



AGENDA

Thursday, May 10, 2012 - 10:00 AM

Board of County Commissioners Business Meeting

Beginning Board Order No. 2012-32

I. CALL TO ORDER

- Roll Call
- Pledge of Allegiance
- Approval of Order of Agenda

II. CITIZEN COMMUNICATION *(The Chair of the Board will call for statements from citizens regarding issues relating to County government. This portion of Citizen Communication will end at 10:30. If we are unable to hear everyone who has signed up to speak during this time, we will continue Citizen Communication when our business items conclude after the Consent agenda. 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. 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. 04-2012 Replacing the 2004 Ordinance Establishing and Adjusting Fees for the North Clackamas Parks and Recreation District (Dave Miletich, NCPRD, and Chris Storey, County Counsel) *first reading was April 26, 2012*
2. Resolution No. _____ Adopting a Fee Schedule for the Clackamas County Building Codes Division (Scott Caulfield, Dept. of Transportation and Development)

IV. 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

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

A. Health, Housing & Human Services

1. Approval of an Amendment to an Intergovernmental Agreement with the City of Portland for Homeless Management Information System - CD

4 2. Approval of a Grant Agreement from the State of Oregon Department of Human Services, Seniors and People with Disabilities Division, Senior Medicare Patrol Program to Provide Outreach, Education and Counseling About Medicare Fraud, Waste and Abuse to People in our Community – SS

5 3. Resolution No. _____ Establishing the Clackamas County Veterans Advisory Committee - SS

B. **Elected Officials**

6 1. Approval of Previous Business Meeting Minutes – BCC

7 2. Approval to Apply for the 2012-2014 Victims of Crime Act (VOCA) Non-Competitive Program Grant for the District Attorney's Office

CITIZEN COMMUNICATION Continued if needed

VI. COUNTY ADMINISTRATOR UPDATE

VII. COMMISSIONERS COMMUNICATION

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

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



GARY BARTH
DIRECTOR

BUSINESS AND COMMUNITY SERVICES

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

May 10, 2012

Board of Commissioners
Clackamas County

Members of the Board:

**A Second reading of Ordinance No. 04-2012 Replacing the 2004 Ordinance
Establishing and Adjusting Fees for the North Clackamas Parks and Recreation
District**

North Clackamas Parks and Recreation District (District) provides a wide variety of recreational opportunities for its residents supported primarily by property taxes and usage fees. Recreational fees are discretionary, unlike a utility rate or permit fee. Therefore, it is important to have maximum flexibility to determine those fees in accordance with seasonal program offerings. Each year, NCPRD may establish a dozen or more new programs, in addition to the hundreds of existing programs, which begin at different times throughout the year and each need their own fee established.

Approving this ordinance for establishing and adjusting fees will allow NCPRD to more efficiently and effectively align revenues with cost recovery guidelines, as established in operating policy and to respond to market conditions.

This ordinance addresses Board and department strategic plans by improving efficiency and effectiveness as it relates to cost recovery goals and decreasing reliance on support from the NCPRD general fund.

This ordinance will replace a 2004 ordinance that has never been fully implemented from a practical standpoint.

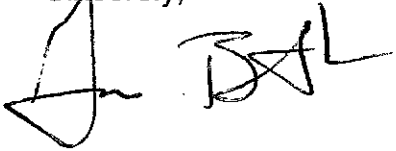
This ordinance will have a positive impact on the NCPRD budget by increasing user based revenue through more timely fee adjustments, creating a stronger focus on overall cost recovery, and increased flexibility it meeting customer needs. If the ordinance is not approved, the process to establish and adjust the 200+ discretionary recreation fees would continue to be time consuming and less responsive to market conditions, but remain unified from a process standpoint with the County fee schedule.

This ordinance has been reviewed and approved by County Counsel. A First Reading was held on April 26th, 2012.

RECOMMENDATION

Staff respectfully recommends the Board of County Commissioners read the ordinance by title only, and adopt Ordinance 04-2012 as an ordinance of the District.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gary Barth', with a stylized flourish extending to the right.

Gary Barth, Director

For information on this issue or copies of attachments, please contact Dave Miletich 503-742-4361

NORTH CLACKAMAS PARKS AND RECREATION DISTRICT

ORDINANCE No. 04-2012

An Ordinance Replacing the 2004 Ordinance Establishing and Adjusting Fees for the North Clackamas Parks and Recreation District.

WHEREAS, the North Clackamas Parks and Recreation District ("District") provides recreational opportunities for its residents supported by property taxes and usage fees; and

WHEREAS, the Board of County Commissioners ("Board"), acting as the governing body of the District, believes that recreational fees are unique in that they are voluntary, unlike a utility rate or permit fee, and desires to allow flexibility to determine those fees in accordance with seasonal program offerings; and

WHEREAS, each year, the District may establish a dozen or more new programs, in addition to the hundreds of existing programs, which begin at different times throughout the year and each need their own fee established; and

WHEREAS, regular fee reviews and adjustments will allow the District to align with cost recovery guidelines as established in operating policy and respond to market conditions;

NOW, THEREFORE, the Board hereby adopts this ordinance of the District:

Section [04-2012] Fees for athletic and recreational facilities and activities.

- a) The District Administrator, District Director or their written delegees shall have authority to establish fees for the use of District athletic and recreational facilities and for participation in District parks and recreational activities and programs, provided that such fees shall be based on the policies set forth below. It is the intention of the Board to allow the delegees to have maximum flexibility in interpreting and applying these policies to reach, in their reasoned judgment, the appropriate mix and level of fees and user charges in the provision of recreational services and the accomplishment of the District's mission.
- b) The policies for setting fees authorized by this ordinance are as follows:
 - i. Customer Service. Fees and charges shall assist and support the overall administration and coordination of recreational services and for the provision of parks, open space, landscapes, park improvements, recreation facilities, and their adequate maintenance.

- ii. Cost Recovery. The District may set user fees and charges at an amount designed to recover a full range of costs, depending on the type of program being offered. Some programs serving district residents will be free, such as the RecMobile, which provides services at parks throughout the District in the summer months. Most programs will recover direct costs, including, but not limited to, program labor, supplies, and materials.
- iii. The next level of cost recovery is designed to recover direct costs, and all, or a portion of indirect costs, including, but not limited to, management staff, facility expenses and utilities. Youth programs and programs for older adults will generally have a lower cost recovery expectation than adult programs. Residents of the District may receive a discounted rate on fees for all programs.
- iv. Hardship Factor. The District may make compensatory efforts to support patrons challenged by unusual or hardship circumstances including special service needs, disabilities, or financial hardship.
- v. Market Responsiveness. The District fees for voluntary activities are part of a larger regional offering for recreational activities, and market demand and supply for services, programs or facilities may be included in the setting of fees.

DATED this 10th day of May 2012.

CLACKAMAS COUNTY BOARD OF COMMISSIONERS

Chair

Recording Secretary



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Campbell M. Gilmour
Director

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

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

May 10, 2012

Board of County Commissioners
Clackamas County

Members of the Board:

**Approval of a Resolution Adopting the Clackamas County Fee Schedule for the Building
Codes Division**

At a study session held on April 3, 2012, the Board of Commissioners authorized the Building Codes Division to bring forward its proposed fee increases for approval by resolution.

Additionally, the Board authorized the Division to implement its proposed fees in advance of other County Departments and Divisions to ensure that it could capitalize on the upsurge in construction activity that typically emerges in the spring of each year in an effort to stabilize the Division's fund. In the past, the fines and fees assessed by various County departments have been handled collectively and brought to the Board for consideration and adoption along with the County's annual budget.

The Division is seeking approval to implement its new fees effective May 15, 2012. The Division has fulfilled its statutory 45 day notice to the State of Oregon Building Codes Division as required by OAR 918-202-0220. No appeals have been filed pursuant to that notice. County Counsel has reviewed and approved this schedule.

RECOMMENDATION

Staff respectfully recommends that the Board:

1. Adopt the attached board order implementing a new fee schedule for the Building Codes Division effective May 15, 2012

If adopted, the attached fee schedule will be included in the County Code. Your favorable consideration is requested.

Sincerely,

Scott Caufield, CBO
Building Codes Administrator

For information on this issue or copies of attachments
please contact Scott Caufield at (503) 742-4747

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

A RESOLUTION OF THE CLACKAMAS
COUNTY BOARD OF COMMISSIONERS
ADOPTING CHANGED COUNTY BUILDING
CODE FEES FOR FISCAL YEAR 2012-2013

RESOLUTION NO. _____

NOW, THEREFORE; BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS
THAT:

Section 1: Pursuant to Section 1.01.090 of the Clackamas County Code, the Board adopts the fees shown on the attachments which are incorporated by this reference.

Section 2: The Board hereby directs that the changes to fees shown on the attachments shall be included in Appendix A of the Clackamas County Code.

Section 3: The County shall charge all fees set by state or federal law. If such a fee is changed the County shall charge the new amount when it becomes effective.

Section 4: Pursuant to ORS 310.145, the Board classifies the fees adopted by this resolution as fees not subject to the limits of section 11b, Article XI of the Oregon Constitution.

Section 5: Effective Date. The changes to fees authorized by Section 1 of this resolution and shown on the attachments shall become effective on May 15, 2012.

DATED this 10th Day of May, 2012.

