



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 28, 2010 - 10:00 AM
BOARD OF COUNTY COMMISSIONERS

Beginning Board Order No. 2010-15

~Pledge of Allegiance~

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. Second Reading of Ordinance No. 01-2010 Repealing County Code Chapter 8.07, Burglar Alarm Ordinance, and Replacing it with a New Chapter 8.07, Alarm Permit Ordinance (Kimberly Ybarra-Cole) *first reading was 1-14-10*
2. Approval of a Funding Agreement between Clackamas County, North Clackamas Parks & Recreation District, Clackamas County Development Agency and Tri-County Metropolitan Transportation District of Oregon (TriMet) for Funding of the Portland Milwaukie Light Rail Project (Dan Johnson)
3. Board Order No. _____ Forming a 1 Lot Assessment Area within Clackamas County Service District No. 5, Assessment Area 21-08, Happy Valley Baptist Church (Kevin Noreen)
4. Board Order No. _____ Forming a 2 Lot Assessment Area within Clackamas County Service District No. 5, Assessment Area 48-08, Perigo Partition, SE Briggs St. (Kevin Noreen)
5. Board Order No. _____ Forming a 5 Lot Assessment Area within Clackamas County Service District No. 5, Assessment Area 49-08, Sarah Estates, SE Jennings (Kevin Noreen)
6. Board Order No. _____ Forming a 1 Lot Assessment Area within Clackamas County Service District No. 5, Assessment Area 08-09, Oregon Iron Works, SE Mather Rd. (Kevin Noreen)
7. Board Order No. _____ Forming a 1 Lot Assessment Area within Clackamas County Service District No. 5, Assessment Area 06-09, Oregon Iron Works, SE 98th Court (Kevin Noreen)
8. Board Order No. _____ Forming a 1 Lot Assessment Area within Clackamas County Service District No. 5, Assessment Area 09-09, International Wood Products (Kevin Noreen)
9. Board Order No. _____ Forming a 2 Lot Assessment Area within Clackamas County Service District No. 5, Assessment Area 10-09, Cutting Duplexes, SE Rupert Dr. (Kevin Noreen)
10. Board Order No. _____ Forming a 1 Lot Assessment Area within Clackamas County Service District No. 5, Assessment Area 13-09, Camp Withycombe (Kevin Noreen)

11. Board Order No. _____ Forming a 3 Lot Assessment Area within Clackamas County Service District No. 5, Assessment Area 15-09, Hawthorne Grove Condominiums, SE King Road (Kevin Noreen)

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 the Clackamas County 2009-2011 Juvenile Crime Prevention Plan Update – OCF *(Office for Children & Families)*

B. Department of Transportation & Development

1. Approval of Amendment #3 with Parametrix, Inc. for Consultant Engineering Services for the Replacement of the Clackamas River (Springwater Road) Bridge

C. Finance Department

1. Approval to Purchase Ten (10) 2010 V8 Dodge Charger LX Police Patrol Vehicles from Withnell Motor Company

D. Elected Officials

1. Approval of Previous Business Meeting Minutes – BCC
2. Approval of a Second Hand Dealers Permit for Timothy Speakman, Gold Buyers at the Mall, LLC – CCSO
3. Approval of a Contract with DePaul Security Services for Security Screening Personnel for the Clackamas County Court System - CCSO

E. Community and Legislative Affairs

1. Approval of an Intergovernmental Agreement between Clackamas County and the Association of O & C Counties

F. Department of Communications

1. Approval of an Intergovernmental Agreement with the Washington County Consolidated Communications Agency to Share the Computer Aided Dispatch Services Supervisor for the Multi-Agency CAD

V. 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 28, 2010

Board of Commissioners
 Clackamas County

Members of the Board:

SECOND READING OF ORDINANCE NO. 01-2010, 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 th 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 approve the attached ordinance.

Respectfully submitted,



Kimberley Ybarra-Cole
Senior County Counsel

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



DEVELOPMENT AGENCY

January 28, 2010

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

Board of County Commissioners,
North Clackamas Parks and Recreation
District Board and
Clackamas County Development Agency Board

Members of the Board:

**APPROVING A FUNDING AGREEMENT BETWEEN CLACKAMAS COUNTY,
NORTH CLACKAMAS PARKS AND RECREATION DISTRICT (NCPRD),
CLACKAMAS COUNTY DEVELOPMENT AGENCY AND TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON (TRIMET) FOR
FUNDING OF THE PORTLAND MILWAUKIE LIGHT RAIL PROJECT**

In July 2008 the region adopted a revised Locally Preferred Alternative (LPA) for the Portland Milwaukie Light Rail (PMLR) project, the second phase of Metro's South Corridor Light Rail Transit plan.

The PMLR line will provide direct connection from the Oak Grove area of unincorporated Clackamas County to the heart of the City of Portland with service to Portland's Central City, Portland State University, South Waterfront, OMSI District, SE Portland and the Milwaukie Town Center. The alignment will consist of 7.3 miles of double track light rail, stations, park and ride lots, and other necessary capital elements and amenities necessary to support the project and promote multimodal connectivity throughout the region. Current plans illustrate the line terminating in unincorporated Clackamas County at SE Park Avenue. Improvements in this area will include station improvements, a new park and ride facility providing up to 1,000 new parking spaces and emphasis on connection to other regional amenities such as the Trolley Trail.

