



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, September 30, 2010 - 10:00 AM**  
**BOARD OF COUNTY COMMISSIONERS**

Beginning Board Order No. 2010-114

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

1. Recognition of County Employee Kat Hinkel and Her Daughter Tiara Freeman for their Heroism (Tracy Moreland, Public and Government Affairs)
2. Acknowledgement of an Anonymous Donation to Assist Individuals Impacted by the Recession (Brenda Durbin, Social Services)
3. Proclaiming October 2010 as Domestic Violence Awareness Month in Clackamas County (Christina Bondurant, Domestic Violence Prevention Coordinator)

**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. Health, Housing & Human Services**

1. Approval of a Construction Agreement between the Community Development Division and Knife River Corp. Northwest for Street Improvements for the North Clackamas Revitalization Area Phase 1 Project - CD

**B. Department of Transportation & Development**

1. Board Order No. \_\_\_\_\_ Declaring the Necessity and Purpose for Acquisition of Rights-of-Way and Easements and Authorizing Negotiations and Eminent Domain Actions for the Salmon River (Arrah Wanna Road) Bridge Project

2. Board Order No. \_\_\_\_\_ for Right-of-Way and Easements Acquired along County Roads to become Part of the Abutting or Adjacent County Road
3. Board Order No. \_\_\_\_\_ Allowing Expenditure of County Road Funds on Local Access Roads under County Jurisdiction
4. Approval of Amendment #3 to the Engineering Design and Plans Contract with Harper Houf Peterson Righellis, Inc. for the Hwy 212/Lawnfield Rd. Connection Project

**C. Elected Officials**

1. Approval of Previous Business Meeting Minutes – BCC
2. Approval of an Intergovernmental Agreement between Clackamas County Sheriff's Office, the City of Estacada and the Estacada School District Relating to a School Resource Officer for 2010/2011 - CCSO
3. Acceptance of the Community Oriented Policing Services (COPS) Methamphetamine Initiative Grant from the US Department of Justice COPS Office - CCSO
4. Approval of an Authorization to Purchase Mobile Data Computers from Feeney Wireless, Inc. - CCSO

**V. WATER ENVIRONMENT SERVICES**

1. Approval of a Construction Services Agreement for the Tri-City Service District South Holly Lane Culvert Replacement

**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/>



Elissa Gertler  
Director

**PUBLIC AND GOVERNMENT AFFAIRS**

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

September 22, 2010  
Board of County Commissioners  
Clackamas County

Members of the Board:

**RECOGNITION OF COUNTY EMPLOYEE KAT HINKEL AND HER  
DAUGHTER TIARA FREEMAN, FOR THEIR HEROISM**

Public and Government Affairs is pleased to present to the Board of County Commissioners an opportunity to recognize the heroic efforts of a Clackamas County employee and her daughter.

On August 14, Kat Hinkel, who works in the Juvenile Department, and her daughter Tiara Freeman, were enjoying a summer day with friends and family at Hagg Lake in Washington County when they heard calls for help from the water. A 14-year old teenage boy was floating in the lake face down. Tiara and the boy's uncle pulled him from the water, and Kat performed CPR until the boy was revived. They stayed with him until the ambulance arrived.

This teenager made a full recovery and has since contacted Kat and Tiara to thank them and promised to take swimming lessons.

There are county departments that mandate all employees earn a CPR certification, and Juvenile is one of them. Kat had just completed her re-certification process a few weeks before this incident.

Kat and Tiara could have easily panicked in this situation. But they remained calm, level-headed and did everything right, which likely saved this teen's life. We wanted to publicly thank these local heroes for their bravery.

Respectfully submitted,



Elissa Gertler, Director PGA

For information on this issue, please contact Tracy Moreland, 503-655-8520

COPY

September 30, 2010

Board of Commissioners,  
Clackamas County

Members of the Board:

**Acknowledgement of Anonymous Donation to Assist  
Individuals Impacted by the Recession**

Recently, an email was received through the county's website from a Clackamas County resident who was interested in making an anonymous donation in the amount of \$10,000 to help the County better address the needs of people suffering from the recession.

It was decided that the donation could be best put to use by Social Services of Clackamas County (SS of CC), a small non-profit that for over 20 years has provided assistance to low-income county residents.

This generous gift comes at a time when the County Department of Health, Housing and Human Services is receiving an increase in calls from families who need assistance. These funds will be used to provide rent assistance, and to help individuals meet emergency expenses such as gasoline and bus tickets to get to medical or social service appointments, work, training, or emergency shelters.

People interesting in learning more about the work of Social Services of Clackamas County are encouraged to visit the website [Clackamas.us/socialservices/sscc.jsp](http://Clackamas.us/socialservices/sscc.jsp).

**Recommendation:**

We recommend the BCC express their appreciation for this generous donation, and encourage other county residents to make a donation to their charity of choice or volunteer to help people in need.

