
- Provide for cottage cluster development in appropriate zoning districts.

Housing Affordability and Homelessness Task Force



- Make duplexes and triplexes outright uses in single-family zones, as required by state law adopted in 2019.
- Repeal owner occupancy requirement for ADUs, as required by state law which becomes effective January 1, 2020.
- Explore opportunities for permitting additional housing types, such as micro-units, co-housing and live/work units.
- Address ability to add housing to schools, places of worship and church-owned properties.

Conclusion

The Task Force recognizes that there is limited budget to address the growing housing crisis which is why the implementation of a CET was identified as the top priority.

Safety off the Streets for those who are homeless was identified as the largest gap currently facing Clackamas County, and this was also identified as a high priority.

For all of the five priority recommendations, Task Force members strongly encourage the Board of County Commissioners to direct staff to identify new funding sources and/or re-prioritize existing funding to focus on identified priorities and gaps in service.

Housing Affordability and Homelessness Task Force



Final Recommendations

Introduction

The Housing Affordability and Homelessness Task Force (the Task Force) was appointed by the Board of County Commissioners to research, recommend and support new policies and strategies on increasing housing affordability and alleviating homelessness in Clackamas County. Members represented business, community and housing interests in discussions. The Task Force met from May 2018 to November 2019 to put forth a set of recommendations on long-term oversight, advocacy and coordination of housing affordability and homelessness reduction efforts in Clackamas County and interested cities.

The Task Force gathered information and made specific near-term recommendations on regulatory changes and mechanisms that would foster the maintenance and development of affordable housing for all income levels, including those who are homeless.

Clackamas County and cooperating agencies funded a Housing Needs Assessment to provide a detailed analysis of housing demand, supply and needs throughout the county at all income levels. Based on that analysis, the Task Force set forth funding recommendations intended to strengthen the County's ability to increase housing affordability and reduce homelessness.

Task Force has put forth the following sets of recommendations to the Clackamas County Board of Commissioners:

- Shelter off the streets and services for the currently unsheltered (Recommendations 1-4)
- Planning, zoning and development (Recommendations 5 - 6)
- Housing services for those experiencing homelessness or at-risk of homelessness (Recommendations 7-9)
- Tenant protections (Recommendations 10-17)
- Funding (Recommendations 18-19)

Housing Affordability and Homelessness Task Force



Recommendations 14: Shelter off the streets and services for the currently unsheltered

Goal: Working *in partnership with community groups, cities and counties, provide safe, off the streets shelter options for 100 additional people in 2019 and again in 2020 and 2021. While the number fluctuates, there are approximately 750 unsheltered individuals in the County. On a given night when warming shelters are open, approximately 100 individuals avail themselves of shelter. This goal represents opening approximately 3 safety shelter sites per year, which is an ambitious reach, given the level of public involvement, infrastructure and investment necessary.*

Recommendation 1: Identify and create additional capacity for Shelter off the Streets (SOS)

Task Force members identified an acute need for safe places for unsheltered individuals to shelter off the streets. This need is particularly acute given the 9th Circuit Court decision in *Martin v. City of Boise*, which limits local governments' ability to restrict sleeping and camping on public property. The County is prepared for the coming winter with overnight warming shelters, but many people remain without shelter options for daytime and for nights when warming shelter isn't available.

Specific Recommendations:

- a) Locate spaces for self-governing tent cities and camping communities with hygiene and trash collection services.
- b) Identify space for legal RV camping, with waste disposal services.
- c) Locate publicly-owned property to provide these spaces, and investigate the use of underutilized sites, vacant buildings and willing private property owners.
- d) Work to assure that SOS shelters are a transition vehicle to permanent housing.

Recommendation 2: Adopt mobile and accessible programs for those that remain unsheltered.

The Task Force identified a need to address the reality that unsheltered individuals don't have access to sanitation services and recommends that the County look to successful models in other locations, including Clark County's Talking Trash program, or the Clean and Safe Program of Central City Concern¹. These services may, in some cases, be provided by the homeless or recently homeless.

Specific Recommendations:

- a) Provide personal hygiene services.

¹ <http://www.centralcityconcern.org/services/employment/c,c,c/cdfa07Start/>

Housing Affordability and Homelessness Task Force



- b) Provide trash and garbage options, including safe needle deposit and exchange for those that remain unsheltered.

Recommendation 3: Continue to monitor and meet the needs of the unsheltered population as they evolve.

As the homeless population changes, it is important to be attentive to the specific needs of individuals, including appropriate mental health resources and establish mechanisms for ongoing program improvement.

Specific Recommendations:

- a) Monitor and track health outcomes and fatalities among the unsheltered population.

Recommendation 4: Evaluate and measure outcomes as these recommendations are implemented.

Additional Shelter and Services recommendations to be carried over to other segments or discussed further.

