



Lynn Peterson  
Chair

Commissioners  
Bob Austin  
Jim Bernard  
Charlotte Lehan  
Ann Lininger

BOARD OF COUNTY COMMISSIONERS

PUBLIC SERVICES BUILDING  
2051 KAEN ROAD | OREGON CITY, OR 97045

# AGENDA

## THURSDAY, JANUARY 14, 2010 - 10:00 AM BOARD OF COUNTY COMMISSIONERS

Beginning Board Order No. 2010-03

**I. CITIZEN COMMUNICATION** *(The Chair of the Board will call for statements from citizens regarding issues relating to County government. It is the intention that this portion of the agenda shall be limited to items of County business which are properly the object of Board consideration and may not be of a personal nature. Persons wishing to speak shall be allowed to do so after registering on the blue card provided on the table outside of the hearing room prior to the beginning of the hearing. Testimony is limited to three (3) minutes. Comments shall be respectful and courteous to all.)*

**II. PUBLIC HEARINGS** *(The following items will be individually presented by County staff or other appropriate individuals. Persons appearing shall clearly identify themselves and the organization they represent. In addition, a synopsis of each item, together with a brief statement of the action being requested shall be made by those appearing on behalf of an agenda item.)*

1. First Reading of Ordinance No. \_\_\_\_\_ Repealing County Code Chapter 8.07, Burglar Alarm Ordinance, and Replacing it with a New Chapter 8.07, Alarm Permit Ordinance (Kimberly Ybarra Cole, County Counsel)

**III. DISCUSSION ITEMS** *(The following items will be individually presented by County staff or other appropriate individuals. Citizens who want to comment on a discussion item may do so when called on by the Chair.)*

**~NO DISCUSSION ITEMS SCHEDULED**

**IV. CONSENT AGENDA** *(The following items are considered to be routine, and therefore will not be allotted individual discussion time on the agenda. Many of these items have been discussed by the Board in Study Session. The items on the Consent Agenda will be approved in one motion unless a Board member requests, before the vote on the motion, to have an item considered at its regular place on the agenda.)*

**A. Health, Housing & Human Services**

1. Approval of an Amendment to an Intergovernmental Agreement with the State of Oregon Department of Human Services, Senior and People with Disabilities Department for Services to Older Workers under the Senior Community Services Employment Program – CSCC *(Community Solutions)*
2. Approval of an Intergovernmental Agreement with the City of Gladstone for Services Delivered by Clackamas County Project Payback Program – CSCC *(Community Solutions)*

**B. Department of Transportation & Development**

1. Approval of Cooperative Improvement Agreement Amendment No. 1 with the Oregon Department of Transportation, the City of Portland and TriMet for Telecommunications Infrastructure

**C. Elected Officials**

1. Approval of Previous Business Meeting Minutes – BCC
2. Approval of an Authorization to Purchase Mobile Data Computers from Feeney Wireless, Inc. - CCSO

**D. Department of Emergency Management**

1. Approval of Three FY 2009 State Homeland Security Grant Agreements between Clackamas County and the State of Oregon

**E. Tourism and Cultural Affairs**

1. Approval of an Intergovernmental Agreement with the University of Oregon's Community Planning Workshop for a Website Evaluation and Re-Design Project for the Tourism & Cultural Affairs Department

**V. NORTH CLACKAMAS PARKS & RECREATION DISTRICT**

1. Approval of a Letter of Concurrence for Section 4(f) "De-minimis" use Determination for the Trolley Trail by the Portland to Milwaukie Light Rail Project

**VI. WATER ENVIRONMENT SERVICES**

1. Acceptance of Sanitary Sewer Easements on behalf of Clackamas County Service District No. 1 for Phase 1 of the North Clackamas Revitalization Area Sanitary Sewer Project

**VII. COMMISSIONERS COMMUNICATION**

**NOTE: Regularly scheduled Business Meetings are televised and broadcast on the Clackamas County Government Channel. These programs are also accessible through the County's Internet site. DVD copies of regularly scheduled BCC Thursday Business Meetings are available for checkout at the Clackamas County Library in Oak Grove by the following Saturday. You may also order copies from any library in Clackamas County or the Clackamas County Government Channel.**

***<http://www.clackamas.us/bcc/business/>***



**OFFICE OF COUNTY COUNSEL**

**PUBLIC SERVICES BUILDING**  
 2051 KAEN ROAD | OREGON CITY, OR 97045

**Steven R. Lounsbury**  
 COUNTY COUNSEL

**David W. Anderson**  
**Kimberley A. Ybarra-Cole**  
**Edward S. McGlone III**  
**Kathleen Rastetter**  
**Scot A. Sideras**  
**Chris Storey**  
**Scott C. Ciecko**  
**D. Daniel Chandler**  
 ASSISTANTS

