



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, NOVEMBER 12, 2009 - 10:00 AM
BOARD OF COUNTY COMMISSIONERS

Beginning Board Order No. 2009-115

I. PRESENTATION *(Following are items of interest to the citizens of the County)*

1. Proclaiming November 2009 as Mediation Month in Clackamas County (Amy Cleary, Ellen Crawford)

II. 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.)*

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. Department of Human Services

1. Approval of an Agreement between Clackamas County and Clackamas Community Land Trust to Use Neighborhood Stabilization Program Funds to Purchase and Rehabilitate a Foreclosed Home – CD (Community Development)
2. Approval of an Intergovernmental Agreement with the State of Oregon, Department of Human Services, Division of Medical Assistance Programs for the Citizen/Alien Waived Emergency Medical (CAWEM) Prenatal Expansion Program – CH
3. Approval of an Intergovernmental Agreement with Washington County, Community Local Public Health Authority for a joint H1N1 Vaccine Regional Program Coordinator Position – CH

B. Department of Transportation & Development

1. Approving an Intergovernmental Agreement Between the City of Sherwood and Clackamas County DTD to provide Plan Review Services and Inspection Coordination
2. Board Order No. _____ Declaring an Emergency for Spring Creek/Mattoon Road Culvert Repair

C. Juvenile Department

1. Approval of a Contract for Shelter Services Between Clackamas County and Christian Community Placement Center
2. Approval of a Contract for Shelter Services Between Clackamas County and Boys and Girls Aid Society

D. Elected Officials

1. Approval of Previous Business Meeting Minutes – BCC

E. Department of Employee Services

1. Approval of Employee Benefits Renewals and Nonrepresented Benefit Cost Sharing Effective January 1, 2010

V. DEVELOPMENT AGENCY

1. Approval of an Amendment to an Owner Participation and Development Agreement with HP Development, Inc. To Provide Affordable Housing Units and Public Park Space for the Hawthorne Park Development

VI. 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/>



Cindy Becker
Director

Department of Human Services

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

November 12, 2009

Board of Commissioners,
Clackamas County

Members of the Board:

Approval of a Proclamation declaring November 2009 Mediation Month in Clackamas County

Community Solutions of the Department of Human Services, Family Court Services, and Clackamas County Juvenile Court requests approval of a proclamation declaring November 2009, as Mediation Month. This is an annual recognition of Mediation Services provided throughout the county and across the state. The governor's office has executed a similar proclamation, and the Oregon Mediation Association is holding its 23rd annual conference November 6 & 7, in partnership with the University of Oregon School of Law, and Graduate Program in Conflict Resolution.

There are three County departments which house programs that provide mediation services to county residents. The Department of Human Services' Community Solutions for Clackamas County Dispute Resolution Center offers neighbors in dispute an alternative to enforcement action, litigation, or chronic feuding. The Family Court Services Department offers services for children and families involved in family court, including divorcing or reconciling couples, as well as youth and family mediation services. Clackamas County Juvenile Court offers Victim/Offender meetings for first-time offenders in the juvenile court system. All of these programs help empower our county citizens, encouraging them to utilize alternative conflict resolution services and learn effective skills that will help them deal more effectively with conflict in the future.

Recommendation

We recommend the approval of this proclamation and that the Board of County Commissioners join in signing it.

Respectfully submitted,

Cindy Becker
Director

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

Proclaiming November as Mediation Month in Clackamas County

WHEREAS residents of Clackamas County can choose mediation—with assistance from volunteer, court-affiliated, and private mediators—as a “first resort” to resolve peacefully their own conflicts, which promotes safer communities, schools and families, saves time and money, and creates better outcomes for everyone; and

WHEREAS the Clackamas County Commissioners join Oregon’s Governor, Attorney General and Chief Justice in their commitment to the use of mediation for problem-solving, making Oregon a leader in providing statewide integrated approaches to the effective resolution of community, court, and public policy disputes; and

WHEREAS a wide variety of organizations provide and support mediation and dispute resolution services to the citizens of Clackamas County, including the County’s Dispute Resolution Center, Family Court Services and the Juvenile Department Victim Offender Meeting Program; and

WHEREAS the 23rd annual conference of the Oregon Mediation Association was held on November 6 & 7 in Eugene, partnering with the University of Oregon School of Law and Conflict Resolution Graduate Program:

NOW, THEREFORE, We, the Clackamas County Board of County Commissioners, do hereby proclaim the month of November 2009 to be **MEDIATION MONTH** in Clackamas County and encourage all citizens to join us in this observance.