- a) Non-profit funding
- b) Tenant Protections
- c) Housing First Model
- d) Rapid Response Outreach Team

Housing Affordability and Homelessness Task Force



Recommendations 5 - 6: Planning Zoning and Development

Goal: The Task Force recommends that the Board of County Commissioners revise its current Performance Clackamas goal for affordable housing to be more aspirational and account for the housing units likely to be built under the Metro Housing Bond:

By 2026, 2000 units of housing, affordable to a variety of residents, will be developed within Clackamas County, through a combination of public and private partnerships, and appropriate regulatory changes. Of that number, the Housing Authority goal will be to provide 1000 units affordable to households earning 60% of the area median income or less.

The Board of Commissioners should work with staff and partners to arrive at appropriate targets after reviewing the Housing Needs Assessment, which was recently completed.

The Task Force also recommends that the County continue its current efforts to facilitate additional housing at all income levels, and to continue to assure that design standards do not provide unnecessary impediments to housing affordability.

Additionally, the Task Force recommends that the County apply an Equity Lens to its current citizen involvement programs related to land use and zoning.

Recommendation 5. Include housing affordability packages in upcoming annual planning work programs to include consideration of the following elements:

Tier One: The Task Force recommends the following elements as most likely to effect change in the shortest period.

Specific Recommendations:

- a) Provide a tiered density bonus for inclusion of affordable housing and create a transferrable development rights bonus system. The Task Force feels a density bonus should provide a realistic financial incentive for development of affordable housing units in all zones that allow residential uses, and for the affordable housing component of mixed income projects.
- b) Increase maximum density for multi-family development in commercial zoning districts. In most commercial zoning districts, housing is limited to 25 units per acre in commercial areas, while there are very few size restrictions on commercial development. For example, the code currently allows a multi-story office building, but may not allow a 100-unit residential building of the same dimensions.
- c) Develop a hierarchy of parking standards based on proximity to transit that considers credits for alternative modes, the nature of the occupancy and affordability. Parking requirements can be an added unnecessary cost in some instances. For example, there is some evidence

Housing Affordability and Homelessness Task Force



that households in the 0-30% AMI range have fewer vehicles than households in higher income ranges. Similarly, developments near high capacity transit stations may require fewer parking spaces per unit. The Task Force recommends that any changes be supported by recent studies and data.

- d) Provide enhanced ability to create Shelter off the Streets (SOS) housing. The Task Force recognizes that current code provides very limited ability to site Shelter off the Streets (SOS) uses and shelter options. Other jurisdictions have allowed camping "rest areas" as well as transitional shelters, which are currently only allowed in very limited areas in the county.

Tier Two: The items below were either addressed by legislation during the 2019 Legislature or are less likely to result in significant numbers of affordable housing units in the near term. The Task Force recommends that the County address them in subsequent Planning Work Programs.

Specific Recommendations:

- e) Provide for cottage cluster development in appropriate zoning districts. The Task Force would like to see the ability to create cottage cluster developments.
- f) Make duplexes and triplexes outright uses in single-family zones, as required by state law adopted in 2019. The Task Force believes that classifying "plex" units as conditional uses rather than outright uses, leads to greater uncertainty and longer processing times and expense. To implement the new law, the BCC will need to take action, which may include the adoption of design and/or siting standards.
- g) Repeal owner occupancy requirement for ADUs, as required by state law which becomes effective January 1, 2020.
- h) Explore opportunities for permitting additional housing types, such as micro-units, co-housing and live/work units. The Zoning and Development Ordinance currently allows mixed uses in many areas and allows mixed use buildings under a home occupation permit in residential zones. However, there may be opportunities to increase this type of unit in conjunction with addressing building code and appropriate compatible uses and other issues.
- i) Address ability to add housing to schools, places of worship and church-owned properties. Housing is currently allowed at school-owned properties and places of worship so long as it is developed at a density consistent with the underlying zones. There may be other opportunities to expand by considering appropriate permitting solutions for conditional uses.

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Recommendation 6: Evaluate and apply an Equity Lens to the County's Planning, Zoning and Housing outreach efforts.

The Task Force has developed an Equity Lens to help evaluate actions related to housing affordability and homelessness. The lens contains the following vision statement:

We envision a Clackamas County Task Force on Affordable Housing and Homelessness that engages communities of color and those disproportionately impacted by historic and current housing disparities in the county, that leads by example and actively makes informed decisions while bringing the voices of those disproportionately affected to the table, and that considers current and future impacts that our decisions make on communities of color and impacted populations.

The Task Force recommends that the County apply the attached equity lens or a similar tool to evaluate how the county communicates and works with diverse communities in its planning and zoning outreach processes.

Equity lens attached at the end of document.

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Recommendations 7 - 9: Housing Services for those experiencing homelessness or at-risk of homelessness

Clackamas County currently has great partnerships, systems, and some funds to help those at immediate risk of eviction due to financial hardship. Data show more than 50% of callers (representing nearly 300 households from Oct-Dec, 2018) who request such funding are not assisted due to inadequate funding.

