

Board of County Commissioners Business Meeting Minutes – DRAFT

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

Thursday, December 4, 2025 – 10:00 AM

In person and via virtual technology (Zoom)

**PRESENT: Chair Craig Roberts
Commissioner Paul Savas
Commissioner Diana Helm**

CALL TO ORDER

I. PUBLIC COMMUNICATION

Karyn Fenton (Canby) – Federal immigration law enforcement raids concerns

Jen Mess (Oregon City) -- Federal immigration law enforcement raids concerns

Patricia Torsen (Molalla) – Senior food insecurity/housing

Les Poole (Hubbard) – public comment

Brainard Brauer (Redland) (virtual) – Public participation + noise ordinance questions

II. PUBLIC HEARINGS

- A. Second Reading of Ordinance 04-2025 Amending County Code Chapter 6.05, Noise Control. No County General Funds are involved.

Brainard Brauer (Redland) (virtual) – Concerns over anonymous complaints, other questions

Commissioner Helm moved to read the ordinance by title only and Commission Savas seconded. Motion passed 3-0.

Commissioner Helm moved to approve the ordinance and Commissioner Savas seconded. Motion passed 3-0.

- B. Second Reading of Ordinance 05-2025 Amending County Code Chapter 2.16, Budget Development. No County General Funds are involved.

Commissioner Savas moved to read the ordinance by title only and Commissioner Helm seconded. Motion passed 3-0.

Commissioner Savas moved to approve the ordinance and Commissioner Helm seconded. Motion passed 3-0.

III. CONSENT AGENDA

A. Elected Officials

1. Approval of Previous Business Meeting Minutes – BCC
2. Approval of a Grant Agreement with the Oregon Department of Justice for Child Abuse Multidisciplinary Intervention services. Grant Value is \$1,343,499 for 2 years. Funding is through the Oregon Department of Justice. No County General Funds are involved. – DA

B. Disaster Management

1. Approval of an Amendment to a Subrecipient Grant Agreement with the City of Portland for additional air support thermal camera features on the Sheriff's Office's airplane. Amendment Value is \$19,955 for 1 month. Total Agreement Value is \$373,787 for 2 years. Funding is through the City of Portland. No County General Funds are involved.

C. Juvenile

1. Approval of an Amendment to an Intergovernmental Agreement with the Oregon Youth Authority to lower liability insurance. Agreement Value is \$82,094 for 2 years. Funding is through the Oregon Youth Authority. No County General Funds are involved.
2. *Approval of a Personal Services Contract with Parrott Creek Child and Family Services for short-term behavior stabilization youth residential placements. Agreement Value is \$4,242,942.50 for 5 years. Funding is through the Oregon Department of Human Services, the Oregon Health Authority and \$1,570,000 of Budgeted County General Funds.

D. Tourism

1. Approval of a Professional Services Contract with Clackamas Heritage Partners for in-person visitor information services at the End of the Oregon Trail Interpretive Center. Contract Value is \$157,930 for 2 years. Funding is through state Transient Lodging Tax. No County General Funds are involved.

E. Health, Housing & Human Services

1. Approval to Apply for a Direct Award Grant from the Oregon Department of Veterans' Affairs for veteran outreach and job training services. Grant Value is \$250,000 for 18 months. Funding is through the Oregon Department of Veterans Affairs, Oregon Housing and Community Services, and \$264,986 of Budgeted County General Funds.