Sincerely,



Cindy Becker  
Director

For information on this issue or copies of attachments  
Please contact Brenda Durbin, # 503-655-8641

*Healthy Families. Strong Communities.*

2051 Kaen Road #239, Oregon City, OR 97045 • Phone: 503-650-5697 • Fax: 503-655-8677 • [www.clackamas.us](http://www.clackamas.us)

September 30, 2010

Board of County Commissioners  
Clackamas County

Members of the Board;

**Proclamation to declare October 2010  
As Domestic Violence Awareness Month  
in Clackamas County**

Domestic violence is a serious crime that impacts our community at every level—from individual families to public health to the local economy. The problems of family violence cross all racial, social, religious, ethnic, geographic and economic groups. While important work is being done in our community by a number of public and private agencies to respond to and prevent domestic violence; it continues to be an ongoing issue.

In recognition of the impact of domestic violence on the lives of children and families and the need for greater awareness in our communities, the first Domestic Violence Awareness Month was observed in October 1987—the same year that the first national domestic violence toll-free hotline came into fruition. The U.S. Congress passed Public Law 101-112 in 1989 designating October of that year as National Domestic Violence Awareness Month; such legislation has passed every year since. (Adapted from the *1996 Domestic Violence Awareness Month Resource Manual* of the National Coalition Against Domestic Violence).

We recognize that while many of the domestic violence related homicides in the past year did not take place in Clackamas County, they involved residents of our county. It is vital that we address the impact this has on our community.

Important research has been done at the local level on the impact of domestic violence in our community. The Clackamas County Sheriff's Office reported 832 domestic violence related crimes in 2009 (*Annual Crime Report, 2009*). According to Children First for Oregon, in 2009 29.2% of founded abuse/neglect/threat of harm referrals were related to domestic violence in Clackamas County (*2009 Status of Oregon's Children*). Clackamas Women's Services reports that, on average, 1 in 2 students know an adult who has experienced domestic violence and more than 1 in 10 high school and middle school students say that a past or current partner (boyfriend/girlfriend) has hit, shoved, slapped, and/or kicked them (*CWS, 2009/2010*).

At the state level, in a survey of women age 20-55, nearly one-third (31%) reported having experienced one or more types of violent victimization — including threats of violence, physical assaults, sexual assaults, or stalking — during the five years preceding the survey. One in ten women reported experiencing intimate partner violence (IPV) in the five-year period, and 13% said they had been stalked (*Oregon Women's Health & Safety Survey, 2001-2002*).

Clackamas County Commission on Children & Families, through the Children, Youth and Families Division is actively supporting and developing evidenced based programs and initiatives that work

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towards addressing and preventing domestic violence in order to break the silence that often surrounds this issue. Our primary goals are to raise awareness in the community, increase safety and support for survivor/victims of domestic violence and hold those who abuse accountable for their actions. Some of the programs and initiatives underway in our County include:

- The launching of a county-wide public education and awareness campaign, to coincide with Domestic Violence Awareness Month in October.
- Specific campaigns designed to raise awareness about this issue during Domestic Violence Awareness Month, including a Kick-Off Event during First Friday in downtown Oregon City, Purple Night Lights, the Purple Ribbon Campaign, displaying the Silent Witnesses throughout the month and a DV specific Coffee Talk event.
- A top-level Leadership Committee meets quarterly to oversee the response to and prevention of domestic violence.
- The Family Violence Coordinating Committee (FVCC) meets monthly to develop and implement effective strategies to reduce and respond to domestic violence.
- Contracts with Los Niños Cuentan, Clackamas Women's Services, Clackamas County Sherriff's Office, and Clackamas County District Attorney's Office Victim Assistance Program to improve the quality of service delivery.
- Developing a Domestic Violence Fatality Review Team specific to Clackamas County.
- Updating and maintaining a comprehensive website for domestic violence, to include information and resources for all community members.

To learn more about domestic violence prevention and response, please call the Children, Youth and Families Division Domestic Violence Coordinator at 503-650-5684.

**Recommendation:**

Staff recommends the Board approve the attached Domestic Violence Awareness Month Proclamation.

Sincerely,



Cindy Becker  
Director

For information on this issue or copies of attachments  
Please contact Rodney Cook at (503) 650-5677

**PROCLAMATION TO PROCLAIM THE MONTH OF OCTOBER 2010  
AS DOMESTIC VIOLENCE AWARENESS MONTH  
FOR CLACKAMAS COUNTY**

**WHEREAS**, domestic violence is a serious crime in Clackamas County that affects people of all races, ages, gender, and income levels;

**WHEREAS**, family is the foundation of a safe and healthy community, it is the goal of Clackamas County for our communities to be safe;

**WHEREAS**, 5,837 shelter nights were provided to domestic violence survivors and children and 2,899 calls for services for domestic violence survivors were received in our county in 2009;

**WHEREAS**, there were 832 reported domestic violence related crimes in our county in 2009, including assault, violation of a restraining order, harassment and strangulation;

**WHEREAS**, children that grow up in violent homes are believed to be abused and neglected at a rate higher than the national average;

**WHEREAS**, the economic costs of intimate partner physical and sexual assault in Oregon are estimated at over \$50 million each year, nearly \$35 million of which is for direct medical and mental health services;

**WHEREAS**, only a coordinated community effort will put a stop to this heinous crime;

**WHEREAS**, Domestic Violence Awareness Month provides an excellent opportunity for citizens to learn more about preventing domestic violence and to show support for the numerous organizations and individuals who provide critical advocacy, services and assistance to victims;

**NOW, THEREFORE, WE**, The Clackamas County Board of County Commissioners hereby proclaim the month of October 2010 as

***Domestic Violence Awareness Month***

In Clackamas County, Oregon we encourage all citizens to join in this observance and urge everyone in the community to learn more about domestic violence and how to address it both individually and collectively.