Goal: Reduce the number of households identified as homeless through the Coordinated Housing Access system by **30%** from December 2019 to December 2022.

Recommendation 7: Flexible short-term funding aligned with case management services is a proven and effective tool to address both housing retention and housing placement services. This short-term resource is best for families and individuals who are not disabled and have not experienced long term chronic homelessness but need a short-term infusion of assistance to stabilize. Each family or individual contacting the Coordinated Housing Access (CHA) is facing unique barriers and situations. Flexibility is key to ensure the correct short-term investments are made to achieve long term housing stability.

Specific recommendations:

- a) Identify, prioritize and allocate highly flexible funding to allow for more creative and effective programming for those calling CHA who are homeless or on the verge of becoming homeless.
 - a. Task Force members identified the Short-Term Rental Assistance (STRA) program model with highly flexible funding and an emphasis on creative, problem-solving approaches unique to each household in need as a viable option.
 - b. This model includes flexible short-term funding for barrier reduction such as deposit assistance, application fees, transportation assistance or whatever the need is as determined by a culturally specific provider who builds a relationship with the family/individual. Every family has different barriers to housing stability.
 - i. Much of the current homeless housing assistance funding comes with strict rules on allowable use. For example, HUD funding cannot be used to pay for gas to help participants look for housing or work but can fund bus tickets. Many homeless families and individuals live in their cars and rely on them for transportation, especially in areas of Clackamas County where public transit is sparse.

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- ii. Infusing highly flexible funding in the current programs allows staff and clients to meet their unique needs.

Recommendation 8: Encourage and prioritize housing placement and retention funding to be delivered via culturally specific providers in Clackamas County.

Specific recommendations:

- a) Flexible short-term assistance programs are most successful when delivered by a culturally competent provider with the ability to establish relationships with the people being served.
- b) Empowering leadership to engage in relationship building with non-profits would need to be prioritized at the county.

Recommendation 9: Prioritize wrap around case management services and priority access to affordable housing for people with disabilities experiencing long term chronic homelessness.

Specific recommendations:

- a) Identify and prioritize funding for ongoing intensive case management services targeted to serve families and individuals with significant disability experiencing chronic/long-term homelessness.
- b) Create preferences for families and individuals with significant disability experiencing chronic/long-term homelessness aligned with the ongoing wrap around intensive case management services.
- c) Use current data to identify priority populations and gaps in current funding. Understand homeless inflow and outflow data and adjust operations as needed to achieve homeless reduction goals ongoing.

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Recommendations 10-17: Tenant Protections

The Task Force was unable to reach consensus on specific tenant recommendations due to uncertainty stemming from the recent passage of Senate Bill 608.

Recognizing the value of this topic, members therefore recommend that the County convene a diverse group of stakeholders to discuss and advise on the following tenant protection topics and periodically report back to the Board of County Commissioners on findings and recommendations.

Tier One: The Task Force recommends further discussion on the following Tier One actions as most likely to effect change in the shortest period

Recommendation 10: Implement a rental unit registration program in Clackamas County.

Specific Recommendations:

- a) Implement a rental unit registration program that gathers information including the location, room size, number of bedrooms, number of bathrooms. Any fee should be break-even.

Recommendation 11: Support landlords and tenants by creating an education tool kit on services available to landlords and their tenants.

Specific Recommendations:

- a) Expand renter's rights services (i.e. More funding towards hotline resources).

Recommendation 12: Create a new County group focused on tenant protections that explores and defines strategies and needs.

Specific Recommendations:

- a) Identify and consider all available sources of funding and match funding efforts to effective programs and services for tenant protection efforts.

Recommendation 13: Increase opportunities for alternative dispute resolution for landlord/tenant issues.

Specific Recommendations:

- a) Board of Commissioners could encourage the court to require FED mediation by local rule, so tenants don't go straight into litigation.

Housing Affordability and Homelessness Task Force



Recommendation 14: Consider procuring a vendor for a single point of application for subsidized housing providers.

Tier Two: The Task Force recommends the following actions after monitoring the implementation outcomes of SB 608, including:

Recommendation 15: Eliminate no-cause evictions.

Specific Recommendations:

- a) At a minimum, require a 90-day notice.
- b) Consider rephrasing to acknowledge State legislation, e.g. "Urge the County to support the State mandate around "no-cause evictions"
- c) Conduct more analysis to understand and analyze potential impacts and what exemptions may be needed.
- d) Increase the stability potential of individuals within their current dwellings.
- e) Increase transparency in the evictions process to allow tenants options for recourse.

Recommendation 16: Recommend fair housing testing and enforcement by the County.

Specific Recommendations:

- a) Establish implementation and enforcement framework for operation by the County.

Recommendation 17: Consider screening criteria reform for housing.