2. Approval of an Amendment to an Intergovernmental Grant Agreement with the Oregon Department of Human Services for additional Older Americans Act and Oregon Project Independence programs. Amendment Value is \$7,775,773.37 for 2 years. Total Agreement Value is \$17,628,062.37 for 4 years. Funding is through the Oregon Department of Human Services. No County General Funds are involved.
3. Approval of an Intergovernmental Agreement with the Oregon Department of Human Services to fund Aging and Disability Resource Connection services. Agreement Value is \$285,387 for 6 years. Funding is through the Oregon Department of Human Services. No County General Funds are involved.
4. Approval of an Amendment to a Revenue Intergovernmental Agreement with the Oregon Health Authority for the financing of public health services such as drinking water monitoring. Amendment Value is \$550,991.25 for 1 year. Total Agreement Value is \$6,413,651.22 for 2 years. Funding is through the Oregon Health Authority. No County General Funds are involved.
5. Approval of a Federal Subrecipient Grant Agreement with LifeWorks NW for assessment and support services to youth experiencing psychotic disorders. Agreement Value is \$402,379.98 for 1 year. Funding is through the Oregon Health Authority. No County General Funds are involved.
6. Approval of a Revenue Grant Agreement with Oregon Housing and Community Services for affordable housing redevelopment project funding. Total Agreement Value is \$227,785.38 for 3 years. Funding is through Oregon Housing and Community Services. No County General Funds are involved.
7. Approval of the Public Health Modernization Plan for submission to the Oregon Health Authority. Plan implementation funding is through federal, state and other grants, as well as \$2,791,836 of Budgeted County General Funds.

F. Transportation & Development

1. Approval of a Resolution Declaring the Public Necessity and Purpose for the Acquisition of Rights of Way, Easements, and Fee Property, and Authorizing Good Faith Negotiations and, If Necessary, Condemnation Proceedings, for the Amisigger Road Roundabout project. Project Value is \$5,675,465. Funding is through the Community Road Fund. No County General Funds are involved.
2. Approval of a Financial Assistance Application to receive state funds from Circular Action Alliance for recycling education and outreach. Assistance Value is \$1,279,701 for 1 year. Funding is through Senate Bill 582. No County General Funds are involved.

3. Approval of Sale Documents for fifteen properties sold at the September 16, 2025 Surplus Property Auction. Total Sale Value is \$194,677. Funding is through auction proceeds. No County General Funds are involved.
4. Approval of Sale Documents for a Property Parcel located near Salmon to Charles Kimberly. Sale Value is \$1,295. Funding is through purchasers. No County General Funds are involved.
5. Approval of a Resolution Declaring the Public Necessity and Purpose for the Acquisition of Rights of Way, Easements, and Fee Property, and Authorizing Good Faith Negotiations and, If Necessary, Condemnation Proceedings, for the Oatfield Rd - Jennings Ave Signal Rebuild project. Project Value is \$2,961,079. Funding is through the Community Road Fund and Transportation System Development Charges. No County General Funds are involved.
6. Approval of an Intergovernmental Agreement with the City of Canby for the Walnut Street Extension project. Agreement has no fiscal impact and ends once transfer to the City is complete. No County General Funds are involved.
7. Approval of a Contract Amendment with Eagle-Elsner for the Wildcat Rd Paving project. Amendment Value is \$83,323 and no time increase. Total Contract Value is \$1,556,603 for 2 years. Funding is through American Rescue Plan Act funds and the County Road Fund. No County General Funds are involved.
8. Approval of a Board Order to purchase two Freightliner dump trucks. Order Value is \$257,715.19. Funding is through the County Road Fund. No County General Funds are involved.

Commissioner Helm moved to approve the Consent Agenda and Commissioner Savas seconded. Motion passed 3-0.

IV. WATER ENVIRONMENT SERVICES CONSENT AGENDA

- A. Approval of a Board Order to purchase a Freightliner tanker truck. Order Value is \$213,878. Funding is through WES Sanitary Sewer Construction Funds. No County General Funds are involved.
- B. Approval of a Board Order delegating authority to the WES Director, Assistant Director, Technical Division Manager and Capital Division Manager to submit permit reports and certifications required by federal and state permits via the Oregon Department of Environmental Quality online portal. No fiscal impact. No County General Funds are involved.