Dated this 30<sup>th</sup> day of September, 2010

**Clackamas County Board of Commissioners**

\_\_\_\_\_  
Commissioner Lynn Peterson, Chair

COPY

Cindy Becker  
Director

September 30, 2010

Board of County Commissioners  
Clackamas County, Oregon

Members of the Board:

**Approval of a Construction Agreement between the  
Community Development Division and Knife River Corp.-Northwest  
for street improvements for the North Clackamas Revitalization Area-Phase I Project**

The Community Development Division of Health, Housing and Human Services Department requests the approval of a Construction Agreement with Knife River Corp.-Northwest for street improvements in the North Clackamas Revitalization Area (NCRA). The streets that are scheduled for asphalt overlays are: May Street, Overland Street, Alder Place and Needham Court. Over the next 2 years federal and state funds are scheduled for additional work in this low moderate level income area. This street improvement project is vital to this area.

After review of the eight (8) bids submitted on August 25, 2010, Knife River Corp.-Northwest was determined to be the lowest responsive, responsible bidder substantially complying with the requirements of the solicitation documents. Below is a list of the 3 lowest bids:

- |                                 |              |
|---------------------------------|--------------|
| 1. Knife River Corp.- Northwest | \$160,180.00 |
| 2. Brix Paving                  | \$160,318.87 |
| 3. Portland Road & Driveway Co. | \$162,245.00 |

Financial Impact: Clackamas County Development Agency Funds.....	\$ 32,036
Community Development Block Grant Funds.....	\$128,144
Total Construction Cost:.....	\$160,180

No County General Fund dollars are involved. The Construction Agreement was reviewed and approved by County Counsel on July 21, 2010.

**Recommendation**

We recommend approval of the attached Contract and that Director, Cindy Becker be authorized to sign the Construction Contract on behalf of the Board of County Commissioners.

Respectfully submitted,

  
Cindy Becker  
Director

For information on this issue or copies of attachments  
Please contact Steve Kelly at 503-650-5665

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 **COPY**

**Campbell M. Gilmour**  
Director

**DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT**

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

September 30, 2010

Board of County Commissioners  
Clackamas County

Members of the Board:

**Approval of a Resolution Declaring the Necessity and Purpose  
for Acquisition of Rights of Way and Easements  
for the Salmon River (Arrah Wanna Rd) Bridge Project and  
Authorizing Negotiations and Eminent Domain Actions**

The Board of County Commissioners has approved funding for the Salmon River (Arrah Wanna Rd) Bridge Project No. 22083, which will provide for the reconstruction of the bridge over the Salmon River. The Board has authority under ORS Chapter 35 to acquire rights of way and easements by purchase or condemnation proceedings.

The project has been planned and located in a manner which is most compatible with the greatest public good and which causes the least private injury. The Department of Transportation and Development (Department) shall negotiate in good faith in an attempt to reach agreement as to the amount of just compensation owed each affected property owner. To fairly determine the amount of just compensation, staff will utilize the expertise of authorized real estate appraisers and other such experts.

The Department has developed the final legal descriptions required for acquisition of rights of way and easements for the six real properties affected by the Project. If during the course of the project design/construction modifications should effect acquisitions, staff will bring subsequent revisions to the Board for authorization.

The resolution directs the Department to resolve issues of just compensation through good faith negotiations. It requires the Director of the Department to notify the Board if exercise of the power of eminent domain becomes necessary. Only after this process is completed does it authorize the Office of County Counsel to file a condemnation action.

Staff respectfully requests that the Board approve a Resolution of Necessity and Purpose for the Salmon River (Arrah Wanna Rd) Bridge Project for the acquisition of necessary rights of way and easements to provide for construction of the project.

RECOMMENDATION:

Approval of the attached Board Resolution authorizing the acquisition of rights of way and easements by negotiation if possible, or condemnation, if necessary.

Respectfully submitted,



Kath Rose  
Sr. Right of Way Agent, Clackamas County DTD

Attachment

For information on this issue or copies of attachments  
please contact Kath Rose at (503) 742-4713

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

In the Matter of the Salmon River  
(Arrah Wanna Rd) Bridge Project, Declaring  
the Necessity and Purpose for Acquisition of  
Rights of Way and Easements, and  
Authorizing Negotiations and  
Eminent Domain Actions



Order No. \_\_\_\_\_  
(Page 1 of 2)

This matter comes before the Board of County Commissioners of Clackamas County, Oregon (the "Board") at its regularly scheduled meeting on September 30, 2010; and,

It appearing that the Board previously approved funding for the Salmon River (Arrah Wanna Rd) Bridge Project No. 22083 ("Project"), which will provide for the re-construction of the bridge over the Salmon River, that the Project is consistent with the powers and purposes of County government, and that the Project is necessary for the continued growth, safety and welfare of the community; and,

It further appearing to the Board that the Project has been planned and located in a manner which is most compatible with the greatest public good and causes the least private injury; and,

It further appearing to the Board that acquisition of the rights of way and easements described in Exhibit "A" is a necessary part of the Project and therefore is also consistent with the powers and purposes of County government, and necessary for the continued growth, safety and welfare of the community; and,

It further appearing to the Board that immediate possession of the rights of way and easements described in Exhibit "A" may be necessary and will be in the public interest in order to commence and complete the Project in a timely manner; and,

It further appearing that the Board has authority under ORS Chapter 35 to acquire rights of way and easements by purchase or eminent domain proceedings.