Specific Recommendations:

- a) Amend existing criteria to be more flexible to credit and rental history, security deposits (i.e. 1st and last deposit), and criminal history.
- b) Getting homeless individuals off the street and into permanent housing.

Housing Affordability and Homelessness Task Force



Recommendations 18-19: Funding

Goal: *Create a stable source of ongoing funding for housing affordability and the reduction of homelessness.*

Recommendation 18: Adopt a Construction Excise Tax of 1% on residential and commercial construction to fund housing affordability and services.

A Construction Excise Tax (CET) provides one of the few ways to address housing affordability and homelessness without impacting current services or requiring additional borrowing. The Task Force recommends that the County adopt a CET of 1% on residential construction and of 1% on commercial construction. Based on historic trends, together these fees should yield around \$2 million per year.

SB 15338 was passed in 2016 to allow cities and counties to enact a Construction Excise Tax as a source for housing affordability.

Key Provisions of SB 15338: The CET is on construction of new structures or construction adding square footage to an existing structure.

Cities and Counties may impose a CET on:

- Residential construction, at a rate of 1% of the value of the permit value of the construction or addition;
- New commercial and industrial construction, with no cap on the rate of the CET.

The local government imposing the CET may retain 4% of the CIT revenues as a fee for administering the tax. After this fee, the residential CET revenues are to be distributed as follows:

- 50% to developer incentives such as fee waivers, SOC waivers and financial incentives.
- 15% to the state Housing and Community Services Department to fund homeownership programs that provide down payment assistance. Currently the state plans to remit those revenues back to the local jurisdiction
- 35% for affordable housing programs and incentives as defined by the local jurisdiction

The collected Commercial Tax Revenue could be distributed as follows:

- 50% for programs related to housing, as required by statute.
- 50% to the general fund. The county should consider dedicating some portion of this revenue to support multi-family and workforce housing.

Housing Affordability and Homelessness Task Force



Required State Exemptions:

- Affordable Housing at or Below 80% MFI
- Public Improvements Under Public Contracting Code
- Schools, Hospitals, Worship, Agriculture, Non-Profit Care

Recommended Additional Exemptions:

- Affordable For-sale Housing-at or below 80 percent MFI
- Accessory Dwelling Units for 5 years
- Improvements when value is less than \$100,000
- A cap on large commercial projects.

Recommendation 19: Create new Urban Renewal Districts where there are opportunities to revitalize areas and enhance affordability.

Tax Increment Financing through Urban Renewal Districts remains one of the only ways for Clackamas County to provide infrastructure and invest to create both jobs and housing affordability. The Task Force is aware of existing urban renewal districts in the county. However, there is at least one unincorporated area of the county that might benefit from a new urban renewal district.

Urban Renewal must be designed and implemented carefully, with attention paid to risks of displacement and gentrification, and to not concentrating low income housing in only certain portions of the county.

Housing Affordability and Homelessness Task Force



Clackamas County Task Force on Affordable Housing and Homelessness Equity Lens

Clackamas County defines equity as: The principled commitment to ensuring the absence of visible and invisible barriers to fairness in representation, opportunity and access.

Vision Statement:

We envision a Clackamas County Task Force on Affordable Housing and Homelessness that engages communities of color and those disproportionately impacted by historic and current housing disparities in the county, that leads by example and actively makes informed decisions while bringing the voices of those disproportionately affected to the table, and that considers current and future impacts that our decisions make on communities of color.

What is a racial equity lens?

In work many of us use lenses (such as safety, trauma-informed and ethical lenses) to determine if a decision fits an organization's values and operating principles.

This racial equity lens is a tool that the Clackamas County Task Force on Housing Affordability and Homelessness will use to determine if we have achieved equity in our decisions and recommendations. The lens will help us see disparities, consequences, sources of structural inequity and institutional racism, potential impacts on communities of color and historically marginalized communities in Clackamas County. The goal is to turn our intentions into actions and strive to right historical wrongs in our society, creating a welcoming Clackamas County for community members of all different backgrounds.

Questions to ask when considering if a policy is equitable:

- What communities are impacted by the policy we're considering?
- Are they at the table?
 - a. If yes: What is their perspective?
 - b. If no: Why not? How can we get their perspective before moving forward with a recommendation?
- What disparate impacts may arise from this recommendation? Areas to consider are: Housing Access, Housing Stability, Displacement
 - a. To what extent does the proposed policy worsen disparities toward affected groups?
 - b. Does the proposed policy aim to correct, change or challenge institutional racism?

Housing Affordability and Homelessness Task Force



- What are the intended benefits or unintended consequences that might impact affected groups as a result of the policy or recommendation?
- Has the county considered disparate impacts already?
 - a. If yes: what existing analysis can we draw from to make an informed decision?
 - b. If no: What analysis does the county need to complete before we can make an informed decision?