- C. Approval of a Contract with Dewitt Construction for South Welches, Golf Club Terrace, 82nd Ave and Sieben Lane Pump Station rehabilitation and upgrades. Contract Value is \$3,408,253 for 2 years. Funding is through WES Sanitary Sewer Construction Funds. No County General Funds are involved.
- D. Approval of a Contract Amendment with Braun Construction & Design for the Upper Kellogg Improvements project. Amendment Value is \$439,225.99 and no time increase. Total Contract Value is \$2,117,555.99 for 1 year. Funding is through WES Surface Water Construction Funds. No County General Funds are involved.

Director Savas moved to approve and Director Helm seconded. Motion passed 3-0.

V. COUNTY ADMINISTRATOR UPDATE

Administrator Schmidt shared constituent praise of transportation maintenance supervisor Paul Runyon for responsiveness to concerns about drainage.

VI. COMMISSIONER COMMUNICATION

Commissioner Savas reflected on constituent complaints about parking and noted his concern about vacant affordable housing units.

Commissioner Helm reported on the Columbia Pacific Building Trades Council event she attended, as well as an Oak Grove Community Council meeting.

Chair Roberts praised Father's Heart volunteers, apologized for mispronouncing names at a recent employee recognition luncheon and briefly discussed his recent Willamette Falls Locks Authority meeting.

Chair Roberts adjourned the meeting at 11:34AM.

Constituent Provided Material for Minutes Inclusion

November 3, 2025

Clackamas County Board of Commissioners

RE: Request for Immediate Implementation of Short-Term Rental Enforcement Mechanisms Under County Code Chapter 8.10

Dear Chair Roberts and Commissioners,

Executive Summary

The Mount Hood Livability Coalition and Hoodland CPO, respectfully requests immediate action to implement the enforcement mechanisms already established in Clackamas County Code Chapter 8.10. After nearly two years of operation, the Short-Term Rental (STR) program has failed to achieve its stated purpose under Section 8.10.010 to "enhance public safety and livability" due to complete absence of enforcement. We request the Board direct staff to implement the specific measures outlined below within 90 days, utilizing existing legal authority and funding the program through increased STR fees as authorized under Section 8.10.050(A).

Current Enforcement Failures Under Existing Law

Our review of active STRs reveals systematic non-compliance with mandatory requirements under Chapter 8.10, with no evidence of enforcement action despite clear legal authority:

Section 8.10.050(I) Posting Requirements - Zero Compliance Verification

County Code mandates that "Contact information for the responsible party as well as the County's registration identification number shall be posted, while paying guests are on the property, in an area and size to be readily visible from the nearest public roadway." Community monitoring indicates widespread non-compliance with this mandatory requirement, yet no enforcement actions have been documented.

Section 8.10.080 Progressive Enforcement - Never Implemented

The ordinance establishes a clear enforcement structure requiring written warnings followed by formal enforcement actions. Despite hundreds of registered rentals and ongoing community complaints regarding noise violations (County Code Chapter 6.05), parking violations (County Code Chapter 7.01), and occupancy violations, no warnings, suspensions, or revocations have been issued.

Section 8.10.060 Examination Authority - Unused

The County possesses explicit authority to "examine or cause to be examined by an agent or representative designated by the Administrator, at any reasonable time, the premises," yet this authority has never been exercised for compliance verification.

Specific Implementation Requests

1. Immediate Staffing and Budget Allocation

Request: Allocate 1.0 FTE Code Enforcement Officer position dedicated to STR compliance, funded through increased administration fees under Section 8.10.050(A).

Legal Authority: Section 8.10.080(A) grants the Department of Finance authority to "administer, supervise, and perform all acts necessary to enforce this chapter."

Precedent: The City of Santa Fe employs dedicated staff in the Land Use Department who actively monitor STR compliance, resulting in measurable enforcement outcomes including violation notices and permit revocations.

Budget Impact: Increase current 0.85% STR administration fee to a rate sufficient to generate budget support of one FTE annually, sufficient to fund a dedicated enforcement position, based on current STR volume.