Dated this 12th day of November, 2009

CLACKAMAS COUNTY BOARD OF COMMISSIONERS

Lynn Peterson
Chair

Robert Austin
Commissioner

Jim Bernard
Commissioner

Charlotte Lehan
Commissioner

Ann Lininger
Commissioner



Cindy Becker
Director

Department of Human Services

Public Services Building

2051 Kaen Road #239 Oregon City OR 97045

November 12, 2009

Board of Commissioners
Clackamas County

Members of the Board:

Approval of an Agreement between Clackamas County and Clackamas Community Land Trust to use Neighborhood Stabilization Program Funds to Purchase and Rehabilitate a Foreclosed Home

The Community Development Division of the Department of Human Services requests approval of an Agreement with Clackamas Community Land Trust (CCLT) to use federal Neighborhood Stabilization Program (NSP) funds in the amount of \$250,000 to purchase and rehabilitate a single family foreclosed home located at 1519 Van Buren Street in Oregon City. Under the community land trust model of homeownership, CCLT will retain ownership of the land and sell the rehabilitated home to an eligible low- or middle-income household. The homeowner and CCLT will enter into a 99-year land lease which is recorded in the records of Clackamas County.

The NSP is authorized under the federal Housing and Economic Recovery Act of 2008. It provides emergency Community Development Block Grant (CDBG) funding to support efforts to stabilize neighborhoods with high numbers of vacant and foreclosed homes that might otherwise become sources of abandonment and blight. Clackamas County is a sub-grantee of the State of Oregon which receives NSP funding through the US Department of Housing and Urban Development.

The NSP assistance to CCLT will be in the form of a no-interest deferred-payment loan. CCLT will use proceeds from the sale of the home to repay a portion of the NSP funds. The balance of the NSP funds will remain in the home as a permanent subsidy. The rehabilitation work will bring the home up to the County's rehabilitation standards and improve the energy efficiency of the home. CCLT has a waiting list of pre-qualified buyers and works with lenders to help buyers access credit.

No general fund dollars are involved in this project. County Counsel approved this agreement on November 3, 2009.

Recommendation

We recommend approval of this Agreement and that Cindy Becker be authorized to sign all related documents on behalf of the Board of County Commissioners.

Respectfully submitted,

Cindy Becker
Director

For more information on this issue or copies of attachments
please contact Gloria Lewton at 503-655-8591.



Cindy Becker
Director

Department of Human Services

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

November 12, 2009

Board of Commissioners
Clackamas County

Members of the Board:

**Approval of an Intergovernmental Agreement with the
State of Oregon, Department of Human Services, Division of Medical Assistance Programs
for the Citizen/Alien Waived Emergency Medical
(CAWEM) Prenatal Expansion Program**

The Clackamas County Community Health Division (CCCHD) of the Department of Human Services (DHS) requests the approval of an intergovernmental agreement with the State of Oregon, Department of Human Services, Division of Medical Assistance Program for participation in the Citizen/Alien Waived Emergency Medical (CAWEM) Prenatal Expansion Program.

This agreement will allow Clackamas County to participate in this pilot project along with Benton, Deschutes, Hood River, Jackson, Lincoln, and Multnomah Counties. The partnership will improve the availability of prenatal care for unborn children whose mothers are eligible for the CAWEM Program. Services will influence health outcomes for both mother and child as well as mitigate adverse outcomes of high-risk pregnancies. This pilot project is operated under an amendment to the State's Children's Health Insurance Program (CHIP).