Housing Affordability and Homelessness Task Force



Task Force Members

Homebuilder

Bart Berquist
Partner
PDX Living LLC

Economic Development Commission

Wilda Parks
EDC Chair
Clackamas County Economic Development
Commission

City Representative

Alma Flores
Community Development Director
City of Milwaukie

Faith Community

Pastor Jesse Christopherson
Milwaukie Lutheran Church

Law Enforcement

Graham Phalen
Clackamas County Sheriff's Office

Not-for-profit Housing Provider

Yelena Voznyuk
Vice Chair
NW Housing Alternative

Private Producer of Affordable Housing

Anna Geller
President
Geller Silvis

Health Care

Ruth Adkins
Kaiser Permanente

Economist

Jerald Johnson
Johnson Economics

Elected Official

Nancy Ide
Oregon City Commissioner
City of Oregon City

Tenant Advocacy Organization

Katrina Holland
Executive Director
Community Alliance of Tenants

Education

Larry Didway
School District Superintendent
Oregon City School District

Social Service and Housing Advocate

Shelly Mead
Operation Director
Bridges to Change

Kari Lyons
Director
Welcome Home Coalition

Dave Carboneau
Home First Development

Shelley Yoder
Providence

Housing Affordability and Homelessness Task Force



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NW Natural

At Large

Cole Merkel
County Citizen and employee of Street Roots

Patti Jay
Clackamas County Citizen Representative

Nate Ember
Oak Grove Resident
Ink:Built Architecture, Community+ Design

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Mari Valencia-Aguilar

*Members who participated for a portion of the Task Force Duration.

City of Molalla

City Council Meeting



Agenda Category: Public Hearing

Subject: Consideration of Ordinance No. 2020-01; An Ordinance annexing 15.52 acres located at the southwest corner of OR-211/OR-213 (Tax Lot 52E0701500) and assigning a C-2 (General Commercial) City zoning designation to the annexed territory

Recommendation: Council Approval

Date of Meeting to be Presented: January 8, 2019

Fiscal Impact: The property is currently undeveloped; therefore, the fiscal impact and future revenue generation will be determined later.

Background:

The applicant is proposing to annex a 15.52-acre property contiguous property into the City of Molalla. Consistent with the Molalla Comprehensive Plan, the applicant is proposing that the property be zoned General Commercial (C-2). No new development is proposed at this time.

The subject property is located on the southwest corner of OR-211/OR-213 -- a flat, 15.52-acre parcel composed of an agricultural field, with no structures. The current Clackamas County zone is Exclusive Farm Use (EFU). The site is located inside Molalla's Urban Growth Boundary and designated General Commercial in the Comprehensive Plan. Property to the west and south are existing agricultural uses in Clackamas County's jurisdiction. Property directly across OR-213 to the east is zoned C-2 (General Commercial) and M-2 (Heavy Industrial). Property to the north is the City's wastewater lagoon, and commercial property at the northwest corner of OR-211/213. The Molalla Market Center (Safeway shopping center) is located diagonally across OR-213 and OR-221 to the northeast.

SUBMITTED BY: Alice Cannon, Planning Director

APPROVED BY: Dan Huff, City Manager



ORDINANCE NUMBER 2020-01

AN ORDINANCE OF THE CITY OF MOLALLA, OREGON ANNEXING 15.52 ACRES LOCATED AT THE SOUTHWEST CORNER OF OR-211/OR-213 (TAX LOT 52E0701500) AND ASSIGNING A C-2 (GENERAL COMMERCIAL) CITY ZONING DESIGNATION TO THE ANNEXED TERRITORY

WHEREAS, CrossRoads Properties, LLC (“Owner) submitted an application for annexation of 15.52 acres of property located at the southwest corner of OR-211/OR-213 (Tax Lot Number 52E07 01500), hereafter called the “Property.”

WHEREAS, the City of Molalla is authorized to annex territory under Oregon Revised Statutes (ORS) Chapter 222 and Molalla Municipal Code (MMC) Sections 17-1.2.060, Table 17-4.1.010, and 17-4.1.050;

WHEREAS, the annexation of the Property has been requested by 100 percent of the property owners, 100 percent of the electors, and qualifies for annexation under ORS 222.170;

WHEREAS, public notice of the annexation request was provided consistent with MMC Section 17-4.1.050.C;

WHEREAS, Molalla Planning Commission recommended approval of the annexation and concurrent zone change assigning a C-2 (General Commercial) city zoning designation to the Property at a legislative hearing on December 4, 2020;

WHEREAS, the Council conducted a legislative public hearing on January 8, 2020, where Council heard and considered testimony and evidence presented by the City staff, the applicant, and those appearing at the public hearing; and

WHEREAS, after the conclusion of the public hearing Council determined the annexation is consistent with all applicable legal requirements of state law, and City ordinances related to annexing property and voted to approve the application.