CLACKAMAS COUNTY BOARD OF COMMISSIONERS

Chair

Recording Secretary

BUILDING CODES								
All Collected Fees	ORS 455	X			12% are returned to the State		No change	
Inspections outside normal business hours (minimum charge 4 hours)	ORS 455	X			\$85 + OT		No change	
Reinspection fees	ORS 455	X			\$85		No change	
Inspections for which no fee is specifically indicated (min. ½ hour)	ORS 455	X			\$85/hr		No change	
Add'l plan review required by change, additions, or revisions to approve plans (min. charge 1 hour) Residential Certificate of Occupancy (charged at time of permit issuance)	ORS 455	X			\$85/hr		No change	\$42.50
Temporary Certificate of Occupancy (commercial) Certificate of Occupancy (commercial)							\$85.00 /hour with min. 2 hour charge	\$85.00 /hour with min. 2 hour charge
1 & 2 Family Mechanical	ORS 455	X			\$85			
Minimum permit fee & reinspection fee	ORS 455				\$17		\$21	
For each supplemental permit	ORS 455	X			\$15		\$18	
HVAC:								
Air Conditioner	ORS 455	X			\$15		\$18	
Alteration of existing HVAC system	ORS 455	X			\$10		\$12	
Fire/Smoke Dampers/duct smoke detectors	ORS 455	X			\$15		\$18	
Heat Pump	ORS 455	X			\$15		\$18	
Install/replace/relocate heaters-suspended, wall or floor mounted	ORS 455	X			\$10		\$12	
Vent for appliance other than furnace	ORS 455	X			\$10		\$12	

Environmental exhaust & ventilation:		ORS 455	x					
Appliance vent							x	
Exhaust fan with single duct (bath fans)		ORS 455	x				\$10	\$12
Dryer Exhaust		ORS 455	x				\$7	\$9
Hoods, type I/II res. kitchen/hazmat hood fire suppression systems		ORS 455	x				\$10	\$12
Exhaust system apart from heating and AC		ORS 455	x				\$7	\$9
Fuel Piping & Distribution (up to 4 outlets)		ORS 455	x				\$4	\$5
Fuel Piping (over 4 outlets, each add'l)		ORS 455	x				\$1 each	\$2
Other appliance/equipment: Decorative fireplace		ORS 455	x				\$15	\$18
Insert-type		ORS 455	x				\$15	\$18
Woodstove/Pellet Stove		ORS 455	x				\$15	\$18
HVAC Air Handling Unit 0-10K CFM		ORS 455	x				\$10	\$12
over 10K CFM							\$19	\$23
Boiler/Compressor to 3HP/100K BTU		ORS 455	x				\$15	\$18
to 15hp/500k BTU							\$27	\$33
to 30HP/1.00m BTU							\$36	\$44
to 50HP/1.75m BTU							\$54	\$68
>50HP/1.75 BTU							\$90	\$109
Furnace to 100K BTU		ORS 455	x				\$15	\$18
>100K BTU							\$19	\$23
Refrigeration Absorption unit to 100k BTU		ORS 455	x				\$15	\$18
>100k BTU								
Chillers/Compressors to 3HP/100K BTU		ORS 455	x				\$19	\$23
to 15HP/500K BTU		ORS 455	x				x	
							\$15	\$18
							\$27	\$33

to 30HP/1.00m BTU to 50HP/1.75m BTU >50HP/1.75 BTU					\$36 \$54 \$90	\$44 \$68 \$109
Fuel Piping 0 – 4 outlets each additional (4 or more outlets requires a schematic)	ORS 455	X			\$4 \$1	\$5 \$2
Process Piping 0 – 4 outlets each additional	ORS 455	X			\$4 \$1	\$5 \$2
Residential Plan Review (when applicable)	ORS 455	X			25% of permit fee	No change
Other Water Heater Cooktop Gas logs LPG Tanks/Regulators	ORS 455	X			\$7 \$10 \$10 \$10	\$9 \$12 \$12 \$12
Mechanical Commercial Based on Valuation Minimum	ORS 455	X			\$50 min. + a fee based on valuations listed below	\$85 min. plus a fee based on calculations below
\$1 - \$5,000	ORS 455	X			\$50	\$85
\$5,001 - \$10,000	ORS 455	X			\$50 + \$1.66 per \$100 over \$5,000	\$85 + \$1.66 per \$100 over \$5,000
\$10,001 to \$100,000	ORS 455	X			\$133 + \$10.20 per \$1,000 over \$10,000	\$168 + \$12.34 per \$1,000 over \$10,000
\$100,000 +	ORS 455	X			\$1,051 + \$7 per \$1,000 over \$100,000	\$1,279 + \$8.47 per \$1,000 over \$100,000
Commercial Plan Review	ORS 455	X			25% of base HVAC fee	No change
Manufactured Dwellings, Park Trailers, Cabana					Manufactured Dwellings, Park	

Fees	ORS 455 & 446		Trailers, Cabana Fees	
Site installation/set up fee for manufactured dwelling, park trailer or cabana.	x		\$336	\$407
Earthquake Resistant Bracing system installation fee. In addition to site installation fee described above.	x		\$85	\$103
Reinspection fee per each inspection. Fee must be paid prior to next inspection	x		\$85	No change
Installations w/o permits	x		Double Permit Fee	
Inspections outside normal business hours. Min. of four hours OT rate	x		\$85/hr	No change
Oregon Mfg. Dwelling Standard Publication. Required when no installer is involved.	x		\$10 each	\$12
Mobile Home Park construction & recreational park development	x		Varies w/ number of spaces	
Electrical Fees Fee includes a prescribed number of inspections. See Electrical Permit application for quantities.	x		ORS 455 & 479	
Electrical plan review is required for new construction and alterations in the following locations per OAR 918-311-0040; A. Service or feeder beginning at 400 amps with available fault current greater than 10,000 amps at 150 volts or less to ground or any system greater than 14,000 volts B. Installation of a 150 KVA or larger separately derived system per Article 100 of the NEC C. Addition of a new motor load greater than 100 HP or more D. Fire pump installations as defined in Article 695 of the NEC			25% of Permit fee	No change

E. Emergency systems installations as defined in Article 700 of the NEC					
F. 6 or more residential units in one structure or any A, E, 1-2 or 1-3 occupancies as defined in the Oregon Structural Specialty Code					
G. Service or feeder rated at 60 amps or over					
H. System over 600 supply volts nominal					
I. Building more than 3 stories in height					
J. Building over 10,000 sq. ft.					
K. Occupant load over 99 persons					
L. Manufactured Structures Park or Recreational Vehicle Park; new addition or alterations					
M. Classified area or structure containing special occupancy as described in NEC Chapter 5					
Residential single-or multi-family dwelling units including attached garages	ORS 455 & 479	X	\$223	\$270	
And covered areas not more than 1,000 sq. ft.					
Each additional 500 Sq. ft.	ORS 455 & 479	X	\$45	\$55	
Limited energy: up to two inspections only					
Limited Energy, Residential	ORS 455 & 479	X	\$90	\$109	
Limited Energy, Multi-family			\$90	\$109	
Note: This fee covers all limited energy systems in residential occupancies when installed at the same time by the permittee. Installations such as antenna wire, computer wire, and alarm wire done by other contractors require separate permits and fees. No limited energy permit is required if the original permittee installs wire for doorbells, garage door openers, and heating & air conditioning controls					
Manufactured Home Service or feeder	ORS 455 & 479	X	\$90	\$109	

Temp. Const. Service, Feeder Less than 200 amps 201 - 400 amps 401 - 600 amps 601-1000 amps >1000 amps	ORS 455 & 479	x	\$78 \$165 \$223 \$398 \$729	\$94 \$200 \$270 \$482 \$882
Permanent Service, Feeder < 200 amps 201 - 400 amps 401 - 600 amps 601- 1000 amps >1000 amps	ORS 455 & 479	x	\$133 \$176 \$265 \$398 \$729	\$161 \$213 \$321 \$482 \$882
Service Reconnect only	ORS 455 & 479	x	\$90	\$109
Branch Circuits-new, alteration, extension per panel With purchase service or feeder Without purchase. service or feeder First circuit Each additional	ORS 455 & 479	x	\$10 \$74 \$10	\$12 \$90 \$12
Renewable Electrical Energy 5 kva or less (2) 5.01 to 15 kva (2) 15.01 to 25 kva (2) Misc. fees, hourly rate Each additional inspection	ORS 455 & 479	x	\$119 \$140 \$231 \$85 \$85	\$144 \$169 \$280 No change No change
Special Fees Water/sewer pump Sign/Outline Lighting Signal Circuit/Limited Energy panel, alteration or extension Minimum permit fee and reinspection fee Master Permit Fee per hour (aka	ORS 455 & 479	x	\$90 \$90 \$90 \$85 \$85/hour	\$109 \$109 \$109 No change No change

\$501 - \$2,000	ORS 455	X		\$12 + \$1.85 per \$100, to \$2,000	\$85.00
\$2,001 - \$25,000	ORS 455	X		\$39.75 + \$7.40 per \$1,000 over \$2,000 to \$25,000	\$85.00 + \$7.40 per \$1,000 over \$2,000 to \$25,000
\$25,001 - \$50,000	ORS 455	X		\$210 + \$5.55 per \$1,000 over \$25,000 to \$50,000	\$255.20 + \$6.72 per \$1,000 over \$25,000 to \$50,000
\$50,001 to \$100,000	ORS 455	X		\$347.50 + \$3.70 per \$1,000 over \$100,000	\$423.20 + \$4.48 per \$1,000 over \$50,000 to \$100,000
\$100,000.00 +	ORS 455	X		\$532.50 + \$3.10 for each \$1,000	\$647.20 + \$3.75 for each \$1,000 over \$100,000
DTD - PLUMBING					
Minimum Permit Fee	ORS 455 & 447	X		\$85	No Change
Plumbing plan review is required for new construction and alterations in the following locations per OAR 918-730-0040: Medical gas and vacuum systems in health care facilities; Chemical drain, waste, and vent systems; Sewer waste water pretreatment systems; Vacuum drainage, waste and vent systems; Reclaimed waste water systems; Commercial potable water pressure booster pumps for water supplied by a municipality; Building water service lines with an interior diameter of 2 inches or larger (2 inch water service stamped by professional	ORS 455 & 447	X		25% - this is a proposed reduction to our current fee structure to make our plan review percentages equal across all permit types (M/P/E) and also to move our plumbing plan review fee in line with industry standards.	

