

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, November 18, 2020
9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97301

PRESENT: Commissioner Colm Willis, Commissioner Sam Brentano, and Commissioner Kevin Cameron. Also present were Jan Fritz, chief administrative officer, Jane Vetto as county counsel, and Brenda Koenig as recorder.

Commissioner Willis called the meeting to order at 9:00 a.m.

PUBLIC COMMENT

None.

PRESENTATION

(Video Time 00:00:33)

COVID-19 (Novel Coronavirus) update. –Katrina Rothenberger

- Ms. Rothenberger reported the following updates for the COVID-19 pandemic as of 8:00 a.m. on Wednesday, November 18, 2020:
 - There has been an estimated 7,829 cases within the county since the start of the pandemic;
 - An estimated 78,000 individuals have been tested; and
 - An estimated 127 individuals have died from symptoms related to COVID-19.
- An estimated 694 new cases were reported for the week of November 8, 2020, through November 14, 2020:
 - The count is an increase of approximately 259 new cases from the prior week.
- Governor Brown’s COVID-19 restrictions for all of Oregon have gone into effect and is expected to last an estimated two weeks in Marion County:
 - Restrictions include some of the following:
 - Social gatherings both indoors and outdoors are limited to six individuals or less;
 - Eating and drinking establishments are limited to take-out or delivery only;
 - Retail stores and malls are limited to 75 percent capacity or less:
 - Curbside pickup is encouraged.
 - Indoor visitations at long term care facilities is prohibited; and
 - Outdoor visitation is permitted to support quality of life.

- Testing for COVID-19 is encouraged:
 - The testing assists with understanding how the virus is spread within communities; and
 - Marion County Health and Human Services (MCHHS) anticipates partnering with the University of Oregon to host weekly testing events:
 - The testing is anticipated to begin in January, 2021;
 - The testing events are expected to run through August, 2021;
 - Testing sites are still being determined; and
 - Testing will alternate between three different sites every week.
- A testing event is being held November 18, 2020, at the Oregon State Fairgrounds:
 - Event hours are from 4:00 p.m. to 7:00 p.m.; and
 - All testing events can be found on the county's website.
- The Center for Disease Control has updated their face mask guidelines:
 - Wearing a face mask can assist with protecting yourself and others from spreading the COVID-19 virus; and
 - Face masks assist with filtering particles of infectious droplets from others.
- Ms. Rothenberger encouraged modifying holiday plans to help reduce the spread of COVID-19:
 - An estimated 30 percent of positive cases have been traced back to household transmissions;
 - MCHHS encourages individuals to understand the risks involved with large gatherings;
 - Limiting indoor gatherings to six people or less is encouraged;
 - Allow for social distancing at holiday events;
 - Allow guests to spread throughout the home as much as possible;
 - Wear face masks;
 - Encourage frequent hand washing;
 - Encourage frequent sanitizing;
 - Limit touch points when serving food;
 - Use outdoor spaces if available;
 - Consider gathering in small groups; and
 - Consider virtual gatherings using online platforms.

Board discussion:

- The testing events hosted by the county are considered low barrier:
 - Anyone can attend, even individuals who are asymptomatic;
 - Individuals who wish to participate are encouraged to preregister before the event; but
 - Individuals can also register while waiting in line at the event.
- Antibody tests are underutilized within communities;
- MCHHS anticipates following-up on reports that testing has become available with results that can be determined in 30 minutes; and

- Commissioner Willis clarified that citizens within Marion County will not be cited or arrested for attending in-home gatherings that exceed the recommendation of six individuals or less.

(Video Time 00:07:51)

MOTION: Commissioner Cameron moved to add an item to the Consent Agenda. Under Business Services, approve an order adopting revised COVID-19 Temporary Emergency Policy 1. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

CONSENT

(Video Time 00:08:32)

BUSINESS SERVICES

Approve an order adopting revised COVID-19 Temporary Emergency Policy 1.