NOW, THEREFORE, IT IS HEREBY RESOLVED that this Board declares it necessary and in the public interest that the County immediately start acquisition of rights of way and easements described in Exhibit "A", either through negotiation and agreement, purchase, or, if necessary, by commencement of eminent domain proceedings.

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

In the Matter of the Salmon River  
(Arrah Wanna Rd) Bridge Project, Declaring  
the Necessity and Purpose for Acquisition of  
Rights of Way and Easements, and  
Authorizing Negotiations and  
Eminent Domain Actions



Order No. \_\_\_\_\_  
(Page 2 of 2)

IT IS FURTHER ORDERED THAT:

1). The Department of Transportation and Development immediately, and in good faith, attempt to negotiate agreements as to amount of just compensation owed each owner of each property identified in Exhibit "A". In so doing, the department is authorized to retain real estate appraisers, negotiators, and other such experts deemed necessary to fairly determine the amount of just compensation owed; and,

2). If the Director of the Department of Transportation and Development (the "Director") determines that changes to the design of the Project, unanticipated field conditions, or the need to accommodate uneconomic remnants makes it necessary or desirable to modify the rights of way and easements required for the Project, the Director shall promptly bring before the Board, and the Board shall promptly consider a resolution amending Exhibit "A"; and,

3). It is the intention of the Board that the required rights of way and easements identified in Exhibit "A" be obtained through good faith negotiation. The Board acknowledges that the exercise of the power of eminent domain may be necessary. The Director shall inform the Board when the Director deems eminent domain necessary. Thereafter, the Office of County Counsel is authorized to file complaints in condemnation and take such other steps as it determines necessary for the immediate possession of required rights of way and easements and the successful litigation of the condemnation action, including the retention of real estate appraisers, experts and other consultants deemed necessary to the successful conclusion of that litigation.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Lynn Peterson, Chair

\_\_\_\_\_  
Mary Raethke, Recording Secretary



COPY

Campbell M. Gilmour  
Director

**DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT**

**DEVELOPMENT SERVICES BUILDING**

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

September 30, 2010

Board of County Commissioners  
Clackamas County

Members of the Board:

**BOARD ORDER ORDERING RIGHT OF WAY AND EASEMENTS  
ACQUIRED ALONG COUNTY ROADS TO BECOME PART OF THE  
ABUTTING OR ADJACENT COUNTY ROAD**

This Board Order makes clear the status of right of way and easements acquired along county roads, establishing them as part of the adjacent county road upon acknowledgement by the Director of the Department of Transportation and Development (Director) and recordation of the acknowledgement in Clackamas County records.

Passage of this Board Order will avoid future confusion as to the jurisdiction of areas of road widening and realignment when annexed into a city, facilitate maintenance expenditures within these areas and eliminate the need for the Board to establish individually, by Board Order, those areas acquired as part of the adjacent county road.

County Counsel has reviewed and approved the attached Board Order.

**RECOMMENDATION:**

Staff respectfully recommends that the Board adopt the attached Board Order instructing the Director to acknowledge parcels acquired for right of way and easements along county roads as part of the adjacent county road.

Sincerely,

Mike Bezner, PE  
Transportation Engineering Manager

For information on this issue or copies of attachments  
please contact Greg Petersen at (503) 742-4672.

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

In the Matter of Ordering Road Status of  
Right of Way and Easements Acquired  
Along County Roads.

ORDER NO.

Page 1 of 2

This matter coming before the Board of County Commissioners (Board) at this time, and it appearing that in accordance with Ordinance No. 02-2009, and Title 2, Chapter 2.13, of the Clackamas County Code, the Board delegated to the Director of the Department of Transportation and Development (Director), or the Director's designee in the Director's absence, a defined authority to accept, on behalf of the County, interest in real property for public road right of way and for other lesser related appurtenant interests for public road purposes, and;

It further appearing that the Board, as outlined in ORS 368.016(2)(c), has the unequivocal authority to make, by resolution or order, any public road within its jurisdiction a County Road, as defined in ORS 368.001(1), now therefore;

IT IS HEREBY ORDERED that all interests in real property accepted for public road purposes by the Director, that are abutting or are appurtenant to an existing County Road, as defined in ORS 368.001(1), are to become part of the abutting or adjacent County Road when acknowledged by the Director and recorded in the deed records of Clackamas County, becoming part of the County Road System, and;

IT IS FURTHER ORDERED that all interests in real property dedicated for public road purposes, by plat or partition, that are abutting or are appurtenant to an existing County Road, as defined in ORS 368.001(1), are to become part of the abutting or adjacent County Road when acknowledged by the Director and recorded in the deed records of Clackamas County, becoming part of the County Road System, and;

IT IS FURTHER ORDERED that the Director shall recognize and reference this Order whenever conditions warrant and shall identify the right-of-way by the legal county road number and name of the abutting or adjacent county road, assign a DTD File Number and direct the same to be placed in the index of county roads, and;

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

In the Matter of Ordering Road Status of  
Right of Way and Easements Acquired  
Along County Roads.