Electrical In-Plant inspections)									
Commercial/Industrial Structural Code Fees									
Fire & life safety plan review	ORS 455	x				65% of building permit fee			No change
In conjunction with regular plan review						35% of building permit fee			No change
Independently						40% of building permit fee			No change
\$1.00 - \$500.00	ORS 455	x				\$12			\$85
\$501 - \$2,000	ORS 455	x				\$12 + \$1.85 PER \$100, to \$2,000			\$85
\$2,001 - \$25,000	ORS 455	x				\$39.75 + \$7.40 per \$1,000 over \$2,000 to \$25,000			\$85 + \$7.40 per \$1,000 over \$2,000 to \$25,000
\$25,001 - \$50,000	ORS 455	x				\$210.90 + \$5.55 per \$1,000 over \$25,000 to \$50,000			\$255.20 + \$6.72 per \$1,000 over \$25,000 to \$50,000
\$50,001 to \$100,000	ORS 455	x				\$347.50 + \$3.70 per \$1,000 over \$100,000			\$423.20 + \$4.48 per \$1,000 over \$50,000 to \$100,000
\$100,001 +	ORS 455	x				\$532.50 + \$3.10 for each			\$647.20 + \$3.75 for each additional \$1,000 over \$100,000
						additional \$1,000			
1&2 Family Structural Fees									
New Construction, Additions, Remodels, Alterations									
Regular plan review	ORS 455	x				65% of building permit fee			No change
\$1.00 - \$500.00	ORS 455	x				\$12			\$85.00

	& 447						
Water Heater	ORS 455 & 447	x			\$26		\$31
Laundry Tray or Service Sink	ORS 455 & 447	x			\$26		\$31
Floor Drains	ORS 455 & 447	x			\$26		\$31
Bar Sinks	ORS 455 & 447	x			\$26		\$31
Ice Maker	ORS 455 & 447	x			\$26		\$31
House moves (not including storm, sanitary sewer or water service inspection	ORS 455 & 447	x			\$75		\$91
Prefabricated Commercial Structures (not including storm or sanitary sewer, or water service inspection	ORS 455 & 447	x			\$150		\$182
Hub/Case Drain	ORS 455 & 447	x			\$26		\$31
Floor sinks	ORS 455 & 447	x			\$26		\$31
Drinking Fountain	ORS 455 & 447	x			\$26		\$31
Urinals/Toilets	ORS 455 & 447	x			\$26		\$31
Water System/First 50 ft. or less	ORS 455 & 447	x			\$72		\$87
Water System – Each additional 100 ft.	ORS 455 & 447	x			\$48		\$58
Storm Sewer – First 100 ft or less	ORS 455 & 447	x			\$91		\$110
Storm Sewer – each add'l 100 ft.	ORS 455 & 447	x			\$61		\$74

engineer is exempt); Residential multi-purpose fire sprinkler systems.										
1 & 2 family dwellings	ORS 455 & 447	x						\$629		\$761
1 bath								\$714		\$864
2 baths										
3 baths								\$790		\$956
each additional bathroom or half								\$72		\$87
each additional kitchen								\$72		\$87
Note: These fees include rainwater disposal system, including leaders & drains to approved disposal area, plumbing fixtures or waste discharging devices, including drain, waste & vent piping, water piping, hot water heaters, the first 100 ft of water service & sanitary sewer line & under floor low point drain.										
Sanitary Sewer	ORS 455 & 447	x						\$120		\$145
Water closet	ORS 455 & 447	x						\$26		\$31
Shower bath	ORS 455 & 447	x						\$26		\$31
Bathtub	ORS 455 & 447	x						\$26		\$31
Basin, Lav.	ORS 455 & 447	x						\$26		\$31
Sink, kitchen	ORS 455 & 447	x						\$26		\$31
Dishwasher	ORS 455 & 447	x						\$26		\$31
Disposal	ORS 455 & 447	x						\$26		\$31
Clothes Washer	ORS 455	x						\$26		\$31

Absorption valves	ORS 455 & 447	X		\$26		\$31
Backflow preventer	ORS 455 & 447	X		\$26		\$31
Backwater valve	ORS 455 & 447	X		\$26		\$31
Ejectors/sump	ORS 455 & 447	X		\$26		\$31
Expansion tanks (devices)	ORS 455 & 447	X		\$26		\$31
Fixture/sewer cap	ORS 455 & 447	X		\$26		\$31
Floor drains/floor sinks/hub	ORS 455 & 447	X		\$26		\$31
Hose bib	ORS 455 & 447	X		\$26		\$31
Sump	ORS 455 & 447	X		\$26		\$31
Hourly rate for any plumbing, electrical, building or manufactured dwelling permit regardless of type	ORS 455 & 447	X		\$85/hr		No change
Reactivation of any plumbing, electrical, building or manufactured dwelling permit expired up to one year	ORS 455 & 447	X		50% of New permit fee 100% of New permit fee		No change
Any permit expired more than one year						
Plumbing Medical Gas Installation	ORS 455 & 447	X		\$100 Min. issuance fee plus a fee based on installation costs listed below		\$121 plus a fee based on installation costs below
Fees shall be determined based on the value of the medical gas equipment & installation costs						
\$1 to \$5,000	ORS 455 & 447	X		\$100		\$121
\$5,001 - \$10,000	ORS 455 & 447	X		\$100 + \$1.50 each add'l \$100 over \$5,000		\$121 + \$1.82 for each additional

Sanitary Sewer – 150 ft or less total length	ORS 455 & 447	x		\$120	\$145
Sanitary Sewer – Over 150 ft. total length: first 50 ft. each additional	ORS 455 & 447	x		\$91 \$61	\$110 \$74
Septic tank conn. – first 50 ft. or less	ORS 455 & 447	x		\$91	\$110
Septic tank conn. -- additional 100 ft.	ORS 455 & 447	x		\$61	\$74
Roof Drains -- (Commercial leader or conductor)	ORS 455 & 447	x		\$16	\$19
Roof Drain Package – Residential & Duplex	ORS 455 & 447	x		\$150 \$75	\$182 \$91
1/2 Roof Drain Package	ORS 455 & 447	x		\$26	\$31
Trap Primers (1-5)	ORS 455 & 447	x		\$4/each	\$5 each
Trap Primers (over 5, each additional)	ORS 455 & 447	x		\$26	\$31
Catch Basins (area drains)	ORS 455 & 447	x		\$26	\$31
Backflow prevention devices	ORS 455 & 447	x		\$26	\$31
Interceptors, grease, etc.	ORS 455 & 447	x		\$26	\$31
Miscellaneous	ORS 455 & 447	x		\$26	\$31
Drywells/each line/trench drain	ORS 455 & 447	x		\$26	\$31
Manufactured home utilities	ORS 455 & 447	x		\$104	\$126
Manholes	ORS 455 & 447	x		\$26	\$31

		& 447					
> 7,201 sq. ft & greater (includes Plan Review fee)	ORS 455 & 447	x		\$304		\$368	
Fees for partial installations shall be based on the square footage of the area in which the fire suppression is to be installed. Fees for stand-alone systems do not include required backflow prevention device. A separate fee is required for this installation.	ORS 455 & 447	x					
Phased Project Fee	ORS 455	x		\$250 + 10% of the total project building permit fee. Not to exceed \$1,500 for each phase)		No change	
Deferred Submittal	ORS 455	x		65% of the permit fee according to OAR 918-050-0110 (2)(3) using the value of the particular deferred portion or portions of the project, with a minimum fee of \$250. This fee is in addition to the project plan review fee based on the total project value.		No change	
GRADING							
Grading Plan Check	Code						
less than or equal to 50 cu.yds.	\$1.01.090			\$0			65% of the permit fee for all quantities
51-100 cu.yds.				\$100			
101-1,000 cu.yds.				\$200			
1,001-10,000 cu.yds.				\$250			
10,001-100,000 cu.yds.				\$250 + \$50 for each 10,000 cu.yds.			
				\$700 + \$25 for each 10,000 cu.yds.			
				\$925 + \$12.50 for each 10,000 cu.yds.			
100,001-200,000 cu.yds.							