Now, Therefore, the City of Molalla does ordain as follows:

Section 1. The Council approves and endorses the annexation application for the Property;

Section 2. The Property identified in the legal description attached as Exhibit 1 and as more fully depicted in the map in Exhibit 2, which are both incorporated herein by reference, is hereby annexed to and made a part of the City of Molalla

Section 3. The existing Clackamas County zoning for the Property, Exclusive Farm Use (EFU) is changed to C-2 (General Commercial) city zoning designation;

Section 4. The findings in support of the annexation, attached as Exhibit 3 and incorporated herein by reference, are hereby adopted.

Section 5. Notice to Utilities. In accordance with ORS 222.005, the City Recorder shall, no later than 10 working days after passage of this ordinance of the proposed annexation, provide by certified mail to all public utilities operating within the City, each site address to be annexed as recorded on county assessment and tax rolls, a legal description and map of the proposed boundary change and a copy of the City Council's ordinance approving the annexation.

Section 6. Notice to County. In accordance with ORS 222.010, the City Recorder shall report to the Clackamas County Clerk and County Assessor all changes in the boundaries of limits of the city. The report shall be filed by the City within 10 days from the effective date of this ordinance.

Section 7. Assessor Valuation. In accordance with ORS 222.030 the City Recorder shall request that the County Assessor furnish within 20 days of official request, a statement showing for the current fiscal year assessed valuation of the Property.

Section 8. Notice to Secretary of State. In accordance with ORS 222.177 the City Recorder shall transmit to the secretary of State:

- 1) A copy of this ordinance proclaiming the annexation
- 2) A copy of the statement of consent for all electors or landowners of the Property who consented to the annexation under ORS 222.170

Effective Date. This ordinance shall be effective 30 days after passage by Council and approved by the Mayor this date: _____

Read the first time on _____ and moved to second reading by _____ vote of the City Council.

Read the second time and adopted by the City Council on _____.

Signed by the Mayor on _____.

Keith Swigart, Mayor

ATTEST:

Christie DeSantis, City Recorder

EXHIBIT 1 – PROPERTY LEGAL DESCRIPTION

15.52 acres located in Molalla, Clackamas County, Oregon.