ORDER NO.

Page 2 of 2

IT IS FURTHER ORDERED that copies of the recorded dedicating documents and exhibits, with the Director's Acknowledgment and exhibits, shall be distributed, electronically, by the Transportation Engineering Division, to appropriate County departments, divisions, and/or offices, and;

IT IS FURTHER ORDERED that this order shall not be construed as a blanket order to designate any preexisting interest in real property as county road right of way, but only to those interests outlined herein and acknowledged by the Director and recorded in the deed records of Clackamas County.

ADOPTED this 30<sup>th</sup> day of September, 2010.

BOARD OF COUNTY COMMISSIONERS

\_\_\_\_\_  
Chair

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



COPY

Campbell M. Gilmour  
Director

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

September 30, 2010

Board of County Commissioners  
Clackamas County

Members of the Board:

**BOARD ORDER ALLOWING EXPENDITURE OF COUNTY ROAD FUNDS ON  
LOCAL ACCESS ROADS UNDER COUNTY JURISDICTION**

This Board Order authorizes the Director of the Department of Transportation and Development (Director) to expend County road funds on local access roads, if the Director determines the public use justifies the expenditure, recommends the expenditure and records the recommendation in Clackamas County records.

Many local access roads within County jurisdiction, constructed through land use development and approved county road projects, are built to county road standards and have traffic volumes and public need which justify county road maintenance, as it may be required.

Passage of this Board Order will facilitate future maintenance of these roads, as it becomes necessary, and eliminate the need for the Board to direct by Board Order, on an individual basis, maintenance work to be implemented on these roads.

County Counsel has reviewed and approved the attached Board Order.

**RECOMMENDATION:**

Staff respectfully recommends that the Board adopt the attached Board Order authorizing the expenditure of road funds on local access roads meeting the above requirements.

Sincerely,

Mike Bezner, PE  
Transportation Engineering Manager

For information on this issue or copies of attachments  
please contact Greg Petersen at (503) 742-4672.



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

In the Matter of Ordering Expenditure of  
Road Funds and Work to be Performed  
on Local Access Roads.



ORDER NO.

Page 1 of 2

This matter coming before the Board of County Commissioners (Board) at this time and it appearing to the Board that pursuant to Clackamas County Ordinance No. 002-2009, and Title 2, Chapter 2.13, of the County Code, the Director of the Department of Transportation and Development (Director), or in the Director's absence, the Director's designee, has been delegated a defined authority to accept, on behalf of the County, dedication of interest in land for use as public right of way, for related or appurtenant easements, and for other public purposes, and;

It further appearing to the Board that, pursuant to ORS 368.001(3), a public road that is not a county road, state highway or federal road is a Local Access Road, and;

It further appearing to the Board that, pursuant to ORS 368.031, a local access road that is outside a city is subject to the exercise of jurisdiction by a county governing body and;

It further appearing to the Board that, pursuant to ORS 368.031(2)(a), (b) & (c), a county governing body shall spend county moneys on the local access road only if it determines that the work is an emergency or if: (a) The county road official recommends the expenditure; (b) The public use of the road justifies the expenditure proposed; and, (c) The county governing body enacts an order or resolution authorizing the work and designating the work to be either a single project or a continuing program, and;

It further appearing to the Board that, the public use of many local access roads under County jurisdiction justifies the expenditure of county road funds on a continuing basis, until such time it is in the County's interest to discontinue the work, now therefore;

**IT IS HEREBY ORDERED** that, upon determination by the Director that the public use of a local access road justifies the expenditure proposed and upon the Director's recommendation of the expenditure, that county road funds be available on a continuing basis until it is in the County's interest to discontinue the work, and;

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

In the Matter of Ordering Expenditure of  
Road Funds and Work to be Performed  
on Local Access Roads.



ORDER NO.

Page 2 of 2

IT IS FURTHER ORDERED that the Director shall recognize and reference this Order whenever conditions warrant and shall identify the road by local access road number and name, assign a DTD File Number and direct the same to be placed in the index of local access roads under County jurisdiction, and;

IT IS FURTHER ORDERED that this order shall not be construed as a blanket order to designate county road funds to any preexisting local access road, but only to those outlined herein and determined by the Director that the public use of the local access road justifies the expenditure proposed and upon the Director's recommendation of the expenditure and the Director's recommendation is recorded in the deed records of Clackamas County.

IT IS FURTHER ORDERED that copies of the Director's recommendation of the expenditure, with exhibits, if any, shall be distributed, electronically, by the Transportation Engineering Division, to appropriate County departments, divisions, and/or offices.