\$10,001 to \$100,000	ORS 455 & 447	x	\$175 plus \$10.20 for each additional \$1,000 over \$10,000	\$100 over \$5,000 to \$10,000
\$100,001 and above	ORS 455 & 447	x	\$1,093 + \$7 for each additional \$1,000 over \$100,000	\$212 + \$12.34 for each additional \$1,000 over \$10,000 to \$100,000
Plan Review	ORS 455 & 447	x	50% of the installation permit fee	No change
Residential Fire Suppression Systems				
Multi-purpose or continuous loop systems				
0 - 2,000 sq. ft.	ORS 455 & 447	x	\$87	\$105
2,001 - 3,600 sq. ft.	ORS 455 & 447	x	\$129	\$156
3,601 - 7,200 sq. ft.	ORS 455 & 447	x	\$164	\$198
> 7,201 sq. ft. (includes Plan Review fee)	ORS 455 & 447	x	\$200	\$242
Stand Alone Systems				
0 - 2,000 sq. ft.	ORS 455 & 447	x	\$164	\$198
2,001 - 3,600 sq. ft.	ORS 455 & 447	x	\$234	\$283
3,601 - 7,200 sq. ft.	ORS 455	x	\$270	\$327

200,001 cu.yds. and above							
Additional Grading Plan Review	Code \$1,01,090		x	\$62/hr (min. ½ hour)		\$85/hr (min. ½ hour)	
Grading Permits less than or equal to 50 cu.yds.	Code \$1,01,090		x	\$45		\$85 minimum fee (1 inspection)	
51-100 cu.yds.				\$67.50		\$85 minimum fee (1 inspection)	
101-1,000 cu.yds.				\$67.50 + \$31.50 for each 100 cu.yds.		\$85 + \$51 for each 100 cu.yds. (2 inspections)	
1,001-10,000 cu.yds.				\$351 + \$27 for each 1,000 cu.yds. \$594 + \$121.50 for each 10,000 cu.yds.		\$544 + \$51 for each 1,000 cu.yds. (3 inspections)	
10,001-100,000 cu.yds.				\$1,687.50 + \$67.50 for each 10,000 cu.yds.		\$1,003 + \$165 for each 10,000 cu. yds (4 inspections)	
100,001 cu.yds. and above						\$2,488 + \$118 for each 10,000 cu. yds. (5 inspections)	
Additional grading permits beyond Number indicated						\$85 per inspection	

May 10, 2012

Board of Commissioners
Clackamas County

Members of the Board:

Approval of an Amendment to an Intergovernmental Agreement Amendment with the City of Portland for Homeless Management Information System

The Community Development Division (CDD) of the Health, Housing and Human Services Department requests the approval of an Amendment to an existing Intergovernmental Agreement (IGA) with the City of Portland for the Homeless Management Information System (HMIS). This amendment allows the funding for Service Point HMIS Data System services to be increased for FY 2011-12. The existing IGA allows county-based homeless programs to continue to utilize HMIS software and services provided by Portland. Without HMIS participation, the U.S. Housing and Urban Development (HUD) will no longer provide funding for homeless programs to jurisdictions.

This amendment is for \$1,633.61 for a new agreement total of \$6,451.61 for 2011-12. It is effective September 2, 2011 through September 1, 2012. Clackamas County has secured HUD funds to pay for this HMIS-related IGA. No county general funds are involved. County Counsel approved the existing IGA agreement on September 21st, 2010.

Recommendation

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

Respectfully submitted,



Cindy Becker
Director

For information on this issue or copies of attachments
Please contact Susan Johnson/Community Development Division at (503) 650-5668

May 10, 2012

Board of Commissioners
Clackamas County

Members of the Board:

**Approval of a Grant Agreement from the State of Oregon,
Department of Human Services, Seniors and People with Disabilities Division,
Senior Medicare Patrol (SMP) Program to Provide Outreach, Education and Counseling
About Medicare Fraud, Waste, and Abuse to People in Our Community**

The Social Services Division of the Health, Housing and Human Services Department requests the approval of a grant agreement from the State of Oregon, Department of Human Services, Seniors and People with Disabilities Division, SMP Program to provide outreach, education and individual counseling about Medicare fraud, waste, and abuse to people in our community. The application for these funds was approved by the BCC on February 28, 2012.

The Volunteer Connection program of Clackamas County Social Services has operated the SHIBA program for several years. This program is designed to educate seniors and other Medicare recipients about their rights, resources and needs relating to their Medicare and other health insurance. These services are invaluable to our senior and disabled citizens and provide a much-needed resource for our most vulnerable populations.

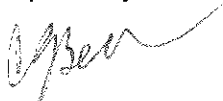
These grant funds help provide the Volunteer Connection SHIBA program the opportunity to educate and create solutions for tracking an increased number of people about Medicare fraud, waste and abuse. Outreach efforts focus on high populations, Rural, Hispanic and Tribal communities.

Total amount of this grant agreement is \$30,000. This agreement commences March 1, 2012 and terminates May 31, 2014. This agreement was reviewed by County Counsel on April 25, 2012. There are no Matching Funds nor County General Funds involved.

Recommendation:

Staff recommends the approval of this grant agreement and that Cindy Becker, Director of Health, Housing and Human Services is authorized to sign all documents necessary to accomplish this action on behalf of the Board of Commissioners.

Respectfully submitted,



Cindy Becker
Director

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

Healthy Families. Strong Communities.

5



Cindy Becker
Director

May 10, 2012

Board of County Commissioners
Clackamas County

Members of the Board:

**Approval of a Board Resolution to Establish a
Clackamas County Veterans Committee**

The Clackamas County Health, Housing and Human Services Department (H3S) requests the approval of a Board Resolution establishing a Clackamas County Veterans Committee.

There are more than 33,000 veterans currently residing in Clackamas County. Many of our veterans have unmet health and mental health issues and need housing and employment support. An effective citizen's advisory committee can help ensure that veterans are aware of their benefits, that service providers understand how to effectively engage with veterans, and that advocacy occurs to ensure that policies and funding are adequate to meet the need.

The Clackamas County Veterans Committee will be staffed and facilitated by Department of Health, Housing and Human Services.

Recommendation

We recommend the approval of this Board Resolution.

Respectfully submitted,

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

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

In the Matter of the Approval of the
Establishment of Clackamas County
Veterans Committee



ORDER NO.

This matter coming on at this time to be heard, and it appearing to this Board that Cindy Becker, Director of Clackamas County Department of Health, Housing, and Human Services, has recommended to this Board the approval of the Establishment of the Clackamas County Veterans Committee,

WHEREAS – 65% of the 33,000 veterans living in Clackamas County served in Iraq or Afghanistan

WHEREAS – Clackamas County is home to a large number of National Guard and Reserve veterans

WHEREAS – 20% of military service members returning from Iraq or Afghanistan report mental health symptoms of depression and PTSD

WHEREAS – a 2010 nation survey of Veterans found that 42% were not aware of their health benefits and only 28% had ever used Veterans Administration health care

WHEREAS – civilian service providers are often not trained in PTSD treatment protocols or reintegration adjustment counseling

WHEREAS – there are opportunities for increasing coordination and cooperation with the Veterans Administration in areas including housing and the criminal justice system

WHEREAS – Advisory Committees are a proven way to increase coordination, outreach and services to specific populations

NOW THEREFORE, the Board of County Commissioners resolves to establish a Clackamas County Veterans Committee comprised of veterans, family members, service providers to honor our veterans, raise awareness, increase coordination and improve services.

ADOPTED this ____ day of _____, 2012.

CLACKAMAS COUNTY BOARD OF COMMISSIONERS

Chair

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, March 22, 2012 – 10:00 AM

Public Services Building - 2051 Kaen Road, Oregon City, OR 97045

PRESENT: Commissioner Charlotte Lehan, Chair
Commissioner Jim Bernard
Commissioner Ann Lininger
Commissioner Paul Savas
Commissioner Jamie Damon

EXCUSED: Housing Authority Commissioner Erica Allison

I. CALL TO ORDER

- Roll Call
- **Pledge of Allegiance**
- Approval of Order of Agenda

MOTION:

Commissioner Bernard: I move approve the order of the Agenda.

Commissioner Damon: Second.

Chair Lehan – all those in favor/opposed:

Commissioner Damon: Aye.

Commissioner Savas: Aye.

Commissioner Lininger: Aye.

Commissioner Bernard: Aye.

Chair Lehan: Aye.

Chair Lehan – The Ayes have it and the motion is approved.

II. PUBLIC HEARING Continued *(Continued from 3-15-2012 Business Meeting for Board Discussion only – no additional Public Testimony on this item)*

The Board is sitting as the Housing Authority Board for this item.

1. **Continued for Board Discussion Only** - Public Hearing for the Housing Authority of Clackamas County's Fiscal Year 2012 Annual Plan

This portion is a verbatim transcript

Chair Lehan:

Our first item is a public hearing that was continued from a previous board meeting and actually the public hearing was closed and at this point it is up for Board discussion only and I will turn it over to Trell Anderson to give an update on this item. We continued the discussion because Commissioner Lininger was not here at that time and had requested that she be a part of the discussion.

Trell Anderson:

Thank you, good morning, I am Trell Anderson, Executive Director of the housing Authority of Clackamas County. This morning as you sit in this discussion, you're sitting as the Board of the Housing Authority of Clackamas County. Just as a reminder of last week's discussion, we are here to review and consider the adoption of the Housing Authority's 2012-2013 Annual Plan. This is a required plan that we have to submit to HUD. It's not a work plan per se; it's a general overview of the intention of activities for the Housing Authority over the next fiscal year. There are other components of the plan, including our capital fund and reports on our capital fund as well. As part of our process we're required to hold a public hearing. That was last week as Chair Lehan said. The discussion was held over into this week. Our process is upon conclusion of discussion; we'll move the plan forward to adoption. It's scheduled for adoption on consent calendar April 5th and between now and then you can move to adopt the plan as it's presented, you can amend the plan and move for adoption under amendment and that's the basic process. It's due to HUD on April 17th.

Chair Lehan:

Okay, so this is time for Board discussion. Would anyone like to jump in and discuss?
Commissioner Bernard.

Commissioner Bernard:

Madam Chair I only have one concern and that's No. 9 of the plan which is HACC will research and consider – yeah, item 19 the Housing Choice Voucher Program. I'd just like to recommend that we remove this from the plan for further consideration and for further research just outside the plan because it does – there is some concern on the part of Staff that having it in the plan could potentially risk their jobs and outside of the plan they have demonstrated in some of their comments and in some letters that we received that they would work to consider and research the Housing Choice Voucher Program and I think that outside the plan that would be sufficient to move forward with researching and so therefore it wouldn't be necessary to have it in the plan. Also, we could at any time add it to the plan with a public hearing so I think it's worth doing that.