This agreement is effective October 1, 2009. It is retroactive because the State needed additional time to obtain federal approval to add additional counties to the project.

CCCHD will contribute a portion of County General Funds that have already been designated for Primary Care Services in the amount of \$199,500. These funds will help the State meet matching fund obligations associated with capturing Title XIX federal funds for the program. In return, CCCHD expects to realize approximately \$1.6 million in revenue by June 2011 from billings for additional Federally Qualified Health Center (FQHC) services provided to these consumers. County Counsel approved this agreement on September 29, 2009. It terminates on June 30, 2011.

Recommendation

We recommend the approval of this 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 Emily M. Zwetzig/Community Health Division at (503) 742-5318.



COPY

Cindy Becker
Director

Department of Human Services

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

November 12, 2009

Board of Commissioners
Clackamas County

Members of the Board:

**Approval of an Intergovernmental Agreement with
Washington County, Community Local Public Health Authority for a joint
H1N1 Vaccine Regional Program Coordinator Position**

The Clackamas County Community Health Division (CCCHD) of the Department of Human Services (DHS) requests the approval of an intergovernmental agreement with Washington County, Community Local Public Health Authority for a joint H1N1 Vaccine Regional Program Coordinator position.

This agreement will allow Clackamas County to partner with Multnomah and Washington Counties to share the expense for an H1N1 Program Coordinator position. This position will plan, prepare for, and facilitate regional meetings for H1N1 Vaccines as needed and help identify skill sets for vaccine distribution planning.

This agreement is effective August 24, 2009. It is retroactive because CCCHD did not receive the agreement from Washington County until early October.

The total expense is \$32,564, which is 1/3 of the total expense for this position. County Counsel approved this agreement on November 3, 2009. No County General Funds are involved. It terminates on December 24, 2009.

Recommendation

We recommend the approval of this 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 Emily M. Zwetzig/Community Health Division at (503) 742-5318.



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

November 12, 2009

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

Board of County Commissioners
Clackamas County

Members of the Board:

**APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF
SHERWOOD AND CLACKAMAS COUNTY DTD TO PROVIDE PLAN REVIEW SERVICES
AND INSPECTION COORDINATION**

The City of Sherwood is installing a 48" water supply transmission line extending from the City of Wilsonville's Willamette River Water Treatment Plant to the City of Sherwood's water distribution system to provide domestic water for municipal customers. The design shows that 2.4 miles of the 3.4 mile waterline extends through unincorporated Clackamas County and thus the City of Sherwood is required to obtain County permits for the work being done in Clackamas County.

Typically, Clackamas County charges 6.90% of the project bid cost for the engineering development permit to cover plan review and inspection services. The project bid cost for the waterline was \$7,995,075. The standard fee calculation would result in a charge of \$551,660 for the County permit. Clackamas County estimated the staff costs associated with the project at approximately \$45,500. Due to the large discrepancy between calculated and estimated costs, the jurisdictions worked cooperatively to prepare an IGA to cover the actual costs.

Attached is the Intergovernmental Agreement allowing Clackamas County to capture actual costs associated with providing plan review services and inspection coordination during construction of the City of Sherwood's 48" water transmission line. The City shall pay the actual cost reimbursement to Clackamas County DTD on a monthly basis.

Recommendation

Staff respectfully recommends the Board approve and authorize the Chair to execute the attached IGA allowing Clackamas County to capture actual costs associated with providing plan review and inspection coordination during construction of the City of Sherwood water transmission line.

Sincerely,

Diedre Landon
Development Review Analyst

For more information on this issue or copies of attachments, please contact Diedre Landon at:
503.742.4677



COPY

Campbell M. Gilmour
Director

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

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

November 12, 2009

Board of County Commissioners
Clackamas County

Members of the Board:

**EMERGENCY DECLARATION FOR
SPRING CREEK/MATTOON ROAD CULVERT REPAIR**

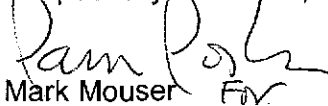
The Spring Creek/Mattoon Road culverts were compromised during the January 2009 rain event. The road was overtopped by the stream and eroded material from the top of the culverts. The continued erosion and anticipated erosion will result in a loss of a portion of the southbound lane. The repair will consist of the addition of a ten foot section of culvert and shoulder reconstruction. This repair will be temporary as a new bridge will be constructed during the 2010 in-water work period. Grants have been obtained to assist in replacing these culverts with a bridge and bringing the crossing up to current fish passage standards next year. The new bridge will be used as mitigation for the emergency repair work performed this winter.