BOARD OF COMMISSIONERS

OLCC Applications – Recommended Approval

La Pasadita Market, LLC, dba La Pasadita Market – Salem, Oregon

HUMAN RESOURCES

Approve a recommendation to retitle, update the classification, and uphold the pay grade for classification #536, Drug Treatment Case Manager; and retitle, update the classifications, and adjust upward the pay grades for #529, Drug Treatment Associate 1; and #530, Drug Treatment Associate 2; and update the classifications and adjust upward the pay grades for #070, Peer Support Specialist; #097, Care Coordinator Trainee; #108, Care Coordinator, #551, Mental Health Associate; #114, Policy Analyst; and #614, Policy Analyst Senior.

Approve an order recognizing Project Joy as a partnership between Marion County employees and the Oregon Foster Parent Association and recognizing the event as an official annual fund raiser supported by the Marion County Board of Commissioners.

PUBLIC WORKS

Schedule the final consideration to adopt an administrative ordinance for November 25, 2020, granting Zone Change/Comprehensive Plan (ZC/CP) Case #20-003/M.F. Bakke Builders, Home Exit, LLC, 25 Years, LLC, Jean M. Miller Family Trust and Harlan R. Miller Trust.

SHERIFF'S OFFICE

Approve Amendment #2 to the Design Build Contract for Services with Communications Northwest to add \$67,777.88 for a new contract total of \$276,273.37 for the Marion County Jail and Transition Center Radio Project through May 31, 2021.

MOTION: Commissioner Cameron moved for approval of the consent agenda. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

ACTION

(Video Time 00:11:48)

PUBLIC WORKS

1. Consider approval of Amendment #3 to the Intergovernmental Agreement (IGA) with the Oregon Department of Transportation (ODOT) to replace \$1,150,000 in county funds with federal funds for the 45th Avenue Bike and Pedestrian Improvement Project. The final project estimate is \$5,463,268.14 with federal funding on the project limited to \$4,237,495.81, and the remaining estimate of \$1,225,772.33 to be funded by the county. Project expiration date is August 30, 2026. –Ryan Crowther

Summary of presentation:

- The project is located in northeast Salem, on 45th Avenue, between Ward Drive and Silverton Road;
- The preconstruction conditions entail the following:
 - Limited sidewalks;
 - Limited or nonexistent Americans with Disabilities Act (ADA) facilities; and
 - Stormwater is being transported via the following:
 - Roadside ditches;
 - Culverts; and
 - Piping.
- Construction on the project has already commenced;
- The project scope includes the following:
 - Widening the road to allow for:
 - Eleven foot travel lanes;
 - Six foot bike lanes;
 - Four foot planter strips; and
 - Six foot sidewalks.
 - Constructing missing concrete sidewalks on both sides of the roadway;
 - Constructing ADA ramps on both sides of the roadway;
 - Replacing non-compliant ADA ramps;
 - Adding a left-turn lane at Fire Protection Way to facilitate turning movements into Chemeketa Community College (CCC);
 - Upgrading the stormwater facilities;
 - Upgrading the water quality planters to provide treatment and detention;
 - Upgrading the conveyance piping as required;
 - Modifying the traffic signal located at the intersection of Silverton Road and 45th Avenue to accommodate the widened roadway system; and
 - Installing an asphalt pavement overlay that encompasses the entire project.

- Amendment #3 adds an estimated \$1,150,000 in federal funding from the county's Surface Transportation Program (STP) allocation;
- The additional funds will partially replace the county's overmatch on the project;
- The estimated budget for the project entails the following:
 - The previous federal contribution is estimated at \$3,087,495.81:
 - Amendment #3 adds \$1,150,000 in federal funds; and
 - Total federal funding is estimated at \$4,237,495.81.
 - The county's anticipated contribution is estimated at \$1,225,772.33; and
 - The total project budget is estimated at \$5,463,268.14.
- The project budget includes funding for the following:
 - Construction;
 - Design; and
 - The purchase of the right-of-way.
- The project completion date is estimated to be July 20, 2021.