January 14, 2010

Board of Commissioners  
 Clackamas County

Members of the Board:

**FIRST READING OF AN ORDINANCE REPEALING COUNTY CODE CHAPTER 8.07,  
 BURGLAR ALARM ORDINANCE, AND REPLACING IT WITH A NEW CHAPTER 8.07, ALARM  
 PERMIT ORDINANCE**

The County began to regulate alarm systems and require alarm system permits in 1983. The regulations have been amended four times since then.

The Sheriff's department and County Counsel have reviewed the current Code language and determined that it should be repealed and replaced with new language. The proposed chapter is concise and easier to read. It provides a stronger regulatory tool for the Sheriff and provides the public with clear instructions about obtaining a permit and what happens when a false alarm occurs. The substantive changes are as follows:

CURRENT CODE LANGUAGE	PROPOSED ORDINANCE
Requires permits which are issued to the property owner for a two year period.	Requires permits which are issued to the property address for a one year period.
Fine is assessed when no permit is obtained.	Notice of violation is sent when no permit is obtained allowing permit holder to cure the violation. Sheriff may suspend further services at that address if violation is not cured.
Permit revoked when 4 false alarms occur within two year period. Report to Sheriff is required describing steps to be taken by owner to eliminate further false alarms. Hearing may be requested before County Hearings Officer.	Each false alarm is a violation. The 4 <sup>th</sup> false alarm in a one year period suspends the permit. Sheriff mails notice of suspension. Permit holder may appeal the suspension which is reviewed by the Sheriff or designee.
Owner may apply for "revoked user's permit". Sheriff may impose restrictions or conditions upon user before issuing permit.	New permit may be obtained after suspension period is over and all fines have been paid.

CURRENT CODE LANGUAGE	PROPOSED ORDINANCE
Guaranteed that all permit information would be a public record exempt from disclosure.	This provision omitted to be consistent with Oregon Public Records law.

Recommendation

Staff recommends that the Board read the attached Ordinance by title only, and schedule a second reading for January 28, 2010.

Respectfully submitted,



Kimberley Ybarra-Cole  
Senior County Counsel

For Information on this issue please contact Kimberley Ybarra-Cole 503-655-8362

**ORDINANCE NO. \_\_\_\_\_**

**An Ordinance Repealing and Replacing Chapter 8.07, Alarm Permit Ordinance of the Clackamas County Code**

WHEREAS, the Board of County Commissioners finds that the proposed language replacing Chapter 8.07 provides a stronger regulatory tool for the Sheriff and provides the public with clear instructions about obtaining a permit and what happens when a false alarm occurs; now, therefore;

The Board of Commissioners of Clackamas County ordains as follows:

**Section 1:** Chapter 8.07 Burglar Alarm Ordinance is hereby repealed and replaced with the attached Chapter 8.07 Alarm Permit Ordinance.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2010

BOARD OF COUNTY COMMISSIONERS

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Recording Secretary

## **Chapter 8.07**

### **8.07 ALARM PERMIT ORDINANCE**

#### **8.07.010 Purpose**

- A. The purpose of this chapter is to protect the efficient use of Clackamas County Sheriff emergency law enforcement services and to protect the public from unreasonable alarm noise and disturbance.
- B. The provisions of this chapter shall be administered by the Clackamas County Sheriff and shall apply only to Alarm Systems operated in unincorporated Clackamas County, unless otherwise permitted by law.  
[Codified by Ord. 05-2000, 7/13/00]

#### **8.07.020 Definitions**

- A. ALARM BUSINESS means a business by any individual, partnership, corporation or other entity, that sells, leases, maintains, services, repairs, alters, replaces, moves or installs, any Alarm System in or on any building, structure, dwelling or facility.
- B. ALARM SYSTEM means any assembly of equipment, mechanical or electrical, arranged to signal the occurrence of an entry to a building, structure, dwelling or facility or other activity requiring urgent attention and to which emergency services are expected to respond.
- C. ALARM USER means the person(s), firm, partnership, association, corporation, company, organization of any kind, or public entity in control of any building, structure, dwelling or facility wherein an Alarm System is maintained.
- D. AUTOMATIC DIALING DEVICE means a device, which is interconnected to a telephone line and is programmed to select a predetermined telephone number and transmit by voice message or chapter signal an emergency message indicating a need for emergency response.
- E. FALSE ALARM means an alarm signal eliciting a response by emergency services when a situation requiring a response does not in fact exist. False Alarm does not include an alarm signal caused by uncontrollable conditions of nature or other extraordinary circumstances not reasonably subject to control by the Alarm Business or Alarm User.
- F. SHERIFF means the Clackamas County Sheriff or designee.  
[Codified by Ord. 05-2000, 7/13/00]