Mattoon Road is classified as a Rural Minor Arterial. Spring Creek has both federally and state endangered Coho Salmon and threatened Steelhead Trout. It is the judgment of the team that it is in failing condition and may not last through the upcoming winter. If the road fails it will be closed creating a 3-mile detour for the motoring public.

RECOMMENATION:

Staff requests the Board of County Commissioners declare the Spring Creek/Mattoon Road Culvert Crossing an emergency which supports a permit application for emergency repair with federal and state environmental agencies. Clackamas County Road Maintenance crews will complete the proposed repair.

Respectfully submitted,


Mark Mouser *FM*
Project Manager

For more information on this issue or copies of attachments
Please contact Mark Mouser at (503) 742-4709



Ellen Crawford
Director

JUVENILE DEPARTMENT

JUVENILE INTAKE AND ASSESSMENT CENTER
2121 KAEN ROAD | OREGON CITY, OR 97045

Board of Commissioners
Clackamas County

Members of the Board:

**APPROVAL OF CONTRACT FOR SHELTER SERVICES BETWEEN
CLACKAMAS COUNTY AND CHRISTIAN COMMUNITY PLACEMENT CENTER**

Attached is a Contract for professional shelter services between Clackamas County Juvenile Department and Christian Community Placement Center (CCPC). The juvenile department must have short term and immediate shelter care resources for those youth not able to be returned to their families and are otherwise ineligible for juvenile detention. Youth placed into shelter care will receive, in addition to the shelter home, case management and assessment services.

The contract is written with a well-established private provider that has been servicing youth since November 1987. The program's reputation is very good. They currently have contracts for shelter care with Marion, Linn, Polk, and Benton counties. Many of our department staff have utilized CCPC services in the past and have come to rely on their professionalism. Aside from Boys and Girls Aid Society and Parrott Creek Child and Family Services, CCPC is the only other shelter care provider in our region.

The contract with CCPC is for \$160,400, for 1,235 days of shelter care and assessment services beginning October 15, 2009 and running through June 30, 2010. Sixty percent of the money to compensate for these services comes from a state juvenile crime prevention grant, with the balance (40%) coming from federal Medicaid monies that the Juvenile Department now has access to. County Counsel has reviewed this contract.

RECOMMENDATION

I recommend the Board of County Commissioners approve the contract with Christian Community Placement Center for Shelter Services.

Sincerely,


Ellen Crawford
Director

For more information on this issue or copies of attachments contact Crystal Wright at ext 7112

Placed on the BCC agenda of November 12, 2009 by the Purchasing Division



Ellen Crawford
Director

JUVENILE DEPARTMENT

JUVENILE INTAKE AND ASSESSMENT CENTER
2121 KAEN ROAD | OREGON CITY, OR 97045

Board of Commissioners
Clackamas County

Members of the Board:

**APPROVAL OF CONTRACT FOR SHELTER SERVICES BETWEEN
CLACKAMAS COUNTY AND BOYS AND GIRLS AID SOCIETY**

Attached is a Contract for professional shelter services between Clackamas County Juvenile Department and Boys and Girls Aid Society (BGAID). The juvenile department must have short term and immediate shelter care resources for those youth not able to be returned to their families and are otherwise ineligible for juvenile detention. Youth placed into shelter care will receive, in addition to the shelter home, case management and assessment services.

