CLACKAMAS COUNTY

M. BARBARA CARTMILL
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

May 14, 2015

Board of County Commissioners
Clackamas County

Members of the Board:

Board Order and Public Hearing Forming a One Lot Assessment Area
Within Clackamas County Service District No. 5, Assessment
Area 44-14 Walgreen Pharmacy & Store

Purpose/Outcomes	Approval of this Board Order will create a new assessment area in Clackamas County Service District No. 5. This process is necessary and customary with new development to allow for the installation of adequate street lights.
Dollar Amount and Fiscal Impact	Operational costs for street lighting is paid by direct assessment against benefited property. As a result of the signing of this Board Order, Clackamas County Service District No. 5 will add the attached area to the assessment rolls for the District. This area falls under rate schedule D; the current rate for this schedule is $1.21 per frontage foot per tax lot each year.
Funding Source	Assessments for street lighting will be levied against the properties within this area effective on the installation date furnished to the district by Portland General Electric Company as the official date that the properties within this area began receiving service.
Safety Impact	Street lighting helps to improve public safety.
Duration	None
Previous Board Contact	None
Contact Person	Wendi Coryell, Service District Specialist - DTD Engineering – 503-742-4657
Contract No.	None

BACKGROUND:
Street lighting is a condition of approval for new developments within Service District No. 5. As such, it has been included as a condition of approval for this development. Even though commercial/multi-family assessment areas may be comprised of only one to several tax lots, they frequently encompass significant stretches of road frontage in areas that will benefit significantly from street lighting. Notice of the time and place of the hearing was mailed by first class mail to the current address as listed by the Clackamas County Assessment office. The notice specifically noted that a public hearing was scheduled for May 14, 2015, to hear objections or file a remonstrance to approval of the new assessment area. Pursuant to statute, a minimum of 50% of the affected property owners must remonstrate to deny the formation of the new assessment area.

RECOMMENDATION:
If remonstrances from more than 50% of the property owners in the proposed assessment area for street lighting *are not* received by the end of the public hearing, it is recommended that the Board of County Commissioners, acting in the capacity of governing board for Clackamas County Service District No. 5, approve this Order which will allow Clackamas County Service District No. 5 to proceed with the formation of a new assessment area for street lighting.

Respectfully submitted,

Wendi Coryell, Service District Specialist, CCSD#5

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON

In the Matter of the Formation of an Assessment Area 44-14 (Walgreen Pharmacy & Store) Within Clackamas County Service District No. 5, Clackamas County, Oregon	}	ORDER NO. Page 1 of 2

This matter coming before the Board of County Commissioners, acting as the governing body of Clackamas County Service District No. 5 "District" and it appearing to the "Board", that the properties within Assessment Area 44-14, Walgreen's Pharmacy & Store, 11995 SE Sunnyside Rd. have requested street light service, and that the formation of new assessment areas within the District is necessary for the installation of street lights; and

It further appearing to the Board that the method of financing construction, operation, and maintenance of service facilities is to be assessments against property benefited by street light facilities; and

It further appearing to the Board that rates for street lighting as established by Order No. 2014-66 and subsequent rate change Orders shall be applied to Assessment Area 44-14, Walgreen's Pharmacy & Store, with fractional year assessments pro-rated from the date of installation and in accordance with Ordinance Number 94-1368 pursuant to ORS 451.495 as follows:

Rate Schedule D: $1.21 per frontage foot per tax lot each year, applied to commercial, industrial, and multi-family residential properties; and

It further appearing to the Board that the lots in the rate schedules receive an equal benefit for street lighting services; and

It further appearing to the Board that the Department of Transportation and Development has given notice of public hearing as required by ORS 451.495, and that said public hearing was duly held on the 14th day of May, 2015, and that the District did not receive written objections prior to the conclusion of the hearing from more than 50% of the property owners representing more than 50% of the affected property, now therefore:

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON

In the Matter of the Formation of an Assessment Area 44-14 (Walgreen Pharmacy & Store) Within Clackamas County Service District No. 5, Clackamas County, Oregon	ORDER NO. Page 2 of 2

IT IS HEREBY ORDERED that properties in the Assessment Area as described below be subject to an assessment for street lighting:

Assessment Area 44-14 All lots in the Walgreen Pharmacy & Store development, 22E03AA00700, 00800, 00900 and 01000; and

IT IS FURTHER ORDERED that an assessment roll be prepared by the Department of Transportation and Development for Clackamas County showing the amount of each yearly assessment, the property against which it has been assessed, the owner thereof, and such additional information as is required to keep a complete and permanent record of the assessment; and

IT IS FURTHER ORDERED that the Department of Transportation and Development proceed to construct the street lighting facilities in accordance with District rules and guidelines.

Dated this _____ day of _____, 2015.

CLACKAMAS COUNTY BOARD OF COMMISSIONERS
as the governing body of Clackamas County Service District No. 5

_____
Chair

_____
Recording Secretary