



OFFICE OF COUNTY COUNSEL

PUBLIC SERVICES BUILDING
2051 KAEN ROAD OREGON CITY, OR 97045

December 6, 2018

Board of County Commissioners
Clackamas County

Members of the Board:

Stephen L. Madkour
County Counsel

Kathleen Rastetter
Scott C. Ciecko
Amanda Keller
Nathan K. Boderman
Shawn Lillegren
Jeffrey D. Munns
Andrew R. Naylor
Andrew Narus
Assistants

Approval of a Board Order for Boundary Change Proposal CL 18-004
Annexation to Clackamas River Water

Purpose/Outcomes	Conduct Public Hearing/Approve Order
Dollar Amount and Fiscal Impact	None
Funding Source	Not Applicable
Duration	Permanent
Previous Board Action	None
Strategic Plan Alignment	Build Public Trust Through Good Government, hold transparent and clear public processes regarding jurisdictional boundaries
Contact Person	Ken Martin, Boundary Change Consultant - 503 222-0955 Nate Boderman, Assistant County Counsel
Contract No.	Not Applicable

BACKGROUND:

The County Board is charged with making boundary change decisions (annexations, withdrawals, etc.) for many types of special districts (water, sanitary sewer, rural fire protection, etc.) within the County. One type of special district over which the Board has jurisdiction is a domestic water supply district and Clackamas River Water is such a district.

Proposal No. CL 18-004 is a proposed annexation to Clackamas River Water.

State statute requires the Board to hold a public hearing on the proposed annexation. Notice of this hearing invited testimony from any interested party. Notice consisted of: 1) Posting three notices near the territory and one notice near the County hearing room 20 days prior to the hearing; 2) Published notice twice in the Clackamas County Review; 3) Mailed notice sent to affected local governments and all property owners within 100 feet of the area to be annexed.

As required by statute the Board of the District has endorsed the proposed annexation.

This proposal was initiated by a consent petition of property owners and registered voters. The petition meets the requirement for initiation set forth in ORS 198.855(3) (double majority

annexation law) and ORS 198.750 (section of statute which specifies contents of petition). If the Board approves the proposal the boundary change will become effective immediately.

The territory to be annexed is located generally in the central part of the District. The territory contains 2.0 acres, is vacant and is valued at \$1,179,393.

REASON FOR ANNEXATION

The property owners desire water service to develop the land as part of a larger multiple family housing project.

CRITERIA

Oregon Revised Statute 198 directs the Board to “consider the local comprehensive plan for the area and any service agreement executed between a local government and the affected district.”

Additional criteria can be found in the Metro Code. The code requires a report which addresses the criteria listed below and which includes the following information:

1. The extent to which urban services are available to serve the affected territory, including any extraterritorial extensions of service;
2. Whether the proposed boundary change will result in the withdrawal of territory from the legal boundary of any necessary party¹; and
3. The proposed effective date of the boundary change.

Service availability is covered in the section below. Staff has examined the statutes and determined that approval of this annexation will not cause the withdrawal of the affected territory from the boundary of any necessary party. The proposed effective date (immediately upon adoption) was noted above.

To approve a boundary change, the reviewing entity [the County Board] must apply the following criteria:

To approve a boundary change the County must:

- (1) Find that the change is consistent with expressly applicable provisions in:
 - (A) Any applicable urban service agreement adopted pursuant to ORS 195.205;
 - (B) Any applicable annexation plan adopted pursuant to ORS 195.205;
 - (C) Any applicable cooperative planning agreement adopted pursuant to ORS 195.020 (2) between the affected entity and a necessary party;

¹ A “necessary party” is another governmental entity which includes the same area or provides an urban service to the area.

- (D) Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services; and
 - (E) Any applicable comprehensive plan;
 - (F) Any applicable concept plan; and
- (2) Consider whether the boundary change would:
- (A) Promote the timely, orderly and economic provision of public facilities and services;
 - (B) Affect the quality and quantity of urban services; and
 - (C) Eliminate or avoid unnecessary duplication of facilities and services.

There are no cooperative agreements, urban service agreements or annexation plans specifically adopted pursuant to ORS 195 in effect in this area. The proposal is consistent with the Comprehensive Plan as stated in the findings attached in the proposed order. No concept plans cover this area.

Staff has reviewed both the ORS 198 criteria and the Metro Code requirements, and found that the subject property is eligible for annexation to the District. A draft order with proposed findings is attached hereto for the Board's consideration.

RECOMMENDATION:

Based on the attached Order and Findings, Staff recommends approval of Proposal No. CL-18-004 annexation to Clackamas River Water.

Respectfully submitted,



Nate Boderman
Assistant County Counsel

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

In the Matter of Approving
Boundary Change Proposal No.
CL 18-004



Board Order No. _____

Whereas, this matter coming before the Board at this time, and it appearing that more than half the electors and owners of more than half the land in the territory to be annexed have petitioned to annex the territory to Clackamas River Water; and

Whereas, it further appearing that this Board is charged with deciding this proposal for a boundary change pursuant to ORS Chapters 198 and Metro Code 3.09; and

Whereas, it further appearing that staff retained by the County have reviewed the proposed boundary change and issued a report which complies with the requirements of Metro Code 3.09.050(b); and

Whereas, it further appearing that this matter came before the Board for public hearing on December 6, 2018 and that a decision of approval was made December 6, 2018;

NOW, THEREFORE, IT IS HEREBY ORDERED that Boundary Change Proposal No. CL 18-004 is approved for the reasons stated in attached Exhibit A and the territory described in Exhibit B and depicted on Exhibit C is annexed to Clackamas River Water.