ADOPTED this 30<sup>th</sup> day of September, 2010.

BOARD OF COUNTY COMMISSIONERS

\_\_\_\_\_  
Chair

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



Campbell M. Gilmour  
Director

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT  
DEVELOPMENT SERVICES BUILDING  
150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

Board of County Commissioners  
Clackamas County

Members of the Board:

**Approval of Amendment #3 to the Engineering Design and Plans Contract  
With Harper Houf Peterson Righellis, Inc. for the  
Hwy 212/Lawnfield Connection Project**

In October of 2008, the Development Agency entered into an Engineering Design and Plans contract with Harper Houf Peterson Righellis, Inc. (HHPR) for the Hwy 212/Lawnfield Connection Project. This contract has been amended twice. The Development Agency is now requesting a third amendment for final Engineering Design and Plans for the Lawnfield Rd. improvements from 97<sup>th</sup> Ave. to 98<sup>th</sup> Court. This third phase of the project is part of the Sunrise JTA project. This amendment will pay HHPR for the additional costs associated with the expanded scope of services.

The justification for sole-sourcing this work to HHPR is as follows:

- This new project, (Phase 3 of the HWY 212/Lawnfield Connection project) is dependent upon and must be coordinated with the design and construction of Phase 2.
- HHPR has significant data, knowledge, and experience within the area.
- The intersection of Lawnfield Rd. and 98<sup>th</sup> Ct. has already been partially designed by HHPR and must be built with Phase 3.
- To request other scope and fee proposals would take time and certainly delay the Phase 2 construction already scheduled for spring of 2011.
- HHPR is very familiar with the history of the project.
- The HHPR fee is consistent with the County's cost estimate.

The proposed Amendment is for a not to exceed fee of \$814,913.25.

Funds for these services are available under budget line 451-6610-00-481200-30132 for fiscal years 2010/11 thru 2011/12.

**Recommendation**

Staff respectfully recommends that the Board approve this Contract Amendment #3 with HHPR for the Hwy 212/Lawnfield Connection Project.

Sincerely,



Terry Mungenast  
Project Manager

Placed on Board Agenda of Sept. 30<sup>th</sup>, 2010  
By Purchasing Division

For information on this issue or copies of attachments  
please contact Terry Mungenast at (503) 742-4656

## **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, July 15, 2010 – 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  
Housing Authority Commissioner Erica Allison

**EXCUSED:** Commissioner Lynn Peterson, Chair

### ***~Pledge of Allegiance~***

Commissioner Peterson is out of the office today, Commissioner Lininger will serve as Chair for this Business Meeting.

### **I. PRESENTATION**

1. Presentation of the County's 2009-2010 Internal Sustainability Mini-Grants Program  
Eben Polk, Office of Sustainability presented the staff report and mentioned the departments and people who worked on this issue.

The Board thanked Eben and all the employees for their work.

### **II. HOUSING AUTHORITY CONSENT AGENDA**

1. Approval of an Intergovernmental Agreement between the Housing Authority of Clackamas County and the Clackamas Educational Service District
2. Approval to Use Refinance Proceeds to Fund Predevelopment Project Costs for the Refinance and Rehabilitation of Easton Ridge Apartments

### **MOTION:**

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

Commissioner Lehan: Second.

Chair Peterson – all those in favor:

Commissioner Allison: Aye.

Commissioner Lehan: Aye.

Commissioner Bernard: Aye.

Commissioner Austin: Aye.

Chair Lininger: Aye.

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

### **III. CITIZEN COMMUNICATION - NONE**

### **IV. PUBLIC HEARING**

1. Board Order No. **2010-98** Approving Boundary Change Proposal CL-0710 for Annexation of Territory to Clackamas River Water  
Chris Storey, County Counsel and Ken Martin, Local Boundary Consultant 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.

**MOTION:**

Commissioner Austin: I move we approve boundary change proposal CL-0710 for annexation of territory to Clackamas River Water.

Commissioner Bernard: Second.

Chair Lininger – all those in favor:

Commissioner Lehan: Aye.

Commissioner Bernard: Aye.

Commissioner Austin: Aye.

Chair Lininger: Aye.

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

**V. DISCUSSION ITEMS**

***-NO DISCUSSION ITEMS SCHEDULED***

Commissioner Austin stated that Clackamas County recently received a \$7.8 million grant, funded through a federal stimulus grant, for broadband expansion in under-served area of our County. The grant was nearly half the total amount awarded to the state through the Broadband Technologies Opportunity Program. It will provide high speed internet and other critical technologies for schools, fire stations, businesses and hospitals. This will benefit an estimated 250,000 people and 3,500 local businesses. It's all part of a larger effort to attract stimulus funds that has netted our county more than \$27 million in federal stimulus funds and saved or created more than 250 jobs. WE are so proud of the hard work that went into the application and the acquisition of these funds and are excited to see the future benefits for Clackamas County. This grant will be formally awarded at next week's Business Meeting.

**VI. CONSENT AGENDA**

**MOTION:**

Commissioner Lehan: I move we approve the consent agenda.

Commissioner Austin: Second.

Chair Lininger – all those in favor:

Commissioner Lehan: Aye.

