



OREGON

MARION COUNTY BOARD OF COMMISSIONERS

# Management Update Minutes

**Monday, November 30, 2020, 9:00 a.m.**

Courthouse Square, 555 Court St. NE, Salem  
5th Floor, Suite 5231, Commissioners Boardroom

## ATTENDANCE:

Commissioner Colm Willis, Commissioner Sam Brentano, and Commissioner Kevin Cameron, Jan Fritz, Brian Nicholas, Jane Vetto, Kathleen Silva, Jeff White, Kaye Alejandre, Matt Knudsen, Dennis Mansfield, Barb Young, Lisa Trauernicht, Chad Ball, Jolene Kelley, and Kristy Witherell as recorder.

Jan Fritz called the meeting to order at 9:00 a.m.

## INFORMATIONAL:

### **Discuss New Administrative Policy 910, Emergency Procurement – Public Contracting Rules**

- Jeff White, Camber Schlag

#### ***Summary of presentation:***

- The Finance Department recently attended a FEMA training;
- In the training, it was discovered that the county's emergency procurement practices and policies were not as robust as they should be;
- Having the county declare an emergency does not give the county the breadth of procurement strategies per federal policies;
- The policy is meant to address this issue;
- It gives the county a narrow window of time that the county can procure items without following the Marion County procurement processes with solicitation guidelines;
- Having this policy in place will help with getting reimbursed during times of emergency;
- Highlights of the policy are as follows:
  - Designated delegation of authority for the chief administrative officer (CAO), for department heads, the emergency management director, and the contracts and procurement manager:
    - The CAO and chief financial officer (CFO) have emergency purchasing authority of up to \$250,000:
      - Anything over \$250,000 will have to go before the board for approval.
    - Department heads would have up to \$100,000 of emergency purchasing authority;
    - The emergency management director would have up to \$250,000 of emergency purchasing authority, should the CAO and CFO not be available; and

- The contracts and procurement manager has up to \$50,000 emergency purchasing authority when the CAO and CFO are not available.
- This authority lasts up until the immediate threat has been managed, and then the county will revert back to the standard operation procurement rule;
- Emergencies is defined in the policy as immediate threat to life, public health, safety, or property requiring immediate action;
- Exigencies is defined in the policy as the existence of an immediate need to avoid or prevent serious harm, injury, financial, or otherwise to the county and its assets;
- The proposed timeframe for this policy is 96 hours, as long as the county can defend that they cannot do a process to solicit quotes; and
- The policy is very limited to immediate threat.

***Board discussion:***

- The county is required to have this policy in order to get reimbursement from FEMA;
- It is common in emergencies to increase delegations of authority, because it is difficult to get commissioners to convene:
  - The county doesn't often buy over \$250,000 of materials in one purchase.
- Department heads currently have \$50,000 spending authority, but their P-Card spending allowance has been increased to \$100,000 in case it was necessary during the emergency;
- The commissioners would like an automatic trigger of re-authorizing the emergency policy after 30 days if needed or it lapses;
- The order of succession of authority goes down to the sheriff;
- This matter will go before the board at Board Session on Wednesday, December 2<sup>nd</sup>;
- The governor declaring a state of emergency does not initiate this policy;
- The commissioners would like the purchases to be presented to the board after the fact:
  - They are already presented to the CAO, but this language will be added.
- The language of this policy was taken from the examples received from FEMA;
- This policy gives the county buying power during a state of emergency even if FEMA is not involved; and
- The commissioners would like to add language into the policy that states that the commissioners or the next available person in succession of authority may extend the emergency procurement rules beyond the 96 hours.