DATED this 6th day of December, 2018

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary

FINDINGS

Based on the study and the public hearing the Board found:

1. The territory to be annexed contains 2.0 acres, is vacant and is valued at \$1,179,393.
2. The property owners desire water service to develop the land as part of a larger multiple family housing project.
3. Oregon Revised Statute 198 directs the Board to “consider the local comprehensive plan for the area and any service agreement executed between a local government and the affected district.”
4. Additional criteria can be found in the Metro Code. The code requires a report which addresses the criteria listed below and which includes the following information:
 1. The extent to which urban services are available to serve the affected territory, including any extraterritorial extensions of service;
 2. Whether the proposed boundary change will result in the withdrawal of territory from the legal boundary of any necessary party¹; and
 3. The proposed effective date of the boundary change.

Service availability is covered in the Findings below. Staff has examined the statutes and determined that approval of this annexation will not cause the withdrawal of the affected territory from the boundary of any necessary party. The proposed effective date is immediately upon adoption.

To approve a boundary change, the reviewing entity [the County Board] must apply the following criteria:

To approve a boundary change the County must:

- (1) Find that the change is consistent with expressly applicable provisions in:
 - (A) Any applicable urban service agreement adopted pursuant to ORS 195.205;
 - (B) Any applicable annexation plan adopted pursuant to ORS 195.205;
 - (C) Any applicable cooperative planning agreement adopted pursuant

¹ A “necessary party” is another governmental entity which includes the same area or provides an urban service to the area.

- to ORS 195.020 (2) between the affected entity and a necessary party;
- (D) Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services;
 - (E) Any applicable comprehensive plan;
 - (F) Any applicable concept plan; and
- (2) Consider whether the boundary change would:
- (A) Promote the timely, orderly and economic provision of public facilities and services;
 - (B) Affect the quality and quantity of urban services; and
 - (C) Eliminate or avoid unnecessary duplication of facilities and services.

There are no cooperative agreements, urban service agreements or annexation plans specifically adopted pursuant to ORS 195 in effect in this area. The proposal is consistent with the Comprehensive Plan as stated in Finding 6 below. No concept plans cover this area.

Staff has reviewed both the ORS 198 criteria and the Metro Code requirements, and found that the subject property is eligible for annexation to the District.

5. This territory is inside of Metro's jurisdictional boundary and inside the regional Urban Growth Boundary (UGB).

The law that requires Metro to adopt criteria for boundary changes specifically states that Metro shall ". . . ensure that a boundary change is in compliance with the Metro regional framework plan as defined in ORS 197.015 and cooperative agreements and urban service agreements adopted pursuant to ORS chapter 195." ORS 197.015 says "Metro regional framework plan means the regional framework plan required by the 1992 Metro Charter or its separate components." The Regional Framework Plan was reviewed and found not to contain specific criteria applicable to boundary changes.

There are two adopted regional functional plans, the Urban Growth Management Functional Plan and the Regional Transportation Plan, which were examined and found not to contain any directly applicable standards and criteria for boundary changes.

6. The territory is designated Urban on the Clackamas County Comprehensive Plan and its land use designation is Planned Mixed Use (PMU). The territory is zoned PMU1.

The following policies from the Public Facilities and Services element of the County's plan are applicable:

Water

* * *

- 14.0 Require all public water purveyors to design the extension of water facilities at levels consistent with the land use element of the Comprehensive Plan.

* * *

- 15.0 Require water service purveyors in urban areas to coordinate the extension of water services with other key facilities, *i.e.*, transportation, sanitary sewers, and storm drainage facilities, necessary to serve additional lands.

There are no service agreements between a local government and the District which affect the territory to be annexed.

7. ORS 195 requires agreements between providers of urban services. Urban services are defined as: sanitary sewers, water, fire protection, parks, open space, recreation and streets, roads and mass transit. These agreements are to specify which governmental entity will provide which service to which area in the long term. The counties are responsible for facilitating the creation of these agreements. There are no urban service agreements under ORS 195 relative to sewer service in this area of Clackamas County.
8. The area is within Clackamas County Service District # 1 and can be provided sanitary service by that district.
9. The District has a 12-inch water line in Sunnyside Road adjacent to the larger proposed development of which the current proposed annexation area is a part.
10. The area receives police service from the Clackamas County Sheriff's Department.
11. The territory is within the Clackamas County R.F.P.D. #1. This service will not be affected by annexation to the water district.
12. The area to be annexed receives parks and recreation service from either the City of Happy Valley or North Clackamas Parks and Recreation District.

CONCLUSION AND REASON FOR DECISION

Based on the Findings, the Board determined:

1. The Metro Code requires the boundary change decision to be consistent with expressly applicable provisions in any urban service provider agreements, cooperative agreements and annexation plans adopted pursuant to ORS 195. As noted in Findings 4 & 7 there are no such agreements or plans in place in this area. The Board concludes that its decision is not inconsistent with any such agreements and plans.
2. ORS 198 requires consideration of the comprehensive plan and any service agreements affecting the area. The Board has reviewed the applicable comprehensive plan (Clackamas County Comprehensive Plan) and concludes this proposal complies with it. All other necessary urban services can be made available.
3. The Board considered the timing & phasing of public facilities to this area, the quantity and quality of services available and the potential for duplication of services. The District has service available to the area to be annexed as noted in Finding No. 9. The Board concludes this annexation is timely, the District has an adequate quantity and quality of services available and that the services are not duplicative.
4. The Metro Code at 3.09.050 (B) (2) requires a determination of whether the boundary change will cause withdrawal of the territory from the boundary of any necessary party. An examination of this issue found that no such withdrawals would be caused by approval of this annexation.
5. ORS 198 requires the Board to consider the applicable local comprehensive plan and any service agreements affecting the area. The local comprehensive plan was considered and no conflicts with the Plan were discovered. No directly applicable service agreements were found to exist.
6. The District has a water line which can provide adequate service to the site.

EXHIBIT B

CHASE, JONES & ASSOCIATES INC.