Clackamas County Assessor's Account No: 01088254

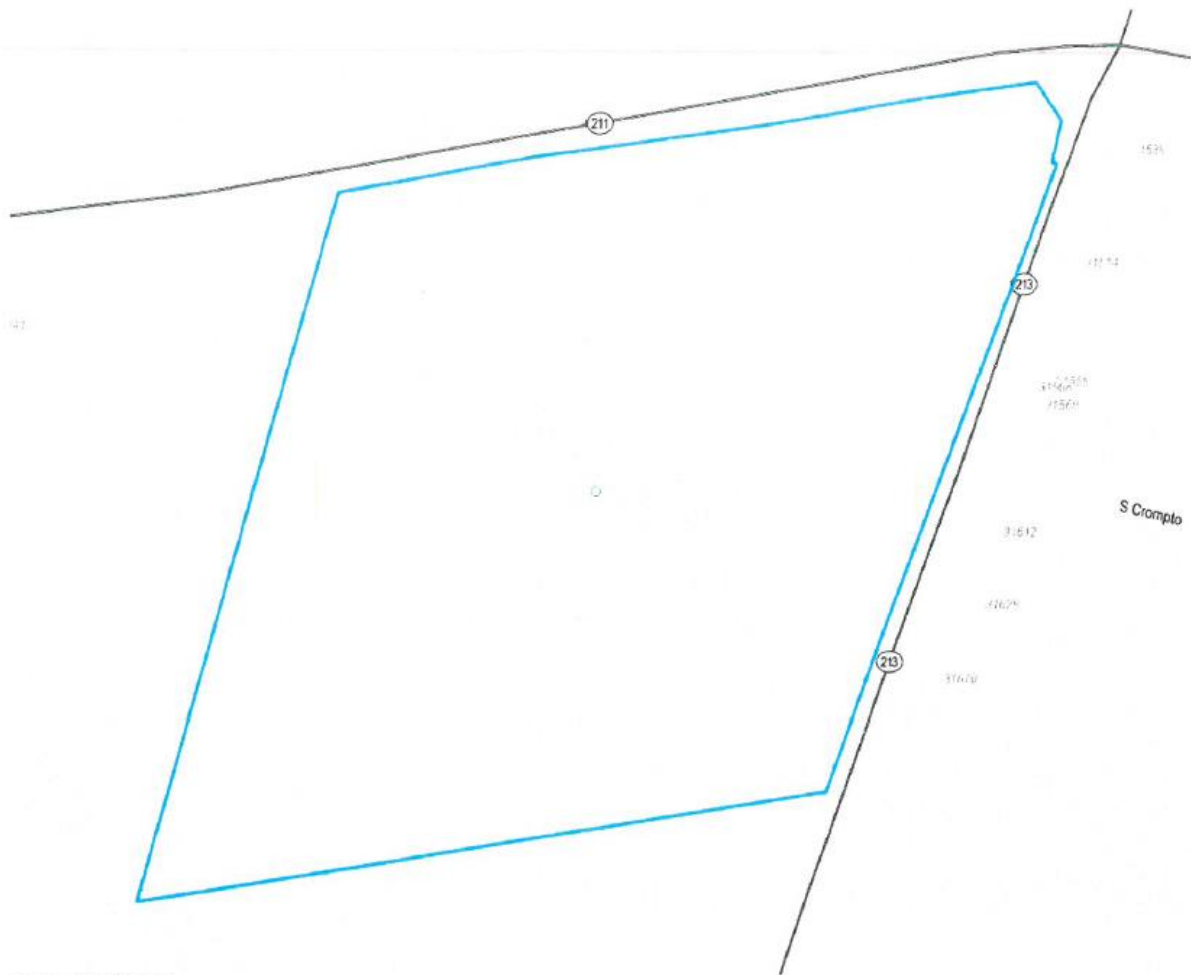
52E07 91500

Part of the Benjamin B. Jackson Donation Land Claim No. 41, in the South one-half of Section 7, Township 5 South, Range 2 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at the intersection of the centerline of Oregon State Highway No. 213, and the Southerly right of way of the Willamette Valley Southern Railroad, said point of beginning bears South 80° 51' 35" East, 2753.5 feet and South 20° 33' 05" West, 1892.34 feet from the Northwest corner of the said Benjamin B. Jackson Donation Land Claim; thence Westerly following the Southerly boundary of said railroad right of way along the arc of a 11,429.00 foot radius curve, a distance of 484.01 feet to an iron rod set at the point of tangency from which the radius point of said curve bears South 8° 16' 00" East, 11,429.00 feet; thence continuing along said railroad right of way South 81° 44' West, 440.0 feet, more or less, to an iron rod; thence North 15° 51' 05" East, along the Easterly boundary of that certain tract conveyed to Theodore L. Imel, et ux, by Warranty Deed recorded April 16, 1971, as Recorder's Fee No. 71-7873, Clackamas County Records, 920.31 feet to the Northwest corner of that tract described in a contract to Craig S. Kylo, et ux, recorded November 3, 1972, as Recorder's Fee No. 72-33662, Clackamas County Records, and the true point of beginning; thence North 15° 51' 05" East along the Easterly line of said Imel Tract, 866.17 feet, more or less, to the centerline of State Highway No. 211, (Market Road No. 32); thence Northeasterly along said centerline to the intersection with the centerline of State Highway No. 213 (Market Road No. 5); thence Southerly along the centerline of State Highway No. 213 to an iron rod to the Northeast corner of the Imel Tract; thence South 85° 15' 50" West, 888.19 feet to the true point of beginning.

EXCEPTING THEREFROM that portion conveyed to the City of Molalla for road right of way, by Warranty Deed recorded March 22, 2005, Recorder's Fee No. 2005-24949.

EXHIBIT 2 - PROPERTY MAP



Objectid: 35610
Primary Address: No Situs
Jurisdiction: Clackamas County (<http://www.clackamas.us/>)
Map Number: 52E07
Taxlot Number: 52E07 01500
Parcel Number: 01088254
Document Number: 2012-076765
Census Tract: 023800

EXHIBIT 3 – FINDINGS OF FACT

Oregon Revised Statute 222.127

1. This section applies to a city whose laws require a petition proposing annexation of territory to be submitted to the electors of the city.

Staff response: Chapter X, Section 38 of the City of Molalla's charter requires that petitions for annexation be submitted to the electors of the City.

2. Notwithstanding a contrary provision of the city charter or a city ordinance, upon receipt of a petition proposing annexation of territory submitted by all owners of land in the territory, the legislative body of the city shall annex the territory without submitting the proposal to the electors of the city if:

- a. The territory is included within an urban growth boundary adopted by the city or Metro, as defined in ORS 197.015;

Staff response: The subject property is in Molalla's urban growth boundary.

- b. The territory is, or upon annexation of the territory into the city will be, subject to the acknowledged comprehensive plan of the city;

Staff response: Upon annexation the property will be subject to Molalla's Comprehensive Plan.

- c. At least one lot or parcel within the territory is contiguous to the city limits or is separated from the city limits only by a public right of way or a body of water;

Staff response: The subject property is contiguous to the city limits.

- d. The proposal conforms to all other requirements of the city's ordinances.

Staff response: The subject property is currently vacant. Any development shall comply with the City's Municipal Code.

3. The territory to be annexed under this section includes any additional territory described in ORS 222.111 (1) that must be annexed in order to locate infrastructure and right of way access for services necessary for development of the territory described in subsection (2) of this section at a density equal to the average residential density within the annexing city.