The contract is written with a well-established private provider that has been servicing youth since November 1987. The program's reputation is very good. They currently have contracts for shelter care with Washington and Multnomah counties. Many of our department staff have utilized BGAID services in the past and have come to rely on their professionalism. Aside from Christian Community Placement Center and Parrott Creek Child and Family Services, BGAID is the only other shelter care provider in our region.

The contract with BGAID is for \$160,400, for 1,235 days of shelter care and assessment services beginning October 15, 2009 and running through June 30, 2010. Sixty percent of the money to compensate for these services comes from a state juvenile crime prevention grant, with the balance (40%) coming from federal Medicaid monies that the Juvenile Department now has access to. County Counsel has reviewed this contract.

RECOMMENDATION

I recommend the Board of County Commissioners approve the contract with Boys and Girls Aid Society for shelter services.

Sincerely,


Ellen Crawford
Director

For more information on this issue or copies of attachments contact Crystal Wright at ext 7112

Placed on the BCC agenda of November 12, 2009 by the Purchasing Division

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, October 8, 2009 – 10:00 AM

Public Services Building

2051 Kaen Road, Oregon City, OR 97045

**PRESENT: Commissioner Bob Austin
Commissioner Jim Bernard
Commissioner Charlotte Lehan
Commissioner Ann Lininger**

EXECUSED: Commissioner Lynn Peterson

Commissioner Lynn Peterson is out of the office attending a meeting and will not be here today, Commissioner Bob Austin will be the Chair at today's Business Meeting.

I. CITIZEN COMMUNICATION - NONE

II. DISCUSSION ITEM

Department of Human Services

1. Approval of an Intergovernmental Agreement with Gladstone School District for use of the Gladstone Center for Families & Children

Rod Cook, Office for Children & Families presented the staff report. He introduced Erin Dean, Project Manager for Healthy Start, who gave more information on this program. Chair Austin announced this is a discussion item and asked if anyone wished to speak; seeing none he asked for a motion.

MOTION:

Commissioner Bernard: I move approval of the IGA with Gladstone School District for use of the Gladstone Center for Families and Children.

Commissioner Lininger: Second.

Chair Austin – all those in favor:

Commissioner Bernard: Aye.

Commissioner Lehan: Aye.

Commissioner Lininger: Aye.

Chair Austin: Aye.

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

III. CONSENT AGENDA

MOTION:

Commissioner Lehan: I move approval of the Consent Agenda.

Commissioner Lininger: Second.

Chair Austin – all those in favor:

Commissioner Bernard: Aye.

Commissioner Lehan: Aye.

Commissioner Lininger: Aye.

Chair Austin: Aye.

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

A. Department of Human Services

1. Approval of Amendment #5 to IGA #115192 with the State of Oregon Department of Human Services, for the Operation of the Food Stamp Employment and Training Program OFSET
2. Approval of Amendment #1 to a Personal Services Agreement to Provide Physicians on a Locum Tenens Basis with Locum Medical Group, LLC

B. Elected Officials

1. Approval of Previous Business Meeting Minutes – BCC
2. Approval of a Second Hand Dealers Permit – New, for Melinda's on 82nd, Chellis Kassab - CCSO
3. Approval of a Second Hand Dealers Permit – Renewal for 99 Pawns & Guns, Bryan Kellim – CCSO
4. Approval of a Second Hand Dealers Permit – Renewal for All the Glitters, Steven Souza - CCSO

IV. COMMISSIONERS COMMUNICATION

MEETING ADJOURNED – 10:30 AM

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



Nancy Drury
Director

DEPARTMENT OF EMPLOYEE SERVICES

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

November 12, 2009

Board of Commissioners
Clackamas County

Members of the Board:

**Approval of Employee Benefit Renewals and
Nonrepresented Benefit Cost Sharing
Effective January 1, 2010**

The Department of Employee Services (DES) is seeking formal Board approval to renew contracts with benefit providers for the 2010 plan year, including plan changes made by the Benefit Review Committee for the General County plans.