FORMERLY BOOTH & WRIGHT
LAND SURVEYORS & ENGINEERS SINCE 1885

716 SE 11TH AVENUE PORTLAND, OR 97214
PHONE: (503) 228-8844


CJ₂

Date: December 20, 2017
Revised: December 22, 2017
Revised: March 16, 2018
Revised: June 18, 2018
Revised: August 2, 2018
Revised: August 13, 2018
Project No.: 14841-B

Annexation

All that certain property situated in the South Half of Section 33, Township 1 South, Range 2 East, Willamette Meridian, in the County of Clackamas, State of Oregon described as follows:

A Portion of Lot 5, of Clackamas Town Center, Plat No. 2531 as recorded in Clackamas County Records, and a portion of Parcel 1, Partition Plat No. 2017-099, as recorded in Clackamas County, being a portion of Lot 6, Clackamas Town Center, Plat No. 2531, as recorded in Clackamas County, more particularly described as follows:

BEGINNING at the Northwest corner of said Lot 6, also being the Northwest corner of said Parcel 1; thence along the North and East line of said Lot 6, the following three courses and distances: (1) South 89°05'31" East 302.17 feet, (2) South 08°46'17" East 123.08 feet, and (3) South 00°26'49" East 170 feet more or less, to the line described in line #37, on page 34, of the Final Order "RE: BOUNDARY CHANGE PROPOSAL NO: 3451 - Consolidation of Clackamas Water District with Clairmont Water District to form the Clackamas River Water District, organized under ORS 264", effective date July 1, 1995, said line #37 being described as the westerly extension of the south line of that tract conveyed in Warranty Deed to Herman Ryder and Kathryn Ryder recorded September 3, 1959 in book 560 at page 694; thence along said line described as #37, southwesterly 332 feet more or less, to the line described in line #36 in said Final Order, also said to be the West line of the Southeast Quarter of said Section 33, as it is shown on said Plat of Clackamas Town Center which line is also said to be the southerly extension of the Easterly line of Monterey Meadows (Plat No. 653); thence along said line described as #36, North 00°40'46" East 310 feet more or less, to the westerly prolongation of the North line of said Lot 6; thence along said westerly prolongation, South 89°05'31" East 5.96 feet more of less to the **POINT OF BEGINNING**.

The above described property is shown on the attached Exhibit B.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Eric D. Jones

OREGON
JULY 16, 1982
ERRIC D. JONES
1996

RENEWS: 6-30-19

EXHIBIT C



POINT OF BEGINNING
 NW CORNER LOT 6 OF
 CLACKAMAS TOWN CENTER

LOT 5
 "CLACKAMAS TOWN CENTER"
 (PLAT NO. 2531)

S 89°05'31" E 302.17'

S 89°05'31" E
 5.96'

S 08°46'17" E 123.08'

LOT 5
 "CLACKAMAS TOWN CENTER"
 (PLAT NO. 2531)

N 00°40'46" E 310.±

LINE BETWEEN LOT 5 & 6,
 CLACKAMAS TOWN CENTER.
 (ALSO THE WEST LINE OF
 PARCEL 1.)

PARCEL 1
 (PARTITION PLAT NO. 2017-099)

LINE #36, PAGE 34, OF FINAL
 ORDER. WEST LINE OF SE 1/4,
 SEC. 33 PER PLAT OF
 CLACKAMAS TOWN CENTER. LINE
 BASED ON THE ANGLE AT [F]
 SHOWN ON PARTITION PLAT NO.
 2017-099 RECORDED IN
 CLACKAMAS COUNTY.

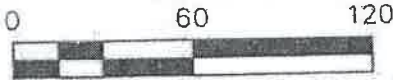
SW'LY 332'±

SOUTH LINE OF PARCEL 1
 (PARTITION PLAT NO. 2017-099)

LINE #37, PAGE 34, OF FINAL
 ORDER. DESCRIBED AS THE WESTERLY
 EXTENSION OF THE SOUTH LINE OF
 RYDER DEED IN BOOK 560 AT PAGE
 694. THIS LINE IS TO BE 470' ±
 NORTH OF THE CENTERLINE OF S.E.
 SUNNYSIDE RD., PER LINE #36.

PARCEL 2
 (PARTITION PLAT NO. 2017-099)

NOTE:
 THE FINAL ORDER
 REFERED TO
 HEREON, IS IN
 REFERENCE TO
 THE FINAL ORDER
 "RE: BOUNDARY
 CHANGE PROPOSAL
 NO: 3451 -
 CONSOLIDATION OF
 CLACKAMAS
 WATER DISTRICT
 WITH CLAIRMONT
 WATER DISTRICT TO
 FORM THE
 CLACKAMAS RIVER
 WATER DISTRICT,
 ORGANIZED UNDER
 ORS 264", AS
 PROVIDED BY
 CLACKAMAS RIVER
 WATER DISTRICT



REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Eric D. Jones

OREGON
 JULY 16, 1982
 ERRIC D. JONES
 1996

EXPIRES: 6-30-19

ANNEXATION

OF
 PORTION OF LOTS 5 & 6,
 "CLACKAMAS TOWN CENTER"
 SITUATED IN THE
 SOUTHWEST AND SOUTHEAST 1/4 OF SECTION 33, T1S, R2E, WM
 COUNTY OF CLACKAMAS, STATE OF OREGON

716 S. E. 11TH AVE. BY:
CHASE, JONES & ASSOCIATES INC.
 PORTLAND, OREGON 97214
 PHONE (503) 228-9844

PROJECT NO.: 14841-B
 SCALE: 1" = 60'
 DATE: DEC. 20, 2017
 REVISED: DEC. 22, 2017

REVISED: MAR. 16, 2018
 REVISED: JUN. 18, 2018
 REVISED: AUG. 2, 2018
 REVISED: AUG. 13, 2018



OFFICE OF COUNTY COUNSEL

PUBLIC SERVICES BUILDING
 2051 KAEN ROAD OREGON CITY, OR 97045

December 6, 2018

Board of County Commissioners
 Clackamas County

Members of the Board:

Stephen L. Madkour
 County Counsel

Kathleen Rastetter
Scott C. Ciecko
Amanda Keller
Nathan K. Boderman
Shawn Lillegren
Jeffrey D. Munns
Andrew R. Naylor
Andrew Narus
 Assistants

Approval of a Board Order for Boundary Change Proposal CL 18-005
Annexation to Clackamas County Service District No. 1

Purpose/Outcomes	Conduct Public Hearing/Approve Order
Dollar Amount and Fiscal Impact	None
Funding Source	Not Applicable
Duration	Permanent
Previous Board Action	None
Strategic Plan Alignment	Build Public Trust Through Good Government, hold transparent and clear public processes regarding jurisdictional boundaries
Contact Person	Ken Martin, Boundary Change Consultant - 503 222-0955 Nate Boderman, Assistant County Counsel
Contract No.	Not Applicable

BACKGROUND:

The County Board is charged with making boundary change decisions (annexations, withdrawals, etc.) for many types of special districts (water, sanitary sewer, rural fire protection, etc.) within the County. One type of special district over which the Board has jurisdiction is a county service district and Clackamas County Service District No. 1 is such a district.

Proposal No. CL 18-005 is a proposed annexation to Clackamas County Service District No. 1 ("District").

State statute and the Metro Code require the Board to hold a public hearing on the proposed annexation. Notice of this hearing invited testimony from any interested party. Notice consisted of: 1) Posting three notices near the territory and one notice near the County hearing room 20 days prior to the hearing; 2) Published notice twice in the Clackamas County Review; 3) Mailed notice sent to affected local governments and all property owners within 100 feet of the area to be annexed.

As required by statute the Board of the District has endorsed the proposed annexation. Also as required by statute (ORS 198.720(1)) the City of Happy Valley has approved this petition.

This proposal was initiated by a consent petition of property owners. The petition meets the requirement for initiation set forth in ORS 198.857, ORS 198.750 (section of statute which specifies contents of petition) and Metro Code 3.09.040(a) (lists Metro's minimum requirements for petition). If the Board approves the proposal the boundary change will become effective immediately.

The territory to be annexed is located generally in the central part of the District. The territory contains 1.0 acre, one single family dwelling, a population of 5 and is valued at \$371,104.

REASON FOR ANNEXATION

The property owners desire sewer service for the existing single family residence.

CRITERIA

Oregon Revised Statute 198 directs the Board to "consider the local comprehensive plan for the area and any service agreement executed between a local government and the affected district."

Additional criteria can be found in the Metro Code. The code requires a report which addresses the criteria listed below and which includes the following information:

1. The extent to which urban services are available to serve the affected territory, including any extraterritorial extensions of service;
2. Whether the proposed boundary change will result in the withdrawal of territory from the legal boundary of any necessary party¹; and
3. The proposed effective date of the boundary change.

Service availability is covered in the proposed findings. Staff has examined the statutes and determined that approval of this annexation will not cause the withdrawal of the affected territory from the boundary of any necessary party. The proposed effective date (immediately upon adoption) was noted above.

To approve a boundary change, the reviewing entity [the County Board] must apply the following criteria:

To approve a boundary change the County must:

- (1) Find that the change is consistent with expressly applicable provisions in:
 - (A) Any applicable urban service agreement adopted pursuant to ORS 195.205;
 - (B) Any applicable annexation plan adopted pursuant to ORS 195.205;

¹ A "necessary party" is another governmental entity which includes the same area or provides an urban service to the area.

- (C) Any applicable cooperative planning agreement adopted pursuant to ORS 195.020 (2) between the affected entity and a necessary party;
 - (D) Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services; and
 - (E) Any applicable comprehensive plan;
 - (F) Any applicable concept plan; and
- (2) Consider whether the boundary change would:
- (A) Promote the timely, orderly and economic provision of public facilities and services;
 - (B) Affect the quality and quantity of urban services; and
 - (C) Eliminate or avoid unnecessary duplication of facilities and services.

There are no cooperative agreements, urban service agreements or annexation plans specifically adopted pursuant to ORS 195 in effect in this area. The proposal is consistent with the Comprehensive Plan as stated in the findings attached in the proposed order. No concept plans cover this area.

Staff has reviewed both the ORS 198 criteria and the Metro Code requirements, and found that the subject property is eligible for annexation to the District. A draft order with proposed findings is attached hereto for the Board's consideration. The territory, if annexed into the District, will be served by Water Environment Services pursuant to that certain ORS 190 Partnership entered into by the District with the Tri-City Service District and the Surface Water Management Agency of Clackamas County, as amended from time to time.

RECOMMENDATION:

Based on the attached Order and Findings, Staff recommends approval of Proposal No. CL-18-005, annexation to Clackamas County Service District No. 1.

Respectfully submitted,



Nate Bodenman
Assistant County Counsel

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

In the Matter of Approving
Boundary Change Proposal No.
CL 18-005



Board Order No. _____

Whereas, this matter coming before the Board at this time, and it appearing that the owner of all the land in the territory to be annexed has petitioned to annex the territory to Clackamas County Service District No. 1; and

Whereas, it further appearing that this Board is charged with deciding this proposal for a boundary change pursuant to ORS Chapters 198 and Metro Code 3.09; and

Whereas, it further appearing that staff retained by the County have reviewed the proposed boundary change and issued a report which complies with the requirements of Metro Code 3.09.050(b); and

Whereas, it further appearing that this matter came before the Board for public hearing on December 6, 2018 and that a decision of approval was made December 6, 2018;

NOW, THEREFORE, IT IS HEREBY ORDERED that Boundary Change Proposal No. CL 18-005 is approved for the reasons stated in attached Exhibit A and the territory described in Exhibit B and depicted on Exhibit C is annexed to Clackamas County Service District No. 1 as of December 6, 2018.