Staff response: *This criterion does not apply.*

4. When the legislative body of the city determines that the criteria described in subsection (2) of this section apply to territory proposed for annexation, the legislative body may declare that the territory described in subsections (2) and (3) of this section is annexed to the city by an ordinance that contains a description of the territory annexed. [2016 c.51 §2]

Staff response: *The criteria described subsection 2 apply to the territory proposed for annexation. Therefore, the City Council may consider this annexation without submitting it to the electors of the City. The City Council will consider an ordinance annexing the subject property at their January 8 meeting.*

17-4.3.070 Zone Change Criteria

Planning Commission review and recommendation, and City Council approval, of an ordinance amending the Zoning Map, Development Code, or Comprehensive Plan shall be based on all of the following criteria:

- A. If the proposal involves an amendment to the Comprehensive Plan, the amendment must be consistent with the Statewide Planning Goals and relevant Oregon Administrative Rules;

Staff response: *This annexation proposal does not involve an amendment to the Comprehensive Plan.*

- B. The proposal must be consistent with the Comprehensive Plan (the Comprehensive Plan may be amended concurrently with proposed changes in zoning);

Staff response: *This annexation proposal does not involve an amendment to the Comprehensive Plan.*

- C. The City Council must find the proposal to be in the public interest with regard to community conditions; the proposal either responds to changes in the community, or it corrects a mistake or inconsistency in the subject plan or code; and

Staff response: *The proposed annexation will bring a vacant property into the City limits. Zoning will comply with the Molalla Comprehensive Plan and will be developed in conformance with the Municipal Code at a future date.*

- D. The amendment must conform to Section 17-4.6.050 Transportation Planning Rule Compliance

Staff response: *City staff and Oregon Department of Transportation staff concur that the proposed annexation complies with the Transportation Planning Rule. In particular, the criterion outlined in OAR 660-012-0060(9) criterion is met. The proposal does not significantly affect the existing or planned transportation system because future development will be consistent with the adopted Comprehensive Plan and Transportation System Plan.*

EXHIBIT B – SITE MAP



City of Molalla

City Council Meeting



Agenda Category: General Business

Subject: 2020–2021 Budget Officer

Recommendation: Appoint Budget Officer for Fiscal Year 20-21 Budget

Date of Meeting to be Presented: January 8, 2020

Fiscal Impact: N/A

Background:

At the beginning of each year the City Council appoints a budget officer for the upcoming fiscal year 2020-2021 budget.

SUBMITTED BY: Chaunee Seifried, Finance Director
APPROVED BY: Dan Huff, City Manager



RESOLUTION NUMBER 2020-01

**A RESOLUTION OF THE CITY OF MOLALLA, OREGON,
APPOINTING CITY MANAGER AS BUDGET OFFICER FOR FISCAL YEAR
2020-2021.**

WHEREAS, Municipal Budgeting requires the appointment of a Budget Officer to prepare and present the budget for the City of Molalla; and

WHEREAS, the City of Molalla is initiating preparation of its fiscal year 2020-2021 budget.

Now, Therefore, the City of Molalla Resolves as follows:

Section 1. To appoint City Manager, Dan Huff as Budget Officer for fiscal year 2020-2021.

Section 2. Effective immediately upon passage.

Duly Appointed this _____ day of _____, 2020.

Keith Swigart, Mayor

ATTEST:

Christie DeSantis, City Recorder

City of Molalla

City Council Meeting



Agenda Category: General Business

Subject: 2020–2021 Budget Calendar

Recommendation: Adopt the Calendar

Date of Meeting to be Presented: January 8, 2020

Fiscal Impact: N/A

Background:

At the beginning of each year the City Council approves the Budget calendar for the upcoming fiscal year 20-21 budget.

SUBMITTED BY: Chaunee Seifried, Finance Director
APPROVED BY: Dan Huff, City Manager

CITY OF MOLALLA & URBAN RENEWAL 2020-2021 BUDGET CALENDAR

The process followed in the preparation of this Budget complies with the Local Budget Law established by the State of Oregon (ORS Chapter 294). The process and calendar of events leading up to the adoption of this budget are as follows:

January	Appoint Budget Officer by Resolution (ORS.294.331)
January	Budget worksheets delivered to Departments
March 16	Department Heads submit final proposed budgets to Budget Officer
April	Budget 101 Presentation (if needed)
April 10	Budget Officer/Finance Final Budget Worksheets
April 19-22	Publish Notice of 1 st Budget Committee Meeting (ORS.291.401) to include Shared Revenue Hearing and Public Comment (Post on Website)
April 29	Budget Committee Meeting (Wednesday) <i>6:30pm @ the Molalla Adult Center</i>
May 5-12	Additional Budget Committee Meetings (if needed)
	Budget Committee approves and forwards to City Council (ORS.406)
June 3	Publish Notice of Budget LB/UR Forms (ORS 294.421)
June 10	Budget Hearing before City Council (ORS 294.430)
July 15	Submit tax certification document to County Assessor (ORS 294.555)

TO ALL: ***Budget committee has opening for the citizen member. If you know anyone interested, please have them contact the City Recorder.***