Board discussion:

- Multiple public meetings for the project have been held:
 - The last public meeting was held in partnership with CCC:
 - CCC has a large project underway on the campus;
 - Citizens living in the construction area were invited to attend the meeting;
 - Both the county's roadway project and the CCC project were explained to the attendees;
 - The meeting provided notification as well as answers to citizen questions; and
 - COVID-19 restrictions have prevented any further public meetings from occurring.
- Streetlight installation in the area will be a separate project:
 - It is anticipated that lighting will be installed on existing Portland General Electric poles;
 - The timeline for the lighting project is unknown; and
 - Citizens in the area have requested that the two projects occur in tandem.
- The original IGA with ODOT had a project completion date of June 30, 2021:
 - Unexpected utility issues pushed the expiration date out an additional 20 days.
- The project entails an estimated 0.873 miles of roadway.

MOTION: Commissioner Brentano moved to approve Amendment #3 to the Intergovernmental Agreement with the Oregon Department of Transportation to replace \$1,150,000 in county funds with federal funds for the 45th Avenue Bike and Pedestrian Improvement Project. The final project estimate is \$5,463,268.14 with federal funding on the project limited to \$4,237,495.81, and the remaining estimate of \$1,225,772.33 to be funded by the county. Project expiration date is August 30, 2026. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:17:48)

2. Consider approval of an Intergovernmental Agreement with the Oregon Department of Transportation (ODOT) for the Rambler Drive SE: Little Pudding River Bridge Project estimated at \$5,024,400, which ODOT will provide \$4,508,394.12 in federal funding, and the remaining estimate of \$516,006 to be funded by the county. –Ryan Crowther

Summary of presentation:

- The IGA is a federal grant project with ODOT for the Little Pudding River Bridge;
- The project is located between the City of Salem and the City of Mt. Angel;
- The existing timber bridge structure was built in 1963:
 - The two lane bridge is approximately 1,575 feet in length; and
 - It is one of the largest bridges within the county.
- Maintaining the bridge and keeping it in working order requires a lot of time and effort;
- The project scope includes the following localized improvements which will best utilize the federal funding:
 - Replace the existing rotting timber decking system and wearing surface;
 - Test the timber pile caps and replace as needed;
 - Replace compromised timber piles with Steel H-pile as needed;
 - Replace the existing bridge rail with a crash rated rail to improve safety; and
 - Construct an approach guardrail as required.
- The estimated budget for the project entails the following:
 - The county's contribution is estimated at \$516,005.88:
 - This averages out to an estimated 10.27 percent of the total budget.
 - The federal contribution is estimated at \$4,508,394.12; and
 - The total project budget is estimated at \$5,024,400.
- The preliminary design is scheduled to occur between 2021 and 2023;
- The right-of-way, if needed, will be obtained in 2022; and
- Construction is estimated to begin in 2024.

MOTION: Commissioner Cameron moved to approve an Intergovernmental Agreement with the Oregon Department of Transportation (ODOT) for the Rambler Drive SE: Little Pudding River Bridge Project estimated at \$5,024,400, which ODOT will provide \$4,508, 394.12 in federal funding, and the remaining estimate of \$516,006 to be funded by the county. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 00:21:05)

CONTRACT REVIEW

1. Consider an order approving the Justification for Noncompetitive Procurement to utilize CARES Act funding with Public Partnerships, LLC in the amount of \$750,000 to provide fiscal intermediary services to restaurants, warehouses, commissaries, mobiles, and pools for economic stimulus funding with a term date of December 1, 2020, through December 31, 2020.

–Ryan Matthews and Camber Schlag

Summary of presentation:

Camber Schlag:

- The matter before the board is to consider the following requests:
 - Approve a justification for a noncompetitive procurement; and
 - Approve an exemption from the formal solicitation process that is defined in the Marion County Public Contracting Rules.
- An emergency declared by the Board of Commissioners in March of 2020, permits for an emergency procurement clause in the procurement guidelines to be applied;
- Coronavirus Aid, Relief, and Economic Security (CARES) Act funding will be utilized for the procurement;
- In May of 2020, Marion County Health and Human Services (MCHHS) issued a Request For Proposal (RFP) for fiscal intermediary services:
 - Two business firms submitted proposals;
 - Public Partnerships, LLC (PPL) was the highest ranking proposal that was received; and
 - The contract was awarded to PPL.
- Businesses within Marion County impacted by the COVID-19 pandemic may be eligible to receive economic stimulus funding;
- PPL currently has an established system implemented that refunds or provides payments to businesses on behalf of the county:
 - If approved, PPL will provide stimulus payments received from the CARES Act funding to businesses on behalf of Marion County.
- The request is for an estimated \$3 million dollars; and
- The term date for the request is for December 1, 2020, through December 31, 2020;

(Video Time 00:24:17)

Recessed as Board of Commissioners.

Reconvened as Contract Review Board.

Ryan Matthews:

- The COVID-19 pandemic has significantly impacted restaurant owners within the county;
- MCHHS works closely with restaurant owners to provide some of the following:
 - Inspections of restaurants and mobile units;
 - Technical assistance through the pandemic; and
 - Information on opening and operating effectively.

- The stimulus funding would assist restaurant owners impacted by the pandemic;
- PPL has a long standing relationship with Marion County; and
- PPL has the necessary tools needed to expedite the stimulus funds and then remit payment to the restaurant owners.

Board discussion:

- Commissioner Brentano expressed his concerns with limiting the funding to just restaurant owners:
 - Multiple businesses not related to restaurants have been impacted by the pandemic; and
 - He would like to expand the request to include additional businesses that are not restaurant related.
- Extending the contract date will allow for additional time to provide funding assistance to supplementary businesses or industries;
- PPL has the capability to expand the business groups that will receive the stimulus funding:
 - The county will provide PPL with the information that entails all the businesses approved to receive the stimulus funding assistance.
- PPL has the capability to expedite the stimulus funding to businesses located within the county:
 - This type of work is the nature of PPL's business;
 - PPL can process payments in an effective and timely manner; and
 - It is more challenging for the county to set up all the individual vendors:
 - The time period for businesses to receive the stimulus funding would be extended.
- A future meeting will be held to discuss the following:
 - Businesses to target;
 - The amount of stimulus funding that is available; and
 - Stimulus funding distribution methods.
- Commissioner Cameron discussed amending the motion language to include the following:
 - Increasing the value of the contract for up to \$3 million;
 - Extending the term date of the contract to December 31, 2021; and
 - Extending the funding to additional businesses as determined by the board.
- The initial contract with PPL has a term date of December 31, 2020, for distribution of stimulus funding to an initial list of businesses:
 - The initial spreadsheet provided to PPL can be revised to include additional businesses;
 - Additional time may be needed for PPL to contact the supplemental businesses and process their vendor information; and
 - PPL will be able to expedite the stimulus funding once the supplemental business information has been processed.

- It is anticipated that increasing the stimulus funding and including additional businesses will not be an issue for PPL;
- Businesses listed on the initial spreadsheet may receive the stimulus funding prior to December 31, 2020;
- Tracking businesses that paid fees that have since gone out of business may be challenging; and
- Commissioner Cameron suggested MCHHS communicate with businesses owners via email advising of potential future contacts by PPL.

MOTION: Commissioner Brentano moved to approve an order approving the Justification for Noncompetitive Procurement to utilize CARES Act funding with Public Partnerships, LLC in the amount of up to \$3 million to provide fiscal intermediary services to restaurants, warehouses, commissaries, mobiles, pools, and other businesses determined by the board for economic stimulus funding with a term date of December 1, 2020, through December 31, 2021. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

Recessed as Contract Review Board.
Reconvened as Board of Commissioners.

(Video Time 00:35:26)

PUBLIC HEARINGS

9:30 A.M.

None.

Commissioner Willis read the calendar.
Commissioner Willis adjourned the meeting at 9:45 a.m.

CHAIR

COMMISSIONER

COMMISSIONER

Board Sessions can be viewed on-line at

<https://www.youtube.com/playlist?list=PLSUQ1gg6M78UsBE3q6w4rdf59Z5rXkEi5>

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