DATED this 6th day of December, 2018

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary

Based on the study and the public hearing the Board found:

1. The territory to be annexed contains 1.0 acre, one single family dwelling, a population of 5 and is valued at \$371,104.
2. The property owners desire sewer service for the existing single family residence.
3. Oregon Revised Statute 198 directs the Board to “consider the local comprehensive plan for the area and any service agreement executed between a local government and the affected district.”

Clackamas County Service District No. 1 and the City of Happy Valley do have an agreement calling for the District to be the provider of sewers inside the City. The District has entered into an agreement with the Surface Water Management Agency of Clackamas County and the Tri-City Service District to create Water Environment Services, an ORS 190 partnership (“WES”) as a collective service provider for all three districts. If annexed into the District, the property would be served by WES under such agreement.

4. Additional criteria can be found in the Metro Code. The code requires a report which addresses the criteria listed below and which includes the following information:
 1. The extent to which urban services are available to serve the affected territory, including any extraterritorial extensions of service;
 2. Whether the proposed boundary change will result in the withdrawal of territory from the legal boundary of any necessary party¹; and
 3. The proposed effective date of the boundary change.

Service availability is covered in the Findings below. Staff has examined the statutes and determined that approval of this annexation will not cause the withdrawal of the affected territory from the boundary of any necessary party. The proposed effective date is immediately upon adoption.

5. To approve a boundary change, the reviewing entity [the County Board] must apply the following criteria:

To approve a boundary change the County must:

- (1) Find that the change is consistent with expressly applicable provisions in:
 - (A) Any applicable urban service agreement adopted pursuant to

¹ A “necessary party” is another governmental entity which includes the same area or provides an urban service to the area.

- ORS 195.205;
- (B) Any applicable annexation plan adopted pursuant to ORS 195.205;
 - (C) Any applicable cooperative planning agreement adopted pursuant to ORS 195.020 (2) between the affected entity and a necessary party;
 - (D) Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services;
 - (E) Any applicable comprehensive plan;
 - (F) Any applicable concept plan; and
- (2) Consider whether the boundary change would:
- (A) Promote the timely, orderly and economic provision of public facilities and services;
 - (B) Affect the quality and quantity of urban services; and
 - (C) Eliminate or avoid unnecessary duplication of facilities and services.

There are no cooperative agreements, urban service agreements or annexation plans specifically adopted pursuant to ORS 195 in effect in this area. The proposal is consistent with the Comprehensive Plan as stated in Findings 7 and 8 below. No concept plans cover this area.

Staff has reviewed both the ORS 198 criteria and the Metro Code requirements, and found that the subject property is eligible for annexation to the District.

6. This territory is inside of Metro's jurisdictional boundary and inside the regional Urban Growth Boundary (UGB).

The law that requires Metro to adopt criteria for boundary changes specifically states that Metro shall ". . . ensure that a boundary change is in compliance with the Metro regional framework plan as defined in ORS 197.015 and cooperative agreements and urban service agreements adopted pursuant to ORS chapter 195." ORS 197.015 says "Metro regional framework plan means the regional framework plan required by the 1992 Metro Charter or its separate components." The Regional Framework Plan was reviewed and found not to contain specific criteria applicable to boundary changes.

There are two adopted regional functional plans, the Urban Growth Management

Functional Plan and the Regional Transportation Plan, which were examined and found not to contain any directly applicable standards and criteria for boundary changes.

7. The PUBLIC FACILITIES AND SERVICES Element of the County Comprehensive Plan contains the following Goal:

POLICIES

Sanitary Sewage Disposal

* * *

- 6.0 Require sanitary sewerage service agencies to coordinate extension of sanitary services with other key facilities, i.e., water, transportation, and storm drainage systems, which are necessary to serve additional lands.
8. The territory is inside the City of Happy Valley but still has a county zoning designation of RRFF-5, Rural Residential Farm Forest, 5-acre minimum lot size. The property is already developed with a single family dwelling.
9. ORS 195 requires agreements between providers of urban services. Urban services are defined as: sanitary sewers, water, fire protection, parks, open space, recreation and streets, roads and mass transit. These agreements are to specify which governmental entity will provide which service to which area in the long term. The counties are responsible for facilitating the creation of these agreements. There are no urban service agreements under ORS 195 relative to sewer service in this area of Clackamas County.
10. WES, as the service provider for the District, has a sewer line in SE Aldridge which can serve the site.
11. The territory is within the Sunrise Water Authority which currently serves the property.
12. The area receives police service from the City of Happy Valley which contracts with the Clackamas County Sheriff's Department for service.
13. The territory is within the Clackamas County R.F.P.D. #1. This service will not be affected by annexation to the County Service District for sanitary sewers.
14. The area to be annexed receives parks and recreation service from either the City of Happy Valley or North Clackamas Parks and Recreation District.

CONCLUSIONS AND REASONS FOR DECISION

Based on the Findings, the Board determined:

1. The Metro Code requires the boundary change decision to be consistent with expressly applicable provisions in any urban service provider agreements, cooperative agreements and annexation plans adopted pursuant to ORS 195. As noted in Findings 5 & 9 there are no such agreements or plans in place in this area. The Board concludes that its decision is not inconsistent with any such agreements and plans.
2. The Metro Code calls for consistency between the Board decision and any "applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services." The Board notes the original public facility plan for this area does call for sewer service by the District.
3. ORS 198 requires consideration of the comprehensive plan and any service agreements affecting the area. The Board has reviewed the applicable comprehensive plans (Clackamas County Comprehensive Plan and the Happy Valley Comprehensive Plan) and concludes this proposal complies with them. All other necessary urban services can be made available.
4. The Board considered the timing & phasing of public facilities to this area, the quantity and quality of services available and the potential for duplication of services. The District, through Water Environment Services, has service available to the area to be annexed as noted in Finding No. 10. The Board concludes this annexation is timely, the District has an adequate quantity and quality of services available and that the services are not duplicative.
5. The Metro Code at 3.09.050 (B) (2) requires a determination of whether the boundary change will cause withdrawal of the territory from the boundary of any necessary party. An examination of this issue found that no such withdrawals would be caused by approval of this annexation.