DES and its employee benefits consultant, Mercer, have completed negotiations with the County's insurance carriers and third party administrators for the 2010 employee benefit plan renewals. The renewal rates are very favorable, with the exception of increases for Kaiser medical at 20.7% for the General County and 18.3% for Peace Officers. There were minimal increases or decreases for the Providence plans, no increases for insured life, a decrease for insured disability, and a slight increase in self-insured disability. Dental increases range from 5.6% to 8.1% in comparison to the national trend of 7.0%.

The Benefits Review Committee made plan design changes and added a preventive dental plan while maintaining overall increases to the maximum for medical coverage at around 1.0%.

The County's third party administrator, Regence Personal Choice Account, will no longer provide administrative services beyond the 2009 plan year. Mercer and Employee Services staff conducted a Request for Proposal and selected Flex Plan as the replacement third party administrator with a three-year rate guarantee. The annual cost is expected to be less than \$15,000.

The current practice for Nonrepresented employees is to provide benefit cost sharing in a similar manner as represented employees so that there is no disincentive to promote into a management or supervisory position. Under the current collective bargaining agreements, the County pays 95% and the employee pays 5% of the medical premium and the County pays 100% of the dental, life and

disability premiums and the administrative costs for the flexible spending accounts.

The Board reviewed the renewal materials and approved staff recommendations at a study session on October 20, 2009. Final contracts will be reviewed and approved by County Counsel prior to submission to the Board of County Commissioners.

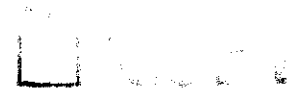
RECOMMENDATION:

1. Approve the renewal contracts with Kaiser, Providence Health Plans, Oregon Dental Service, Metropolitan Life, and Standard Insurance.
2. Enter into a new contract with Flex Plan for flexible spending account administration.
3. Approve the County paying 95% of the premiums for medical coverage and 100% of the premiums for dental, life and disability plans for Nonrepresented employees.

Sincerely,



Carolyn Williams
Benefits Manager



M. Barbara Cartmill
Agency Manager

DEVELOPMENT AGENCY

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

November 12, 2009

Clackamas County Board of Commissioners acting as the
Governing Body of the Clackamas County Development Agency

Members of the Board:

**APPROVAL OF AN AMENDMENT TO AN OWNER PARTICIPATION AND
DEVELOPMENT AGREEMENT WITH HP DEVELOPMENT, INC. TO PROVIDE
AFFORDABLE HOUSING UNITS AND PUBLIC PARK SPACE FOR THE
HAWTHORNE PARK DEVELOPMENT**

Hawthorne Park is a 29-unit condominium development, comprised of two- and three-family dwellings, on a four (4) acre parcel located south of King Road in the North Clackamas Revitalization Area (NCRA). The Agency has partnered with HP Development Inc. (HPD), owned by Nick Stearns, and the Clackamas Community Land Trust (CCLT) to develop a project that includes affordable or "workforce" housing units and a small neighborhood park. The park is receiving construction financing through a \$140,000 Metro Nature in Neighborhoods grant.

The Board previously approved an Owner Participation and Development Agreement (OPDA) between the Agency and HPD on December 11, 2008. The terms of the OPDA require the Agency to purchase the park site for \$250,000. The purchase price serves as the majority of the Agency's required 2:1 match for the Metro grant. In exchange for the developer providing affordable housing units the Agency will provide an additional \$250,000 of financial assistance for the affordable housing element of the project after the start of construction. This assistance will be supplied in increments based on project benchmarks. The OPDA requires five units to be sold to the Clackamas Community Land Trust for a price that is expected to be below market value. These units will be maintained as affordable housing for a minimum of 99 years. An additional five (5) units, although not owned by the CCLT, will be subject to affordability covenants for a similar time period.

Due to unexpected delays in the land use permitting process and the current recession, particularly an almost unprecedented downturn in the housing market, it is necessary to amend the OPDA. The amendment primarily adjusts dates related to the commencement and completion of construction, and the purchase of the park site. The adjustments are necessary due to the length of the permitting process and to acknowledge the need for an extended construction period due to economic conditions. Another change adds a contingency that requires affordability covenants to be attached