**COVID UPDATE:**

- Business Relief Funding:
  - Revamped the spreadsheet that was distributed last week;
  - In-state businesses only will receive their license fees back;
  - Restaurants:

- Pools;
  - Athletic clubs; and
  - Camps will receive a \$2,000 grant.
- Remaining funds will be put in a direct fund application:
  - There would be \$800,000 leftover for the grant.
- Ms. Granatir had a conversation with the Oregon Department of Administrative Services (DAS) to find out reporting requirements:
  - The county has to have a full report to DAS no later than January 5, 2021, on how those dollars were spent:
    - Total grant funds;
    - Total number of applicant beneficiaries; and
    - A short narrative of each business receiving an award.
- Morgan LaFrance will build an application program on the county website:
  - Will make certain fields mandatory so the applicant cannot move on unless it is filled out.
- The check has to be in the process of being cut by December 30, 2020;
- Will send a letter and email to all in-state Marion County restaurants, pools, athletic clubs, and camps to inform them of the two options of the grant opportunities and how to apply;
- The cut-off date to apply will be December 11, 2020; and
- The applicant will need to attest to being up to date on their taxes.

#### BEACHIE CREEK FIRE UPDATE:

- Damage inventory is due December 3<sup>rd</sup>;
  - The Recovery Scoping Meeting is scheduled for Thursday, December 3<sup>rd</sup> at 1p.m.;
  - The damage inventory will need to be complete for the meeting:
    - It does not need to be detailed, but should show categories of impact that the county has suffered.
- After talking with the public assistance delivery manager, the inventory damage list will be pretty broad:
  - Will list the main cost recovery categories and provide a comprehensive description with the damages incurred on the damage inventory;
  - Will enter all of the detail in back-up documents; and
  - Once the damage inventory gets accepted, it is very difficult to change, but the public assistance delivery manager can help with the detail back-up documents over the next 60 days.
- Five more rights-of-entry came in over the weekend:
  - 59 opt outs were received:
    - More than 70 percent are in the City of Detroit; and
    - More that 15 percent have City of Lyons addresses and are on North Fork Road.
- Town Hall meeting at Gates Community Church Wednesday, December 2<sup>nd</sup>:
  - Will hold two meetings back to back:
    - The first session will be from 5:30 p.m. to 6:30 p.m.; and
    - The second session will be from 6:30 p.m. to 7:30 p.m.

- Will be on Facebook Live; and
- Property owners have questions about trees that need to be answered at the town hall meeting.
- The individual assistance deadline is today, November 30<sup>th</sup> to apply;
- Public Assistance:
  - Ms. Silva has been in communication with the state;
  - The deadline for the entities to apply is December 13<sup>th</sup>;
  - The only city that has submitted their application is Detroit:
    - Mill City has applied for the grant portal, not for the public assistance.
  - Ms. Silva will be reaching out to the cities today to follow-up:
    - AC Disaster Consulting can help cities that are in need of assistance uploading their information in the grant portal:
      - Cities need to apply first.
  - There are a few fire districts that have applied:
    - Jefferson Rural Fire;
    - Mt. Angel Fire Department;
    - Breitenbush Fire Department; and
    - Silverton Fire District.
  - The following entities have applied:
    - METCOM;
    - State of Oregon Emergency Management;
    - Oregon Department of Transportation;
    - Oregon Parks and Recreation; and
    - The Oregon Department of Corrections.
  - Private non-profits are eligible to apply;
  - Ms. Silva and Ms. Kelley will work together to get some information out regarding applying for public assistance; and
  - Breitenbush Resort is not eligible for public assistance, but Ms. Radtke encouraged them to apply to see if they could be eligible for SBA loans.
- The public assistance delivery manager sent over the wildfire disaster narrative, which describes everything the county incurred during the event:
  - Mr. Nicholas will review the narrative with Ms. Fritz and distribute it to all people involved.

OTHER:

Jane Vetto:

- Public hearing scheduled for this Wednesday's Board Session:
  - The applicant is willing to sign an agreement that they will not seek any tax exemptions as long as the county does not increase property taxes by more than 10 percent in one year:
    - There are no changes in the tax laws.

COMMISSIONERS COMMITTEE ASSIGNMENTS AND UPDATES:

Sam Brentano:

- Is not in support of county resources to be used to enforce current state COVID guidelines.

Meeting adjourned at 10:17 a.m.

COMPLETED BY: **Kristy Witherell**

*Reviewed by: Joanna Ritchie*