EXHIBIT B

EXHIBIT B: ANNEXATION DESCRIPTION

RECORDING REQUESTED BY:



10151 SE Sunnyside Road, Ste 300
Clackamas, OR 97015

AFTER RECORDING RETURN TO:

Order No.: 472517003121-LC
Anthony J. Ivelia and Reagan C. Ivelia, husband and wife
11746 SE 119th Ave
Happy Valley, OR 97086

SEND TAX STATEMENTS TO:

Anthony J. Ivelia and Reagan C. Ivelia
11746 SE 119th Ave
Happy Valley, OR 97086

APN: 00127151

Clackamas County Official Records	2017-044764
Sherry Hall, County Clerk	07/05/2017 08:51:01 AM
D-D Cnt=1 Stn=0 KARLYN	\$63.00
\$15.00 \$16.00 \$10.00 \$22.00	

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Jon Alan Thompson and Gerrie L. Thompson, Grantor, conveys and warrants to Anthony J. Ivelia and Reagan C. Ivelia, husband and wife, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Clackamas, State of Oregon:

A parcel of property in the Southeast one-quarter of the Southeast one-quarter of Section 35, Township 1 South, Range 2 East of the Willamette Meridian, in the City of Happy Valley, County of Clackamas and State of Oregon, described as follows:

Beginning at a brass monument at the Southeast corner of said Section 35; thence North 0°43'13" West along the East line of Section 35, a distance of 869.04 feet to a point on the South line of that certain easement described in Book 607, Page 720, Deed Records; thence North 89°14'30" West 770.95 feet to the Northeast corner of tract conveyed to Michael E. Bye, by Real Estate Contract Recorded July 3, 1979, as Recorder's Fee No. 79-26115; thence continuing North 89°14'30" West 283.47 feet to the true point of beginning; thence Southwesterly along Line "A", a distance of 405.54 feet, more or less, to a point on the South line of said Bye Tract, which is North 89°14'30" West 380.87 feet from the Southeast corner of the said Bye Tract; thence North 89°14'30" West 172.60 feet to the West line of the Southeast one-quarter of the Southeast one-quarter of said Section 35; thence North 0°49'00" West along said West line, 201.07 feet; thence South 89°14'30" East 202.35 feet, more or less, to intersect a line which is parallel with and 20 feet Westerly of aforesaid Line "A"; thence Northeasterly along said parallel line, 198.41 feet, more or less, to a point on the North line of the said Bye Tract which is North 89°14'30" West 20 feet from the true point of beginning; thence South 89°14'30" East 20 feet to the true point of beginning.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS SIX HUNDRED FIFTEEN THOUSAND AND NO/100 DOLLARS (\$615,000.00). (See ORS 93.030).

Subject to:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND

CHICAGO TITLE 1200112145

STATUTORY WARRANTY DEED
(continued)

BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 7-3-17

Jon Alan Thompson
Jon Alan Thompson

Gerrie L. Thompson
Gerrie L. Thompson

State of OREGON
County of CLATSOP

This instrument was acknowledged before me on 7/3/17 by Jon Alan Thompson and Gerrie L. Thompson.

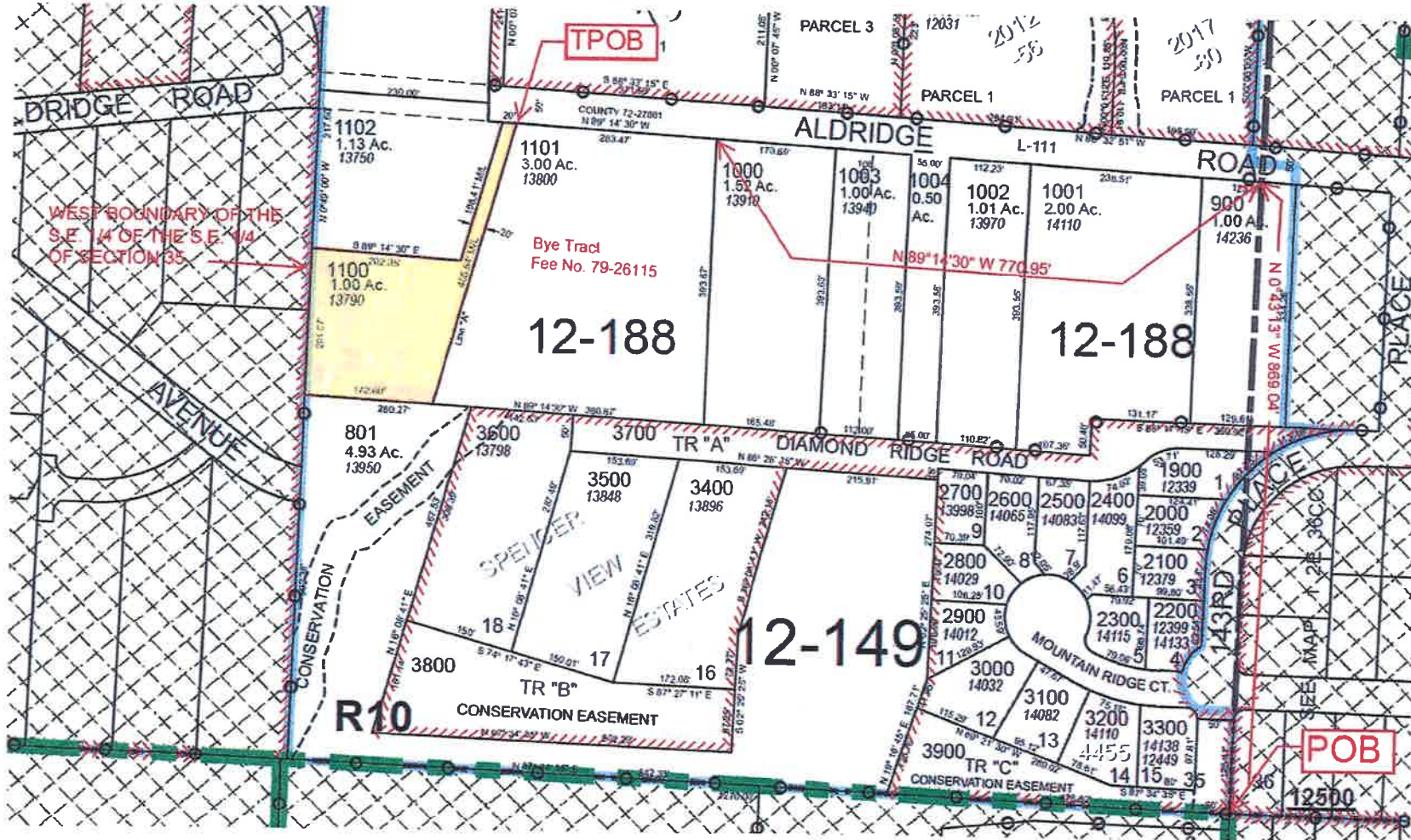
ELIZABETH HALSEY COX
Notary Public - State of Oregon