Chair Lehan:

Other comments?

Commissioner Lininger:

I have a comment and some questions so I'm a member of the Housing Authority Advisory Committee, as is Chair Lehan I believe and I know that we've talked about the rationale for Item 19. Item 19 says the Housing Authority of Clackamas County will research and consider a consortium of our Housing Choice Voucher Program and my understanding is that the reason for that is because we have diminishing amounts of administrative funding from the federal government from HUD and as we try to deal with these diminishing amounts of money to pay for Staff to do this, we have to streamline and get more efficient. My understanding is that the concept that you're looking at that is one proposed for research and evaluation is one in which in the region a couple of housing authorities would team up to work together to administer the program which they currently administer separately so that we could be more efficient in how we operate it so we can live within our existing budgets and not have to subsidize it with other funds. My understanding is that is not outsourcing to private contractors. It's the notion of streamlining together with other public agencies because we need to be efficient in how we're using public resources right now and I know that when you streamline things sometimes change but when you think about the coordinated care organizations, health transformation, a lot of that is based on the notion that we need to streamline how to handle administrative functions and use the most efficient number of people to do good work that we can so that the good work itself is not sacrificed. It may be a good idea; it may not be a good idea. There may be reasons why it shouldn't happen but as I read Item 19, it suggests that next year the Housing Authority would research and consider whether it's a good idea so I understand that not everyone feels great about it but researching and considering how to save money in a way that doesn't privatize public employee jobs but streamlines our operations seems kind of to me like what we're supposed to be doing right now in government. So the thing that Commissioner Bernard proposes is kind of re-words the notion right, so we'll do it but we won't do it in the Work Plan. We won't name it in the Work Plan but we'll do it so, in law they call that a distinction without a difference. But, you know, I think we need to look at it 'cause I think we need to look at how we can be more efficient and I understand there are people who are concerned about what that will mean for their jobs and I know that's not easy, so . . .

Commissioner Savas:

Madam Chair, Trell you said it was not a Work Plan but it was a . . .

Trell Anderson:

It's a Plan of Intent so it outlines what are the intents of the organization.

Commissioner Savas:

Right and this is a required plan. I think I heard Commissioner Bernard say that it ought to be considered and evaluated and it seems to be contrary in the context of all the items stipulated there that if you really wanted to have it considered, it'd be part of all those things considered so I just think it's illogical to actually remove it if you really want it considered as you said. So I would support keeping it in there. This is supported by the board of people who are most knowledgeable about this. If it does steer towards streamlining or cost savings, it ought to be part of the package. It ought to be considered.

Commissioner Damon:

I agree. So I agree that it should be part of the plan for consideration. It is very concerning to me though that we had so much testimony that was anxiety filled about what this might mean and so I just wonder about the process that how we got to this point about even including it in the plan when there was so many unanswered questions about what even examining this question would look like and so I guess what I would suggest is that we leave it in the plan and that there is some work that we do to follow up with the folks that have been really concerned about what exactly does exploring this path mean. What's the time frame, what does that look like so I would really hope that there'd be a robust process around that because clearly there is a lot of anxiety and concern about what this future might look like?

Trell Anderson:

So this idea of researching and considering a consortium is one of several that we want to look at reducing costs and streamlining for the voucher program. It's not the only thing that we're researching so simultaneously we want to take a look at what it might mean to become a move to work organization. That's a special status from HUD that would give us a lot more flexibility, allow us to streamline operations even within our own organization. We also are considering submitting waiver requests to HUD on some of the very burdensome regulatory acts that really bog us down and take up a ton of staff time so I want to emphasize that this is just one of several initiatives that we want to undertake for the next year to look at the voucher program specifically about reducing costs and streamlining operations. Second, I want to share with you a group of criteria what we developed together in a working staff group that we'd apply to, you know, all the different options that we're looking at and they include the pros and cons of looking at budget, looking at client services, program outcomes, the impact on HACC Staff, the impact on HACC as an organization, the impact on the County as an organization, timelines for implementation, the impact on landlords and tenants, probability of success and mechanically what would it mean to make changes and rule these things out and these are all – we listed these and developed these together in a working staff group to evaluate not only the consortia piece but the other pieces that I mentioned as well so we're getting organized in house. We have a formed working staff group. I think some of the anxiety is caused because there's a conception that if it's in the plan, that a consortium is a done deal and I've tried to communicate that apparently not as effectively as I could have or should have but it really is the intent to just take a look at it and evaluate it and as Commissioner Lininger said, it may not make sense. In my opinion it sure doesn't make sense that we don't look at it. We need to look at it as we look at other options as well.

Chair Lehan:

Commissioner Bernard.

Commissioner Bernard:

One of my concerns and to go further is that when these voucher programs take into account that these are Clackamas County residents who may have to go to somebody who is not a Clackamas County employee and try to get a voucher. I think that the voters told us when we were looking at the Sellwood Bridge is that we don't want to be Portland-centric and I'm concerned that this organization is – one of the perceptions is that it's Portland-centric and that concerns me. The other thing is it's just like the Bill of Rights. In the Bill of Rights, the founding fathers said that if it gave comfort to some members, then the Bill of Rights should be part of the amendments to the Constitution and taking this out of the plan does give comfort to some employees, then it's worth pulling it out of the plan for consideration outside and I agree there may be a perception that the research and consideration will mean that that will happen but if it gives comfort to our employees, then I think it should be outside of the plan. But it's pretty obvious that I don't have the votes here. I am concerned and I would appreciate consideration of pulling this out of the plan and specifically voting on it separately because I think the plan in general is great. I just have concerns about this specific issue. I will have to vote "no" on the whole plan if 19's in there. If we pull it out, then I'll just vote "no" on 19. So, after further discussion, I'd be happy to make a motion for consideration.

Chair Lehan:

Is there some way to – if what we're trying to do is reduce the anxiety level around this, is there some way to describe what we're doing in broader terms of – that you're indicating involves many other kinds of efficiencies or looking at cost cutting or cost savings rather than specifically naming this or is there a reason we have to specifically name this as part of, of course, the cost saving things that we are studying.

Trell Anderson:

We also mention in the plan applying for MTW status. We also mention in the plan submitting waiver requests so a redraft of those components of the plan would have us take those out as well in addition to No. 19 and – I'm sorry, I'm just thinking out loud here with you, thinking about it – would have us do a general statement about researching and considering options and opportunities to reduce costs and streamline administration for the Housing Choice Voucher Program. It would be an open statement like that and not name any specifics at that point.

Commissioner Savas:

Over all I'm just a little bit confused because No. 9 has language in there with Clackamas County, Multnomah County and you're okay with No. 9 but you're not okay with No. 19 so I'm a little bit puzzled by that. I also understand correctly that we are jointly applying with all the other counties for a health care grant so it just seems as though – I'm not really sure I understand the Portland piece of this but I move we accept the plan – move we approve the order – where's it at here – Is there any motion necessary or any action necessary to move this forward?

Trell Anderson:

No, the plan would be adopted on April 5th, so if there's a motion, it's to move it forward for adoption on April 5th.

MOTION:

Commissioner Savas: I move we move it forward.

Commissioner Lininger: I second.

Chari Lehan:

It's been moved by Commissioner Savas and seconded by Commissioner Lininger that we move this forward. Now my notes here say that there's no action by the Board on this item today. Is that . . .

Trell Anderson:

That's right. The formal adoption will be on the 5th.

Chair Lehan:

On April 5th so I'm concerned if we're going to move faster than we've already publicly announced.

Trell Anderson:

You don't need to move to adopt the plan today. I think the motion is to move it forward for adoption on April 5th.

Chair Lehan:

On the 5th. Okay. Very confusing. . .

Trell Anderson:

. . . Needs to be clarified by Commissioner Savas, I don't know.

Commissioner Savas: I'll just clarify the motion. I'll make the motion to move it forward as introduced without any changes.

Commissioner Lininger: I'll second.

Chair Lehan:

Okay, now we're clarified that we're moving it forward in a motion and a second to do that. Commissioner Bernard.

Commissioner Bernard:

And I'm okay with moving it forward but if there's an opportunity to speak to some of the staff members that could clarify some of that wording I would appreciate it, if that would take place. I guess that's my request and we can talk about what we're going to do on the future date.

Commissioner Damon:

I was going to say I feel like that we've all raised this concern about the clarifying the communication. I really appreciate the staff members and community members that came forward to share their concerns. I think it's been elevated to the point that it will be considered at a high level about, you know, how we move forward and I think that it would be part of the plan. I think it does feel a bit disingenuous to say that, you know, it's going to be part of a package of things we're going to study but not have it in the plan. I think we need to be clear and I would just really encourage that the staff and community members who have concerns to continue to stay engaged because it is one path of several areas that we're studying and it's very, very important for us to understand the impacts at the staff and community level. So I really encourage you to continue to make your voices heard and be a part of the staff working group.

Chair Lehan:

And I would concur. We listened to a lot of people who were very – had a lot of anxiety about it being in the plan, both community members and staff people and I think we need to make it abundantly clear that it's an evaluation only and maybe figure out how to put some other sidebars on there or to make it clear that we're making no commitment to doing anything here to try to dial down the anxiety level.
Commissioner Bernard.

Commissioner Bernard:

I actually just have one question. So let's say we evaluate it and it was determined that it was a good idea. We'd have to vote on it, correct?

Trell Anderson:

Oh, absolutely. There's been a lot of process around it. Right now we're just really in the information gathering process. You know, I can imagine the process that would include input from residents and landlords, study sessions with you as the Board, before moving anything forward for adoption.

Chair Lehan:

And maybe that's part of the clarification that could go in the plan to clearly state any movement in this direction would first involve these steps, so we have time before April 5th so this will come before us again on April 5th and the motion is to move it forward to April 5th so all those in favor signify by saying "Aye".