2. Mandatory Proactive Compliance Monitoring

Request: Implement quarterly compliance verification program including:

- Physical verification of posting requirements under Section 8.10.050(I)
- Platform monitoring for proper registration display under Section 8.10.050(H)
- Annual safety equipment verification under Section 8.10.050(J)

Proposed Code Amendment - Section 8.10.050(K):

"Mandatory Annual Compliance Verification. All registered short-term rentals shall be subject to annual compliance verification conducted by County staff or authorized agents. Such verification may include physical inspection of posting requirements, occupancy calculations, safety equipment, and advertising compliance. Failure to allow such verification shall result in immediate suspension under Section 8.10.080."

3. Technology-Enhanced Enforcement

Request: Contract with third-party monitoring service to identify unregistered STRs and verify compliance with advertising requirements.

Legal Authority: Section 8.10.040(C) prohibits advertising without registration; Section 8.10.050(H) requires registration numbers in advertisements.

Oregon Precedent: Portland utilizes technology platforms to verify residency requirements and permit compliance. Santa Fe contracts with Host Compliance for platform monitoring and violation identification.

4. Emergency Authority Implementation

Request: Immediate activation of Section 8.10.070 emergency revocation authority for documented fire safety violations.

Current Gap: Despite existing authority for "immediate revocation" when violations "present an immediate serious fire or life safety risk," no emergency revocations have been documented despite community reports of fire pit usage during high-risk periods and overcrowding violations.

Performance Metrics and Accountability

Request: Establish mandatory quarterly reporting to include:

- Number of compliance inspections conducted
- Violations identified by type and resolution status
- Revenue collected from penalties under Section 8.10.090
- Average complaint response time against 24-hour standard in Section 8.10.080 • Number of registrations suspended or revoked

Proposed Implementation Timeline

60 Days:

- Hire dedicated STR enforcement officer
- Establish third-party monitoring contract
- Begin systematic review of existing registrations

90 Days:

- Launch proactive compliance monitoring program
- Implement quarterly platform verification
- Issue first round of compliance notices for posting violations

120 Days:

- Complete first cycle of mandatory annual compliance verification
- Establish violation tracking and resolution database
- Begin emergency authority implementation for safety violations

180 Days:

- Present first quarterly enforcement report to Board
- Evaluate program effectiveness under Section 8.10.100 review provision

Legal Compliance and Constitutional Considerations

These enforcement recommendations operate entirely within existing County authority under ORS 203.035 (county police powers) and Chapter 8.10. Oregon state law permits local jurisdictions to regulate STRs through zoning and safety ordinances, as evidenced by successful programs in Portland, Eugene, and Santa Fe. No constitutional issues arise from enforcing validly enacted regulations.

Community Impact and Economic Benefits

Public Safety: Enhanced enforcement will address documented fire safety risks, overcrowding hazards, and emergency access issues, fulfilling the ordinance's stated purpose under Section 8.10.010.

Revenue Generation: Proper enforcement will capture currently unpaid taxes and fees while creating sustainable funding for continued program operation.

Tourism Balance: Effective regulation preserves Mount Hood's appeal to responsible visitors while protecting residential livability, supporting long-term economic sustainability.

Conclusion and Request for Action

The Mount Hood Livability Coalition, and the Hoodland CPO representing over 200 community members, respectfully requests the Board exercise its legal authority to implement the enforcement mechanisms already established in Chapter 8.10. The regulatory framework exists; what is needed is the political will and resource allocation to make it functional.

We request the Board:

- 1. Direct staff to implement all enforcement mechanisms within 90 days**
- 2. Allocate dedicated staffing and budget for STR enforcement**
- 3. Establish quarterly performance reporting requirements**
- 4. Schedule public hearing within 60 days to discuss implementation plan**

The community supported STR regulation with the understanding that rules would be meaningfully enforced. Two years of non-enforcement has eroded public trust and rendered the program ineffective. We respectfully urge immediate action to fulfill the Board's stated commitment to enhance public safety and livability in unincorporated Clackamas County.

We welcome the opportunity to discuss these recommendations in detail and stand ready to support effective implementation of STR enforcement.

Respectfully submitted,

Mount Hood Livability Coalition Board of Directors
Hoodland CPO