My Commission Expires: 1/5/21



EXHIBIT C

12 E 35D
S.E. 1/4 SEC. 35 T.15. R.2E. W.M.
CLACKAMAS COUNTY





OFFICE OF COUNTY COUNSEL

PUBLIC SERVICES BUILDING
 2051 KAEN ROAD OREGON CITY, OR 97045

December 6, 2018

Board of County Commissioners
 Clackamas County

Members of the Board:

Stephen L. Madkour
 County Counsel

Kathleen Rastetter
Scott C. Ciecko
Amanda Keller
Nathan K. Boderman
Shawn Lillegren
Jeffrey D. Munns
Andrew R. Naylor
Andrew Narus
 Assistants

Approval of a Board Order for Boundary Change Proposal CL 18-008
Annexation to Clackamas County Service District No. 1

Purpose/Outcomes	Conduct Public Hearing/Approve Order
Dollar Amount and Fiscal Impact	None
Funding Source	Not Applicable
Duration	Permanent
Previous Board Action	None
Strategic Plan Alignment	Build Public Trust Through Good Government, hold transparent and clear public processes regarding jurisdictional boundaries
Contact Person	Ken Martin, Boundary Change Consultant - 503 222-0955 Nate Boderman, Assistant County Counsel
Contract No.	Not Applicable

BACKGROUND:

The County Board is charged with making boundary change decisions (annexations, withdrawals, etc.) for many types of special districts (water, sanitary sewer, rural fire protection, etc.) within the County. One type of special district over which the Board has jurisdiction is a county service district and Clackamas County Service District No. 1 is such a district.

Proposal No. CL 18-008 is a proposed annexation to Clackamas County Service District No. 1 ("District").

State statute and the Metro Code require the Board to hold a public hearing on the proposed annexation. Notice of this hearing invited testimony from any interested party. Notice consisted of: 1) Posting three notices near the territory and one notice near the County hearing room 20 days prior to the hearing; 2) Published notice twice in the Clackamas County Review; 3) Mailed notice sent to affected local governments and all property owners within 100 feet of the area to be annexed.

As required by statute the Board of the District has endorsed the proposed annexation. Also as required by statute (ORS 198.720(1)) the City of Happy Valley has approved this petition.

This proposal was initiated by a consent petition of property owners. The petition meets the requirement for initiation set forth in ORS 198.857, ORS 198.750 (section of statute which specifies contents of petition) and Metro Code 3.09.040(a) (lists Metro's minimum requirements for petition). If the Board approves the proposal the boundary change will become effective immediately.

The territory to be annexed is located generally in the eastern part of the District. The territory contains 6.0 acres, 3 vacant single family dwellings and is valued at \$860,229.

REASON FOR ANNEXATION

The property owners desire sewer service to facilitate construction of a 68-unit PUD which has been approved by the City of Happy Valley.

CRITERIA

Oregon Revised Statute 198 directs the Board to "consider the local comprehensive plan for the area and any service agreement executed between a local government and the affected district."

Additional criteria can be found in the Metro Code. The code requires a report which addresses the criteria listed below and which includes the following information:

1. The extent to which urban services are available to serve the affected territory, including any extraterritorial extensions of service;
2. Whether the proposed boundary change will result in the withdrawal of territory from the legal boundary of any necessary party¹; and
3. The proposed effective date of the boundary change.

Service availability is covered in the proposed findings. Staff has examined the statutes and determined that approval of this annexation will not cause the withdrawal of the affected territory from the boundary of any necessary party. The proposed effective date (immediately upon adoption) was noted above.

To approve a boundary change, the reviewing entity [the County Board] must apply the following criteria:

To approve a boundary change the County must:

- (1) Find that the change is consistent with expressly applicable provisions in:
 - (A) Any applicable urban service agreement adopted pursuant to ORS 195.205;
 - (B) Any applicable annexation plan adopted pursuant to ORS 195.205;

¹ A "necessary party" is another governmental entity which includes the same area or provides an urban service to the area.