Ayes. - Passes 5-0.

End verbatim transcript

III. PREVIOUSLY APPROVED LAND USE BOARD ORDER *(No public testimony on this item)*

1. Board Order No. **2012-20** for a Comprehensive Plan Amendment and Zone Change for Portland General Electric – File No. Z0417-11-CP/Z0418-11-ZAP

Rhett Tatum, County Counsel, stated this item came before the Board on February 15, 2012.

~Board Discussion~

MOTION:

Commissioner Bernard: I move we approve the Board Order for a Comprehensive Plan Amendment and Zone change for Portland General Electric as Previously approved at the February 15, 2012 Land Use Hearing.

Commissioner Damon: Second.

Chair Lehan – all those in favor/opposed/abstain:

Commissioner Damon: Aye.

Commissioner Savas: Abstain.

Commissioner Lininger: Aye.

Commissioner Bernard: Aye.

Chair Lehan: Aye.

Chair Lehan – The Ayes have it and the motion is approved – Commissioner was not present at the Feb. 15th hearing, therefore he abstained from the vote.

IV. PUBLIC HEARING ON PROPOSED ZONING AND DEVELOPMENT ORDINANCE

1. Zoning and Development Ordinance Amendment - **ZDO-235** (Jennifer Hughes, Planning Division, Rhett Tatum, County Counsel)

ZDO-235 is a legislative text amendment to the Clackamas County Zoning and Development Ordinance. ZDO-235 is a proposal that includes two distinct subject areas: 1) add section 105 to the Zoning and Development Ordinance to formally provide for a Planning Commission; and 2) add section 106 to the Zoning and Development Ordinance to standardize and revise the similar uses provision of the ZDO.

This portion is a verbatim transcript

Chair Lehan:

This is a Zoning and Development Ordinance amendment, ZDO-235 and we have Jennifer Hughes from Planning Division and Rhett Tatum from County Counsel.

Jennifer Hughes:

Good morning. As Chair Lehan said I'm Jennifer Hughes from the Clackamas County Planning and Zoning Division. The file before you today is ZDO-235 which is a set of legislative text amendments to the Clackamas County Zoning and Development Ordinance. The proposal actually is a package of two distinct subjects, the first being adopting a new section of the zoning ordinance; it would be Section 105 that would codify the existence and administration of the County Planning Commission. This is really kind of a formality. There has been a Planning Commission in Clackamas County since 1955 and state statutes provide for a Planning Commission but we've never codified sort of the administrative details of our Planning Commission, how many members, how long they serve, how they're appointed and so this is really just a cleanup. It kind of arose during an earlier project to revise the Planning Commission By-Laws and we came and spoke to you about this in a study session in December so really just a formality. We're not proposing any substantive changes but one to the current practice that we followed in terms of how the Planning Commission is administered and that substantive change is that terms would officially begin on May 1 and would be staggered as evenly as possible over a four-year cycle. What we've had in the past has really been this sort of this random sort of rolling thing with terms expiring at kind of odd dates and they don't always expire sort of an even number of commissioners in each year so we're trying to just streamline our process for recruiting and appointing by having that happen at the same time each year. The Commission would continue to have nine members serving for four-year terms appointed by the BCC and serving at the pleasure of the BCC and consistent with the requirements of Oregon law. There are some specific limits on Planning Commissions and so we've set those forth in the zoning ordinance as well.

The second topic that ZDO-235 covers is Authorization of Similar Uses. We're proposing to add a new Section 106 which would provide for a process for applicants to submit an application to authorize a use that's similar to one that's specifically listed in the zoning district. We currently have provisions that allow for this but they're scattered throughout the zoning ordinance. They don't have – they're not uniform, they're not always available so the idea here is to standardize the provisions for all commercial, industrial and mixed use zones, to provide a standard process where it's Planning Director review with appeal to the hearings officer. Currently in some cases they have to go directly to hearing which is a more expensive and time consuming process typically for an applicant than going through Planning Director review; would still retain notice to our community planning organizations as is currently required for this type of interpretation.

I would specify that the approval criteria and development standards for the use would be the same as the use that it's found to be most similar to. So, if it's a conditional use in the zone that they're saying were similar to and we agree that they are, then they would be subject to the Conditional Use process that's a primary use then they'd be subject to whatever the standards are for a primary use in that zone. So sort of a parallel process and parallel standards, and that does reflect sort of past practice in terms of how we've handled these things over the years. This actually arose based on a specific situation where there's a social service use that's operating in our business park zone that is currently in the Code Enforcement process because the use is not specifically allowed in that zone but it is arguably similar to one that is listed and they don't have the ability to go through that process so when this came up rather than sort of just approach this from a "let's put a band-aid on this one problem", Staff thought it was better to do this comprehensively and to look at all of our commercial and industrial districts and provide for this. And really the reasoning behind it is that our zoning ordinance is structured in a way that uses are listed. We basically have a laundry list in most zones of all the uses that are allowed and it's very easy to leave uses out or to have the market change over the years and you don't keep up and so this actually provides them the option for any uses to be allowed.

We followed the normal public outreach process for Zoning and Development Ordinance amendments notifying the State Department of Land Conservation and Development, notifying our community planning organizations, hamlets and villages, our list of interested parties posting the proposal on the County website and publishing the legally required newspaper notice of the public hearings. The Planning Commission held a public hearing on February 27. There was no oral testimony. We did receive one letter in support which is in your packet. The Planning Commission recommended approval of the amendments related to the administration of the Planning Commission unanimously. They recommended approval of the Authorization of Similar Uses amendments on an 8 to 1 vote. The dissenting Planning Commission vote seemed to center on a perception that it was going to provide overly broad authority for the Planning Director to authorize similar uses that somehow there might be an ability to end up with a use that we really didn't want. I guess Staff's perspective would be that it does provide a notice process. There is the ability to appeal so the Planning Director's decision is not final and it does provide protections in the form of, as I said, approval criterion development standards that another – that the use it's found to be similar to would also have to follow. So I think obviously the majority of the Planning Commission felt that that was sufficient protection and what we're really doing here is in effect potentially broadening the ability to allow for different types of uses in those zones but with some pretty strict protections on how far that could go.

Staff's recommendation when this power point was completed was approval of ZDO-235 as drafted. Yesterday an issue was brought to my attention flagged by a citizen who has some concerns about, we have three industrial zones that currently provide for, as a primary use in the zone, business and industrial uses that are compatible with the uses listed as primary uses as opposed to similar. Everywhere else in the zoning ordinance where we provide for this, it says similar but in this particular instance, or three instances, it says compatible. And so we really – the idea was to try to standardize and streamline and not to inadvertently change something substantive in that regard so I think Rhett Tatum is prepared to sort of address that issue.

Rhett Tatum:

Yes, so we did receive this letter which should be in the record and which you may have in your packets. The person has applied for interpretation to allow their business to continue to operate in an I-2 zone, a Light Industrial zone, and the concern is that if we don't acknowledge that this potentially substantive change, changing language from "compatible" which would perhaps suggest making sure the proposed use gets along with the other uses in the zone to "similar" which is a different sort of interpretation where you look at a use and make sure the use you're proposing is something like an otherwise allowed use and the concern is that we don't recognize that that's substantive change, then we might have been saying all along that "compatible" and "similar" mean the same thing and it would affect the interpretation that they have requested even though they've already applied so if any change to the language wouldn't necessarily – they would still be assessed under the standard that was in place when they made their application so that would be the term "compatible". But given the concerns we did think it was important to flag this for the Board. We spoke with the Clerk and we could continue the hearing until April 5 for deliberation and discussion only. That would give Staff a little bit more time to look at the applicant's concerns and see if there really is a problem here or talk to the applicant and make sure that, you know, their concerns are addressed. The problem with that is applicant knew about this problem for awhile. They had an opportunity to bring it to the Planning Commission. They didn't and so we are a little frustrated to get this sort of eleventh hour letter and now we have to sort of scramble to figure out a solution so Jennifer and I have discussed it. We'll leave the decision as to whether – we're not going to make a decision as to whether – recommendation as to whether or not we should continue it. We'll leave it to the Board's good judgment.

Chair Lehan:

So if we did continue it, then it would give time to address this.

Jennifer Hughes:

Right. I think I would say there are many options but there are sort of three clear paths that you could take. One of course would be to ask us to bring an ordinance approving it as it's written now. Second option would be to set it over for two weeks and Staff can talk to the applicant who wrote the letter and sort of discuss the issues. The third option would be to simply leave in the language regarding compatible uses. Planning Staff has really no significant concern with that. We've been living with that language for a long time. We didn't intend to make a substantive change so we could leave in "compatible" in the three zones where it currently exists and then simply continue, you know, also provide this authorization of similar uses uniformly across all zones and in that regard I don't think there would be a substantive change. We wouldn't be changing the language in the zone that affects this particular application and, you know, that would avoid setting the hearing over but we're perfectly willing to come back on April 5 with more detail if you'd like.

Chair Lehan:

Okay - questions.

Commissioner Savas:

I have a question. Could you go over – maybe I'll express my concerns but my request is to have you go over the process that following let's say the Planning Director to deny something, then the next step is automatically to a hearings officer, correct?

Jennifer Hughes:

Correct, the Planning Director's decision is appealed to the Land Use Hearings Officer.

Commissioner Savas:

And then if that can be appealed, then the appeal after the hearings officer is what . . .