Commissioner Bernard: Aye.

Commissioner Austin: Aye.

Chair Lininger: Aye.

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

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

1. Approval of a Renewal Intra-Agency Agreement with Clackamas County Sheriff's Office, Jail Division for Mental Health Services - CH
2. Approval of an Intergovernmental Agreement Renewal with the City of Gladstone/Gladstone Senior Center to Provide Social Services for Clackamas County Residents age 60 and Over - CCSS

**B. Elected Officials**

1. Approval of Previous Business Meeting Minutes – BCC

2. Approval to Apply for the Community Oriented Policing Services (COPS) Hiring Grant for the US Department of Justice COPS Office – CCSO
3. Approval to Apply for the Community Oriented Policing Services (COPS) Methamphetamine Initiative Grant from the US Department of Justice COPS Office - CCSO

**C. County Counsel**

1. Approval of Bylaws for the Clackamas County Audit Committee

**VII. DEVELOPMENT AGENCY**

1. Approval and Authorization to Purchase Property Located at 12320 SE Vernon Street
2. Approval and Authorization to Purchase Property Located at 8707 and 8855 SE Otty Rd.
3. Approval for Delegation of Authority to Grant Road Right-of Way and Related Easements from the Clackamas County Development Agency to the County in Connection with Specific Road Projects

**VIII. WATER ENVIRONMENT SERVICES**

1. Approval of a Conservation Easement on behalf of Clackamas County Service District No. 1 (139<sup>th</sup> Ave.)

**IX. COMMISSIONERS COMMUNICATION**

**MEETING ADJOURNED – 10:36 AM**

*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/>*



# Clackamas County Sheriff's Office

CRAIG ROBERTS, Sheriff

September 30, 2010

Board of County Commissioners  
Clackamas County

Members of the Board:

Approval of an Intergovernmental Agreement Between Clackamas County  
and the City of Estacada and the Estacada School District  
Relating to a School Resource Officer for 2010-2011

This Intergovernmental Agreement (IGA) will provide funding from the City of Estacada and the Estacada School District to pay for one Sheriff's Office Deputy to act as a School Resource Officer (SRO) during the 2010-2011 school year.

This is the third year the City of Estacada and the Estacada School District have provided funding for the SRO position. The IGA allows Clackamas County to collect funds from the City of Estacada and the Estacada School District for SRO costs for the 2010-2011 school year. The term of this agreement for services is from September 7, 2010 through June 14, 2011. The amount agreed upon for these services is \$ 81,532.58 with the City of Estacada paying \$40,766.29 and the Estacada School District paying \$40,766.29. County Counsel has reviewed and approved this agreement.

## RECOMMENDATION

Staff recommends the Board of County Commissioners approve this Intergovernmental Agreement between Clackamas County and the City of Estacada and the Estacada School District to provide a School Resource Officer for the 2010-2011 school year.

  
Matt Ellington, Undersheriff

*"Working Together to Make a Difference"*





# Clackamas County Sheriff's Office

CRAIG ROBERTS, Sheriff

September 30, 2010

Board of Commissioners  
Clackamas County

Members of the Board:

Approval to Accept the Award of the COPS Methamphetamine Initiative Grant  
from the U.S. Department of Justice COPS Office

The Clackamas County Sheriff's Office is requesting approval of the award for funds offered by the Office of Community Oriented Policing Services at the U.S. Department of Justice. The Methamphetamine Initiative program partners local, state and federal law enforcement agencies to work together combating the trafficking of methamphetamine and other illegal drugs. Funds under this program are aimed at enhancing surveillance capabilities of the task force.

This grant in the amount of \$550,000 will be used to purchase an airborne thermal imager and ground-based camera systems, as well as fund a public outreach effort for the Clackamas County Interagency Task Force. The Interagency Task Force is a partnership between the Sheriff's Office and local, state, and federal law enforcement. No local match funds are required for this grant program.

## RECOMMENDATION

Staff recommends Steve Wheeler, County Administrator, sign on behalf of the Board of County Commissioners and approve the award of the COPS Methamphetamine Initiative Grant from the U.S. Department of Justice COPS Office in the amount of \$550,000 to fund enhanced surveillance equipment for the Clackamas County Interagency Task Force.

A handwritten signature in black ink, appearing to read "MEllington".

Matt Ellington, Undersheriff

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2223 Kaen Road, Oregon City, OR 97045 • Tel 503-655-8218 • Fax 503-655-8549 • [www.clackamas.us/sheriff](http://www.clackamas.us/sheriff)



# Clackamas County Sheriff's Office

CRAIG ROBERTS, Sheriff

September 30, 2010

Board of County Commissioners  
Clackamas County

Members of the Board:

Approval of an Authorization to Purchase Mobile Data Computers from  
Feeney Wireless Inc.

Over the last thirteen years, the Clackamas County Sheriff's Office has utilized ruggedized mobile data computers (MDC's) for communication with CCOM, report writing, access of the CLASS databases and geo-locating addresses of dispatched calls. The Sheriff's Office standardized on the ruggedized Panasonic Toughbook computers which are mounted in our patrol vehicles as MDC's. These Toughbooks have proven to hold up extremely well in the mobile law enforcement environment where heavy vibration and extreme temperatures are prevalent. Non rugged computers are not made to withstand this type of extreme mobile environment.