#### **8.07.030 Fines and Fees**

- A. Fines and fees associated with this chapter shall be set by resolution of the Board of County Commissioners.
- B. Fees must be paid upon demand and fines must be paid within 14 days of the date of notice that a fine is due or the fine will double.

[Codified by Ord. 05-2000, 7/13/00; Amended by Ord. 05-2003, 3/13/03]

**8.07.070 Appeal of Notice of Suspension**

- A. An appeal of Notice of Suspension of an alarm permit may be made by a permit applicant and must be received by the Sheriff within 14 days from the date of mailing of the notice. It must set forth an explanation why the permit should not be suspended, an explanation if any for the False Alarms to include supporting or mitigating information, and describe actions taken to eliminate a future False Alarm.
- B. The Sheriff will review a timely appeal and issue a written final determination setting forth reasons supporting the determination within 14 days from the date of receipt of the appeal. The final determination will be effective on the date issued and shall include information on the right of appeal.
- C. Appeal of a final determination may be taken exclusively by writ of review in the manner set forth in ORS 34.010 to ORS 34.100.

**8.07.080 Continuous Alarm as Public Nuisance; Disconnection Of Alarm**

Any bell, horn, or siren used in conjunction with an Alarm System which can be heard outside a building, structure, dwelling or facility for more than fifteen (15) minutes continuously or intermittently and the Alarm User is not readily available or able to silence the device, is a public nuisance and may be disconnected or otherwise silenced by responding law enforcement personnel. Disconnection may be made by such means as is reasonably necessary to silence the alarm. The Alarm User shall be solely responsible for property damage associated with disconnecting or silencing the alarm, and costs of reconnection. [Codified by Ord. 05-2000, 7/13/00]

**8.07.090 Allocation Of Revenues And Expenses**

All fees and fines collected pursuant to this chapter shall be set aside solely for the administration of this chapter. The Sheriff shall maintain records sufficient to identify the sources and amounts of that revenue.

[Codified by Ord. 05-2000, 7/13/00]



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Cindy Becker  
Director

**Health, Housing & Human Services**

**Public Services Building**  
2051 Kaen Road #239 Oregon City OR 97045

January 14, 2010

Board of County Commissioners  
Clackamas County

Members of the Board:

**Approval of an Amendment to an Intergovernmental Agreement with the State of Oregon, Department of Human Services, Senior and People with Disabilities Department for services to Older Workers under the Senior Community Services Employment Program**


The Community Solutions for Clackamas County (CSCC), a Division of the Health, Housing and Human Services Department (formerly DHS), request the approval of an Amendment to an Intergovernmental Agreement with the State of Oregon Department of Human Services- Seniors and People with Disabilities # 129153, to continue operating the Senior Community Service Program (SCSEP).

This contract amendment provides an increase of \$40,568.40. This amount includes \$34,288 in carry forward funds from program year 2008, and an adjustment to ARRA funds of \$6,280. These funds are used to provide work experience and classroom training for Clackamas County residents who meet the income and age requirements for the Senior Community Service Employment Program managed by Community Solutions. No County General Funds are involved. This amendment is effective when fully executed by all party and terminates June 30, 2010.

**Recommendation**

We recommend approval of this amendment and further recommend that Cindy Becker be authorized to sign on behalf of the Board of County Commissioners.

Respectfully submitted,

  
Cindy Becker  
Director

For information on this issue or copies of attachments  
Please contact Lori Mack at (503) 655-8843

Phone: (503) 650-5697 • Fax: (503) 655-8677 [www.clackamas.us](http://www.clackamas.us)



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Cindy Becker  
Director

Health, Housing & Human Services

Public Services Building  
2051 Kaen Road #239 Oregon City OR 97045

January 14, 2010

Board of County Commissioners  
Clackamas County

Members of the Board:

**Approval of an Intergovernmental Agreement with the City of Gladstone for Services delivered by Clackamas County's Project Payback Program**

The Community Solutions for Clackamas County Division of Health, Housing and Human Services (formerly known as the Department of Human Services) requests the approval of an Intergovernmental Agreement with the City of Gladstone for the Project Payback program. This agreement provides for court ordered youth to earn restitution money while performing community beautification in Clackamas County parks.