Jennifer Hughes:

. . . is to LUBA, the Land Use Board of Appeals. Well, I'm sorry, actually this is different because this is an interpretation and that's a very sort of narrow set of applications within our zoning ordinance that permits the Board of County Commissioners to choose to take an appeal. So for an interpretation, the applicant actually, if they were not happy with what was done by the hearings officer, they can actually appeal it to you and you can choose to take that up. You don't have to. It sort of works the way some courts do.

Commissioner Savas:

Is that clarified or codified anywhere?

Jennifer Hughes:

It is. Yes, that's covered in the zoning ordinance currently.

Commissioner Savas:

Okay, and under what zoning ordinance.

Jennifer Hughes:

I believe that would be in our interpretation processes in Section 1305 and so I believe – I don't have the zoning ordinance in front of me but off the top of my head I believe that would be in Section 1305.

Commissioner Savas:

Well here's my concern. Here's where I'm kind of where I'm going and it's not necessarily on this industrial use specifically but it's in general and that is 1102, again which is another empowerment so to speak of the Planning Director which has another "own risk" process following his denial and that is – I don't know if it's semantics or its intent or maybe, you know, really a consequence intended or unintended, I don't know but nonetheless a consequence and that is that the interpretation of a use, of an existing use, being similar – I'm going to use the coffee stand on McLoughlin Blvd. as a great example, that we had a use of an existing building all right which was determined to be now a different use when it got converted to a coffee business, coffee stand business, both were drive-thru, the current use being substantially less traffic impacts and was determined that it's, you know, needs to go through a design review process. This in turn, due to a similar application done at the similar site was estimated a year ago of being between \$15,000 to \$20,000 as stated to the company, the other company who was doing a very similar application or inquiry as to whether or not to do this. We sent, due to an anonymous or a confidential complaint filed, this went to the Planning Director apparently, I believe, and was determined that it needed to go through a design review process which intimidated the property owner and the business owner as far as cost. It was just not practical. It was not achievable for them to get a return on their investment to spend that kind of money and that was the only number that they had. Where we're really kind of going with this is that this onerous process is so intimidating and I think there ought to be another step in there that allows it to either be re-reviewed or the Planning Director be appealed or looked – I don't know.

I'm trying to insert something because as a consequence, this business is closing tomorrow and, you know, whether it's the letter that's now of record that came in where we're discussing the semantics or the intent of the word "compatible" or "similar" but I really wonder if it's a greater problem really within the system. I'll call it a system of these where there is not a less onerous or an opportunity for clarification up front before it even goes to a hearings officer because that delay severely impacts businesses negatively, causes delays and causes them a lot of these times just to walk away and not ever go to a hearings officer so I'm asking legal counsel here specifically, and Staff, if you number one comprehend what I'm trying to communicate and convey and if that's fairly addressed here or if we do defer this for another two weeks, we can actually look at that as well.

Jennifer Hughes:

I can take a crack at it and maybe Rhett can chime in with a legal perspective. So without getting into the specifics of the coffee stand, I'm aware of that circumstance but I'm not involved in the specifics of it so I really wouldn't be qualified to talk about the details but in terms of the process question, the zoning ordinance actually has, well, several different layers of application processes depending upon the nature of the application and of course that's evolved over literally 50 years in terms of what sort of what process track we put applications on. There's lots of different names for our applications but basically the processes are either something that's ministerial, which essentially means like an over-the-counter review where the standards are clear and objective. You know your setback is five feet, it's a single family house, we issue the building permit. There is no appeal to the Land Use Hearings officer, there's no, you know, it's considered to be so clear that there's no need to provide for that additional forum. You either get the permit or you don't 'cause you qualify or you don't'. An appeal there goes to the Circuit Court and that's a statutory – as I understand it. We'll let Rhett weigh in on that.

The second process is a Planning Director review and when we say Planning Director we really mean – the Planning Director is sort of a construct in the zoning ordinance but basically it's Staff. Staff issues a decision. The application is filed, Staff issues a decision and it's appealable to the hearings officer. That's generally considered to be less of a burden than having to go direct to hearing. It's less expensive, it tends to be less time consuming and the application fees are less. We're not paying the hearings officer. It's more informal process but it does provide for the right to appeal and typically it's because the standards are not clear and objective which means that we're required to provide an opportunity for appeal. If you wanted to streamline in essence the review process, I think the answer would be that your standards would be far more clear and objective so that you would have less need to go through sort of this decision making process where we're making findings and sending out notice and allowing for neighbors to appeal and having things end up at the hearings officer. Alternatively you could – you know in the past we didn't use a hearings officer many years ago. The Board was the hearings officer but there's a lot of issues regarding that in terms of time, you know, due to the volume of applications you might potentially be talking about. So a lot of this is in state law and Rhett may want to weigh in on how much flexibility we have but with design review I guess my last comment which is what when you say 1102 it's design review which doesn't directly relate to this Authorization of Similar Uses question except that these uses in these zones typically end up going through design review when they're actually developed. And the question there in terms of cost is really about what are the standards we want?

Do we want people to be paying for things like landscaping, street lights, parking, traffic signals, building design, that's what design review does and that's where the cost tends to come on the planning side is in those requirements that we have. Then on the transportation side you're talking about Systems Development Charges which I think was really the concern on the coffee cart for that large expense.

Commissioner Savas:

Okay, so at the point where, let's say, the Planning Director design review says no, can't have this project. My concern is at that point because it's a "no" and the next step is clearly hearings officer knowing that could be number one, a delay, number two, a cost. My concern is, is there any other opportunity prior, you know, absent, you know, again, that next step, so what – do we issue those specifics in writing to the applicant to say you got denied for these particular reasons. Is it articulated?

Jennifer Hughes:

It would be. I would have to say I think it's – I'd have to go back and look at the statistics but to my knowledge we've only had one design review application appealed in recent memory, I mean, like say the last five years so the vast majority of design review applications are approved. Now the applicant may not be happy. That's different than saying they're happy about what they have to do to implement the design review. Do they want to put those investments in to road frontage, landscaping, parking lot? Quite possibly not because it's more expensive than just building whatever they might choose to build but in terms sort of this track record of appeals going to the hearings officer or our track record of denials at the Staff level, it's been very minimal.

Commissioner Savas:

Well see, that's a greater concern because we know that there's numerous occasions where people are told "no" and they don't go to the hearings officer so that, by demonstration of that in itself, it demonstrates that people are turned away, for whatever reason from that step. They're not going to pursue it so that's opportunity, I think, lost so you're really making my argument. So the premise of that denial not prior to the hearings officer but the premise of that denial from the Planning Director design review, are the reasons specified?

Jennifer Hughes:

Yes. But what I'm saying is they are typically not denials so I don't think there is a history of a lot of applications being denied. We could pull those statistics but typically they aren't being denied. If they were denied, absolutely. I'm not saying they've never been but it would be a very small subset. There would be findings explaining the reasons for denial, the same as with an approval, there are findings explaining reasons for approval and then that can form, obviously, the basis for someone to then appeal that decision to the hearings officer because they would understand the reasons that they were denied.

Rhett Tatum:

I would like to just attempt to separate how exactly what it is that 106 does from what I believe the concerns you're expressing Commissioner Savas with our land use process generally and what 106 does is really it creates more opportunities for people that want to have a use because in certain zones right now we don't have that similar language so in additional zones they can now go and say, well the use I'd like to do is similar to one that exists in the zone.

Now they still may have to go and, you know, they certainly, not certainly, but usually they will still have to go through a design review process if they want to, you know, establish a new use there. That's pretty typical for sort of any new use but this I think 106 is more abstract than sending someone into design review. It's increasing the scope of uses that are potentially allowed in these zones so long as they're similar to existing uses in those zones and I know there are conversations going on with Staff about how do we make our planning code more friendly and less intimidating to people? But I think those are separate issues from what's before you in 106.

Commissioner Savas:

Well I agree that they're separate; they're different. So is there an opportunity maybe to take what you say is more opportunity or abstract and expand that into the other zoning and other uses other than this industrial piece?

Jennifer Hughes:

Sure, I mean, you know, the question of uses, if your interest is in having less process associated with being able to enable the use, the way to do that is to have either a more comprehensive use of – list of specific uses. So you start adding more so that they don't need to do an interpretation. The odds are with that approach you're still going to miss something. I mean it's – we can put 200 uses in there and someone will come through the door with 201, you know. It's just how it goes but we could certainly provide for more uses. We could also the other way and be very broad in terms of what we allow. You can do any industrial use; you can do any – you know, you can broaden that up. That certainly has policy implications for people both who live in those, you know, live near those zones and, you know, property owners within the zones presumably are happier about it because they get more uses but we do sometimes get some pushback that you might then end up with inappropriate things but that's what we find out when we go through a public process. So certainly that's a project that could be undertaken. There are some limits regionally and at the state level in terms of how much flexibility we have in a particular zone but we certainly have some flexibility that we haven't necessarily taken advantage of in the current zoning ordinance.

Commissioner Savas:

I guess in a nutshell my concern is that if you have a property or building that was modified and improved in 1974 and they want to change it from a drive-thru pay station for a fuel station and then convert it to a coffee shop, they don't have to do – bring everything else up to code, the landscaping and a number of very onerous expensive modifications for just a slight tweak in the use that they have to spend thousands and thousands of dollars and those are the cases – and I know that this is not the best opportunity to discuss this, but those are the cases I think that discourage a lot of people. They never come back they never go to the hearings officer because they're intimidated right on the front end is that you gotta bring the whole property up to 2010 or 2012 standards. That's where the people are getting, are falling away. That's where the businesses are being discouraged.

Jennifer Hughes:

So the question there wouldn't really be necessarily process, the way I think of process, or in terms of, you know, what you file paperwork-wise, but it's more – and really not a question of uses but a question of development standards. I mean it's really the issue of, do you require landscaping, do you look at their parking, do you look at the traffic, and we have quite a bit of flexibility.