Funding for a project of this nature is a regional effort. The Portland-Milwaukie Light Rail Project will apply for a 60 percent match to the Federal Transit Administration (FTA); and regional partners such as Clackamas County, City of Milwaukie, City of Portland, TriMet and Metro will provide a 40 percent local share to fund the current budget of \$1.417 billion. Attached is the proposed Project Budget and Financing Plan.

TriMet is planning on submitting to the FTA in March of 2010 the New Starts submittal for Portland Milwaukie project. This submittal needs to include funding agreements from all local partners memorializing a commitment to achieve the 40 percent local share currently called out in the project budget. Staff has worked closely with TriMet to craft the attached PMLR Funding Agreement committing Clackamas County to a financial contribution of \$25 million dollars, the County's portion of the projects local match.

Clackamas County and the Development Agency are listed as parties to the agreement to allow flexibility for the Board to determine the most appropriate method to fund the local match contribution. North Clackamas Parks and Recreation District was also identified as a participant as there may be some in-kind contributions associated with the Trolley Trail that should be captured when determining the local match from the County.

RECOMMENDATION

- Staff respectfully recommends that the Board of County Commissioners acting on behalf of Clackamas County and the Governing Body of North Clackamas Parks and Recreation District and the Development Agency Board, approve and sign the attached Funding Agreement between Clackamas County, North Clackamas Parks and Recreation District, Clackamas County Development Agency, and TriMet for Clackamas County's portion of the local match contribution to support the Portland-Milwaukie Light Rail project.
- Delegate authority to the Board Chair to execute the Agreement on behalf of the Board of Commissioners for Clackamas County and as the Governing Bodies of North Clackamas Parks and Recreation District, and the Development Agency Board.

Respectfully submitted,



Dan Johnson
Clackamas County Development Agency
Program Supervisor

Attachment

For information on this issue please contact Dan Johnson at 503-353-4325.



COPY

Campbell M. Gilmour
Director

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

January 28, 2010

Board of County Commissioners
Clackamas County

Members of the Board:

Board Order and Public Hearing Forming a 1 Lot Assessment
Area Within Clackamas County Service District No. 5
Assessment Area 21-08, Happy Valley Baptist Church

This Board Order is to create a new assessment area in Clackamas County Service District No. 5. This process is necessary to allow for the installation of new street lights. Street lighting is a condition of approval for new developments within Clackamas County and 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. The affected property owners were notified of the time and place of the hearing by first class mail to the mailing address as listed by the assessor for Clackamas County and a public hearing was scheduled for January 28, 2010, to hear objections to the above street lighting district. As a result of this action, street lights will be installed on SE King Road. The requirement for stopping the project is the receipt of objections from more than 50% of the property owners.

The cost of 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 development comes under Rate Schedule D for commercial, industrial and multi-family properties, and the assessment will be \$0.99 per frontage foot per tax lot per year. 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.

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.

For additional information, please contact Kevin Noreen at 503-742-4699.

Sincerely,

Kevin Noreen, CCSD No. 5 Program Manager

KN/wc

For information on this issue or copies of attachments please contact Kevin Noreen at (503) 742-4699.



COPY

Campbell M. Gilmour
Director

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

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

January 28, 2010

Board of County Commissioners
Clackamas County

Members of the Board:

**Board Order and Public Hearing Forming a 2 Lot Assessment Area
Within Clackamas County Service District No. 5,
Assessment Area 48-08, Perigo Partition, SE Briggs Street**

This Board Order is to create a new assessment area in Clackamas County Service District No. 5. This process is necessary to allow for the installation of new street lights. 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 assessment areas resulting from lot partitions are comprised of only one to three tax lots, they frequently encompass stretches of road frontage in areas that will benefit significantly from street lighting. The affected property owners were notified of the time and place of the hearing by first class mail to the mailing address as listed by the Assessor for Clackamas County and a public hearing was scheduled for January 28, 2010, to hear objections to the above street lighting district. The requirement for stopping the project is the receipt of objections from more than 50% of the property owners.

The cost of 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 B; the current rate for this schedule is \$42.50 per tax lot per year. 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.

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.

For additional information, please contact Kevin Noreen at 503-742-4699.

Sincerely,

Kevin Noreen, CCSD No. 5 Program Manager

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Campbell M. Gilmour
Director

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

January 28, 2010

Board of County Commissioners
Clackamas County

Members of the Board:

Board Order and Public Hearing Forming a 5 Lot Assessment Area
Within Clackamas County Service District No. 5,
Assessment Area 49-08, Sarah Estates, SE Jennings

This Board Order is to create a new assessment area in Clackamas County Service District No. 5. This process is necessary to allow for the installation of new street lights. 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 assessment areas resulting from lot partitions are comprised of only one to three tax lots, they frequently encompass stretches of road frontage in areas that will benefit significantly from street lighting. The affected property owners were notified of the time and place of the hearing by first class mail to the mailing address as listed by the Assessor for Clackamas County and a public hearing was scheduled for January 28, 2010, to hear objections to the above street lighting district. The requirement for stopping the project is the receipt of objections from more than 50% of the property owners.

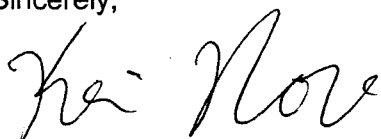
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RECOMMENDATION

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.

For additional information, please contact Kevin Noreen at 503-742-4699.

Sincerely,



Kevin Noreen, CCSD No. 5 Program Manager

KN/wc

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