



M. BARBARA CARTMILL  
DIRECTOR

**DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT**

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

October 8, 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  
36-15 Industrial Building**

<b>Purpose/Outcomes</b>	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.
<b>Dollar Amount and Fiscal Impact</b>	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 \$1.28 per frontage foot per tax lot each year.
<b>Funding Source</b>	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.
<b>Safety Impact</b>	Street lighting helps to improve public safety.
<b>Duration</b>	N/A
<b>Previous Board Contact</b>	None
<b>Contact Person</b>	Wendi Coryell, Service District Specialist - DTD Engineering – 503-742-4657
<b>Contract No.</b>	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 October 8, 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,

A handwritten signature in black ink, appearing to read 'Wendi Coryell', written in a cursive style.

Wendi Coryell, Service District Specialist, CCSD#5

In the Matter of the Formation  
of an Assessment Area 36-15  
(Industrial Building) Within  
Clackamas County Service District  
No. 5, Clackamas County, Oregon

ORDER NO.  
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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 36-15, Industrial Building, 12001 SE Jennifer St., 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. 2015-71 and subsequent rate change Orders shall be applied to Assessment Area 36-15, Industrial Building, 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: \$1.28 per frontage foot per tax lot each year, applied to commercial, industrial and multi-family 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 8<sup>th</sup> day of October, 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

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

Assessment Area 36-15 All lots in the Industrial Building, 22E10D 03000; 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