I mean a lot of what we've done in the zoning ordinance has been policy choices made since literally 1960 that's evolved, you know, obviously through the years and it's a question of really what the community wants for standards and are those different maybe scaled in based on, you know, like you're saying if it's a minor change versus a completely brand new development and we've tried to address that in some ways. Landscaping is phased in, parking is phased in but we're not always that specific and that could be changed.

Chair Lehan:

And I think this is interesting conversation but I want to pull it back to the public hearing that we're in right now which is about ZDO-235 and ask if there's any other questions of Staff. Commissioner Bernard.

Jim Bernard:

Actually I just have a comment. I think we should – if that one word is of concern and that word is different from the rest of the codes we have, then I would move that we – I would suggest that we leave that word as it is which should satisfy this individual and pass the ordinance.

Jennifer Hughes:

I haven't read the letter but maybe Rhett can address that, and if that's sufficient for her concerns . . .

Rhett Tatum:

I do agree that that would probably be a sufficient solution to satisfy the author's concerns.

Chair Lehan:

I'm not wanting us to get out of order here because this is a land use hearing – it's not really a land use hearing. Is this a land use hearing?

Jennifer Hughes:

Technically, yeah. It's not quasi-judicial, but . . .

Chair Lehan:

Not quasi-judicial no. . . . Anyway, so clarifying questions is what we're doing right now and then I will read the public hearing portion and then we'll have a public hearing and then we can make a motion about this particular item.

Commissioner Damon:

Thank you for clarifying that. So, it concerns me that you haven't had a chance to read the letter and that the letter came in fairly late and I appreciate what you're saying that leaving the word in, "compatible" probably will do it but I just wonder, it seems like it would make sense to give you a bit more time to ensure that there any other unintended consequences as it relates to this word and my understanding the whole point of what we're trying to get to is, you know, streamlined language and so I just, so I'm a little concerned about, it's like well, I think if we keep that in, it'll be fine without spending time ensuring that that's really the best path, so I guess I believe more time might be useful.

Rhett Tatum:

Staff would certainly be able to use that time to address potential concerns . . .

Commissioners Damon:

And even follow up with the person who wrote the letter and so it seems like it might be a good thing. Okay.

Commissioner Savas:

Madam Chair, I appreciate the Board's indulgence in my earlier question and Staff, I appreciate Staff helping me through that and I would go along with allowing Staff to make sure, give it time to hold this over and get it right. The same token if there's anyone here who has intended to testify, we'd certainly want to hear them; they made the effort to be here today.

Chair Lehan:

Well yeah, that's – so . . . the part that I did not do earlier was we move on to the public hearing portion and since this is a scheduled public hearing, I do not have any cards for this but I will read it nonetheless since it is scheduled.

This is a hearing on ZDO-235, package of legislative text amendments. The amendments would add Section 105 to the Zoning and Development Ordinance which would formally provide for the County Planning Commission. The amendments would also add Section 106 to the ZDO which would standardize and revise the Similar Use provisions currently allowed in some zones. Finally the package includes housekeeping and conforming amendments to a number of other ZDO sections.

In the public hearing portion, since we've already heard the Staff report, public officials, if there are any public officials here, they will have five minutes each and then representatives from community planning organizations or agencies will have five minutes and finally anyone else who wishes to testify will have three minutes each. If you wish to testify I need to have gotten a green card. I don't have any green cards – and give them to Mary and with that I will ask, since I don't have any green cards, is there is anyone who wanted to testify on this item.

The following three people spoke on this issue.

1. Richard Langdon, Portland – concerned about the phrase “similar uses”.
2. Les Poole, Oak Grove – word interpretation is confusing.
3. Mack Woods, Canby – back to the basics.

Since there is no else to speak, I will close the public hearing and ask if there are any other questions of Staff that were raised here and if not then we will be looking for a motion and I believe we have three possibilities before us, one being to approve it as is, one being to approve it leaving the “compatible” and “similar” language in as it was before, address the issue that was raised by Wendy Kellington or put it off for two weeks and review those changes to make sure that those are what we want to do throughout so I would entertain a motion on any of those three pathways if someone would like . . .

MOTION

Commissioner Savas: Madam Chair, I move we hold this off for a couple of weeks or so to allow Staff to clarify the language and make whatever changes and recommendations they feel appropriate.

Commissioner Bernard: I think we have to identify a specific date, April 5th.

Rhett Tatum: I would recommend that that be for decision and deliberation only.
Chair Lehan: Yes.
Commissioner Lininger: I'll second that.
Chair Lehan: Okay, it has been moved by Commissioner Savas and seconded by Commissioner Lininger that we continue this matter until April 5, 2012 for deliberation and decision only. Is there any discussion on that?

I would just like to make a couple of comments about the general nature of the discussion and that is that codes, whether they're at the city level, the County level, because I've worked with them for a couple of decades at the city level, they have many goals but you're always trying to walk a line between having clear and objective standards which you're required to have by law and being very fast and yet having the flexibility to change with changing circumstances and as was pointed out, you can't say all the things that are allowed. You have to, you always end up, you can't anticipate that everything that will ever come along and so you have conflicting goals of trying to be very fast but also trying to be responsive to the neighborhood and the other businesses in the area and trying to be clear and objective and yet having enough flexibility so that when a new use comes along that we had not anticipated, we have a path to get there. And that's the challenge of writing good code and I know we are looking at a more complete review of how to tighten up and this is sort of a first step in terms of trying to clarify and make it more user friendly shall we say as we go forward but it's not a simple – there's no simple fix at any level for land use code. And with that, all those in favor of continuing this, signify by saying "Aye".

Ayes. It passes 5-0.

Commissioner Savas:
Madam Chair, I just want to just convey to Staff I appreciate them coming today and helping us through that, so thank you.

End verbatim transcript

V. DISCUSSION ITEMS

~NO DISCUSSION ITEMS SCHEDULED

VI. CITIZEN COMMUNICATION

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

1. Mack Woods, Canby – tax records regarding Jim Bernard's property.
2. Jim Meyers, Molalla – want BCC to represent the tax payers.
3. Robert Shannon, Damascus – traffic on 172nd near Vogel Rd.
4. Yvonne Lazarus, Milwaukie – cutting of trees near proposed rail line.
5. Maryanna Moore, Gladstone – Gladstone library and Mil. Light rail.
6. Richard Langdon, Portland – What is the definition of "flexibility" in the County code.
7. Les Poole, Oak Grove – light rail and misc. issues.
8. Herb Chow, Portland – honesty from Commissioners – misc. issues.

VII. CONSENT AGENDA

Chair Lehan asked the Clerk to read the consent agenda by title, she then asked for a motion.

MOTION:

Commissioner Bernard: I move we approve the Consent Agenda.

Commissioner Damon: Second.

Chair Lehan – all those in favor/opposed:

Commissioner Damon: Aye.

Commissioner Savas: Aye.

Commissioner Lininger: Aye.

Commissioner Bernard: Aye.

Chair Lehan: Aye.

Chair Lehan – The Ayes have it and the motion is approved.

A. Health, Housing & Human Services

1. Approval of an Amendment to the Agreement with American Medical Response Northwest, Inc. for Emergency Ambulance Services - CH
2. Approval to Apply for a Rural Transportation Grant from the Oregon Department of Transportation in order to continue the Mountain Express Bus Service in the Hoodland Area – SSD

B. Department of Transportation & Development

1. Approval of Supplemental Project Agreement No. 27945 between Clackamas County and the Oregon Department of Transportation for the Salmon River (Arrah Wanna Road) Bridge Replacement Project

C. Elected Officials

1. Approval of Previous Business Meeting Minutes – BCC

D. Department of Emergency Management

1. Approval of Inter-Governmental Agreements with Boring Water District and the City of West Linn for the Use of Clackamas County Emergency Notification System

VIII. COMMISSIONERS COMMUNICATION

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

MEETING ADJOURNED – 12:04 PM

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/>



John S. Foote, District Attorney for Clackamas County

Clackamas County Courthouse, 807 Main Street, Room 7, Oregon City, Oregon 97045
503 655-8431, FAX 503 650-8943, www.co.clackamas.or.us/da/

7

May 10, 2012

Board of Commissioners
Clackamas County

Members of the Board:

**Approval to apply for the 2012-2014 Victims of Crime Act (VOCA)
Non-Competitive Program Grant**

This VOCA grant will fund direct services to victims of child abuse, DUI/DWI crashes, domestic violence, adult sexual abuse, elder abuse, adults molested as children, survivors of homicide, victims of robbery and assault, and other violent crimes.

Direct services to these victims include the following: crisis intervention, ongoing emotional support, court accompaniment to grand jury, court hearings and trials, Victim Rights information, case status updates, community resource referrals, safety planning, and assistance completing applications for crime victim's compensation and restraining orders. Advocates also staff a 24/7 crisis line and are on-call for the Clackamas County Homicide Team, Child Abduction Team, and Commercial Sexual Exploitation of Children response team. In addition, advocates provide assistance with death notifications, crime scene cleanup referrals and funerals.

The District Attorney's Office has been the recipient of VOCA funds since at least 1998. The total 2012-14 grant award amount is \$208,553. These funds are budgeted to offset the salary and fringe benefits for two victim advocates who are assigned to the District Attorney's Victim Assistance Program. A \$346 cash match and \$51,792 in kind match are required.

RECOMMENDATION:

We respectfully recommend that the Board approve this Grant Award as submitted and further recommend that John S. Foote be authorized to sign on behalf Clackamas County.

Sincerely,

Sarah Brown

Sarah Brown

For information on this issue or attachments please contact
Sarah Brown at (503) 650-3532.