The Sheriff's Office currently has 245 Panasonic Toughbook Mobile Data computers in the Patrol, Investigations, Civil, Admin, and Special Units. Panasonic's warranty covers the first three years of each computer. After the warranty period, repair costs are billed at \$125 per hour for labor, plus the cost of parts. We evaluate every out-of-warranty repair to determine the necessity of fixing the damaged laptop versus the cost.

The Sheriff's Office has budgeted for a replacement schedule of a minimum of fifty new Toughbook MDC's per year, which will replace all field laptops over five years of age within the next four years. Our history has shown that MDC's over five years of age can be unreliable to the deputy on the street, creating a potential hazard for the officer needing to receive critical data when dealing with dangerous situations. Additionally, the cost of maintaining and repairing MDC's over five years of age is very expensive, and they do not have the speed or hard drive capacity to run current applications used by the Sheriff's Office.

The Sheriff's Office has budgeted funds to purchase fifty-five replacement Panasonic Toughbook MDC's, for the FY 2010-2011. These new MDC's will replace fifty-five older models in the Patrol Division and Civil Section.

*"Working Together to Make a Difference"*

This request is to utilize budgeted funds to purchase the Toughbook model CF-30KAPAQ2M. This model CF-30 Toughbook MDC is currently deployed in the field to many of our patrol deputies and it performs exceptionally well with all the Sheriff's Office current mobile applications and vehicle installations. This model is wireless equipped with aircards which will maintain connectivity to the Sheriff's network allowing deputies high speed access to CCOM and critical law enforcement data such as mug shots, DMV photos, criminal history, and other agency databases. It will also provide the ability to create, submit and access police reports from the field.

Approval of this purchase is being requested under the Local Contract Review Board Rule C-046-0400, Authority for Cooperative Procurements. The City of Portland awarded a contract (#41251) to Feeney Wireless for Panasonic Tablets and Accessories, including the CF-30KAPAQ2M, the mobile data computers currently used by the Sheriff's Office.

The amount of this purchase is \$217,884. The funds are budgeted by the Sheriff's Office in Funds 216-1602-421210 and 206-0620-421210.

### RECOMMENDATION:

Staff respectfully recommends that the Board approve the purchase of fifty-five mobile data computers from Feeney Wireless.



Matt Ellington, Undersheriff

For information on this issue or copies of attachments call David Northcraft, 503-557-5817.

Placed on the Board Agenda of Sept. 30, 2010 by the Purchasing Division



Water Quality Protection  
Surface Water Management  
Wastewater Collection & Treatment  
Michael S. Kuenzi, P.E.  
Director

September 30, 2010

Board of County Commissioners  
Clackamas County

Members of the Board:

APPROVAL OF CONSTRUCTION SERVICES AGREEMENT  
FOR TRI-CITY SERVICE DISTRICT  
SOUTH HOLLY LANE CULVERT REPLACEMENT

Just easterly of South Holly Lane, an unnamed tributary to Abernathy Creek passes through an old 36" culvert that is under a 35-foot deep fill. On top of this fill is a private dead-end roadway serving four homes. In this same roadway fill is an easement for a District 8" gravity sanitary sewer, a Clackamas River Water 16" water line, and additional underground utilities. The culvert has collapsed, allowing almost no water through. During late spring rain events, four large pumps had to be placed to keep the water levels from backing up and wiping out this fill, which would have resulted in major damages.

The drainage area served by this culvert is over 300 acres. It has been determined that this existing culvert needs to be replaced and upsized immediately, before seasonal rains begin. ODFW and DSL have both agreed by waiving time-consuming permitting requirements. Geotech exploration also determined that the fill above this culvert needs to be replaced due to the large amounts of organics that were placed in the fill when it was constructed over 30-years ago.

This South Holly Lane Culvert Replacement project has been designed and invitation for construction bids/quotes advertised in the Daily Journal of Commerce publication and on-line. Thirteen bids were received on September 21, 2010, with the Coffman Excavation, LLC. bid of \$391,879 being the lowest responsive bid. Clackamas River Water and the Tri-City Service District have agreed to share in the associated costs for this repair, with the agreed to split being very close to 50/50.

District staff has reviewed all bids and recommends proceeding with the construction of this emergency culvert replacement project utilizing the construction services of the lowest responsive and responsible bidder, Coffman Excavation, LLC.

RECOMMENDATION:

Staff recommends that the Board of County Commissioners of Clackamas County, Oregon, acting as the governing body of the Tri-City Service District, a county service district ("District"), and as the Local Contract Review Board, make a finding that:

- A. The District award the construction contract to Coffman Excavation, LLC. for the construction of the South Holly Lane Culvert Replacement project for their bid of \$391,879.
- B. The Director of Water Environment Services be authorized to sign the contract for construction with Coffman Excavation, LLC. after proper insurance and bonds are posted and all contract documents are properly executed.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Kuenzi, for".

Michael Kuenzi  
Director

For information on this issue or copies of attachments,  
please contact Kathy Frasier at 503-742-4566.