Total amount of the intergovernmental agreement is \$6,000. No County General Fund dollars are involved. Term of the contract is upon signature through June 30, 2010. This contract is in the format approved by County Counsel as part of the DHS contract standardization project.

**Recommendation:**

We recommend approval of this intergovernmental agreement and further recommend that Cindy Becker be authorized to sign on behalf of the Board of County Commissioners.

Respectfully submitted,

Cindy Becker  
Director

For information on this issue or copies of attachments,  
Please contact Maureen Thompson at 503-655-8842



**COPY**

**Campbell M. Gilmour**  
Director

**DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT**

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

January 14, 2010

Board of County Commissioners  
Clackamas County

Members of the Board:

**Approval of Cooperative Improvement Agreement Amendment No. 1 with  
Oregon Department of Transportation, City of Portland and TriMet for  
Telecommunications Infrastructure**

The attached cooperative improvement agreement was originally entered into by ODOT, City of Portland and TriMet on June 5, 2000 for the purpose of establishing the Cooperative Telecommunications Infrastructure Committee (CTIC) for the coordination of communications infrastructure for public safety and transportation. Clackamas County, though a de facto participant in the coordination efforts, was not originally named on the cooperative improvement agreement. This Amendment #1 adds Clackamas County to the CTIC. A copy of the original agreement is also attached.

As a partner in the CTIC, Clackamas County will have the ability to share fiber-optic communication lines with ODOT, City of Portland and TriMet. This will benefit regional coordination efforts for many County departments, including the Sheriff's Office, Emergency Operations, C-COM and the Department of Transportation by giving us access to fiber-optic lines owned by other agencies. Also, it will benefit the other partners in the region, as they will have access to fiber-optic lines owned by Clackamas County. This agreement presents no cost to the County.

County Counsel has reviewed and approved this agreement.

**RECOMMENDATION**

Staff respectfully recommends the Board approve Amendment No. 1 to the Cooperative Improvement Agreement, adding Clackamas County as a partner in the CTIC.

Sincerely,

Joseph F. Marek, PE, PTOE  
Traffic Engineering Supervisor

For information on this issue or copies of attachments  
please contact Joe Marek at (503) 742-4705

# **BOARD OF COUNTY COMMISSIONERS BUSINESS MEETING MINUTES**

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

**Thursday, December 3, 2009 – 10:00 AM**

**Public Services Building**

**2051 Kaen Road, Oregon City, OR 97045**

**PRESENT: Commissioner Lynn Peterson, Chair  
Commissioner Bob Austin  
Commissioner Jim Bernard  
Commissioner Charlotte Lehan  
Commissioner Ann Lininger  
Housing Authority Commissioner Erica Allison**

## **I. HOUSING AUTHORITY CONSENT AGENDA**

1. Approval of Resolution #1870 - Authorizing the Housing Authority's Submittal of an Inventory Removal Application for the Sale of 21 Scattered Site Public Housing Units

### **MOTION:**

Commissioner Allison: I move approval of the Housing Authority Consent Agenda.

Commissioner Lininger: Second.

Chair Peterson – all those in favor:

Commissioner Allison: Aye.

Commissioner Lininger: Aye.

Commissioner Lehan: Aye.

Commissioner Bernard: Aye.

Commissioner Austin: Aye.

Chair Peterson: Aye.

Chair Peterson – all those opposed: - The Ayes have it and the motion is approved.

## **II. CITIZEN COMMUNICATION**

Andrea Hall, 150 Beaver Creek Road, representing AFSCME - Union negotiations

## **III. PUBLIC HEARINGS**

1. **Board Order No. 116** for Clackamas County for a Supplemental Budget (Greater Than Ten Percent) for Fiscal Year 2009-2010

Diane Padilla, Budget Manager presented the staff report.

Chair Peterson announced this is a public hearing and asked if anyone wished to speak, seeing none she asked for a motion.

*(the following motion reflects the Board's action)*

### **MOTION:**

Commissioner Bernard: I move we approve the Board Order for supplemental budget greater than 10% for fiscal year 2009/2010 as presented.

Commissioner Austin: Second.

Chair Peterson – all those in favor:

Commissioner Lininger: Aye.

Commissioner Lehan: Aye.

Commissioner Bernard: Aye.

Commissioner Austin: Aye.

Chair Peterson: Aye.

Chair Peterson – all those opposed: - The Ayes have it and the motion is approved.