- (C) Any applicable cooperative planning agreement adopted pursuant to ORS 195.020 (2) between the affected entity and a necessary party;
 - (D) Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services; and
 - (E) Any applicable comprehensive plan;
 - (F) Any applicable concept plan; and
- (2) Consider whether the boundary change would:
- (A) Promote the timely, orderly and economic provision of public facilities and services;
 - (B) Affect the quality and quantity of urban services; and
 - (C) Eliminate or avoid unnecessary duplication of facilities and services.

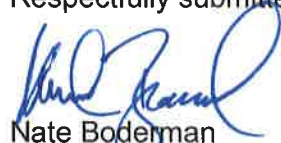
There are no cooperative agreements, urban service agreements or annexation plans specifically adopted pursuant to ORS 195 in effect in this area. The proposal is consistent with the Comprehensive Plan as stated in the findings attached in the proposed order. No concept plans cover this area.

Staff has reviewed both the ORS 198 criteria and the Metro Code requirements, and found that the subject property is eligible for annexation to the District. A draft order with proposed findings is attached hereto for the Board's consideration. The territory, if annexed into the District, will be served by Water Environment Services pursuant to that certain ORS 190 Partnership entered into by the District with the Tri-City Service District and the Surface Water Management Agency of Clackamas County, as amended from time to time.

RECOMMENDATION:

Based on the attached Order and Findings, Staff recommends approval of Proposal No. CL-18-008, annexation to Clackamas County Service District No. 1.

Respectfully submitted,



Nate Boderman
Assistant County Counsel

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

In the Matter of Approving
Boundary Change Proposal No.
CL 18-008



Board Order No. _____

Whereas, this matter coming before the Board at this time, and it appearing that the owner of all the land in the territory to be annexed has petitioned to annex the territory to Clackamas County Service District No. 1; and

Whereas, it further appearing that this Board is charged with deciding this proposal for a boundary change pursuant to ORS Chapters 198 and Metro Code 3.09; and

Whereas, it further appearing that staff retained by the County have reviewed the proposed boundary change and issued a report which complies with the requirements of Metro Code 3.09.050(b); and

Whereas, it further appearing that this matter came before the Board for public hearing on December 6, 2018 and that a decision of approval was made December 6, 2018;

NOW, THEREFORE, IT IS HEREBY ORDERED that Boundary Change Proposal No. CL 18-008 is approved for the reasons stated in attached Exhibit A and the territory described in Exhibit B and depicted on Exhibit C is annexed to Clackamas County Service District No. 1 as of December 6, 2018.

DATED this 6th day of December, 2018

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary

Based on the study and the public hearing the Board found:

1. The territory to be annexed contains 6.0 acres, 3 vacant single family dwellings and is valued at \$860,229.
2. The property owners desire sewer service to facilitate construction of a 68-unit PUD which has been approved by the City of Happy Valley.
3. Oregon Revised Statute 198 directs the Board to “consider the local comprehensive plan for the area and any service agreement executed between a local government and the affected district.”

Clackamas County Service District No. 1 and the City of Happy Valley do have an agreement calling for the District to be the provider of sewers inside the City. The District has entered into an agreement with the Surface Water Management Agency of Clackamas County and the Tri-City Service District to create Water Environment Services, an ORS 190 partnership (“WES”) as a collective service provider for all three districts. If annexed into the District, the property would be served by WES under such agreement.

4. Additional criteria can be found in the Metro Code. The code requires a report which addresses the criteria listed below and which includes the following information:
 1. The extent to which urban services are available to serve the affected territory, including any extraterritorial extensions of service;
 2. Whether the proposed boundary change will result in the withdrawal of territory from the legal boundary of any necessary party¹; and
 3. The proposed effective date of the boundary change.

Service availability is covered in the findings below. Staff has examined the statutes and determined that approval of this annexation will not cause the withdrawal of the affected territory from the boundary of any necessary party. The proposed effective date is immediately upon adoption.

5. To approve a boundary change, the reviewing entity [the County Board] must apply the following criteria:

To approve a boundary change the County must:

- (1) Find that the change is consistent with expressly applicable provisions in:

¹ A “necessary party” is another governmental entity which includes the same area or provides an urban service to the area.

- (A) Any applicable urban service agreement adopted pursuant to ORS 195.205;
 - (B) Any applicable annexation plan adopted pursuant to ORS 195.205;
 - (C) Any applicable cooperative planning agreement adopted pursuant to ORS 195.020 (2) between the affected entity and a necessary party;
 - (D) Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services;
 - (E) Any applicable comprehensive plan;
 - (F) Any applicable concept plan; and
- (2) Consider whether the boundary change would:
- (A) Promote the timely, orderly and economic provision of public facilities and services;
 - (B) Affect the quality and quantity of urban services; and
 - (C) Eliminate or avoid unnecessary duplication of facilities and services.

There are no cooperative agreements, urban service agreements or annexation plans specifically adopted pursuant to ORS 195 in effect in this area. The proposal is consistent with the Comprehensive Plan as stated in Findings 7 and 8 below. No concept plans cover this area.

Staff has reviewed both the ORS 198 criteria and the Metro Code requirements, and found that the subject property is eligible for annexation to the District.

6. This territory is inside of Metro's jurisdictional boundary and inside the regional Urban Growth Boundary (UGB).

The law that requires Metro to adopt criteria for boundary changes specifically states that Metro shall " . . . ensure that a boundary change is in compliance with the Metro regional framework plan as defined in ORS 197.015 and cooperative agreements and urban service agreements adopted pursuant to ORS chapter 195." ORS 197.015 says "Metro regional framework plan means the regional framework plan required by the 1992 Metro Charter or its separate components." The Regional Framework Plan was reviewed and found not to contain specific criteria applicable to boundary changes.

There are two adopted regional functional plans, the Urban Growth Management

Functional Plan and the Regional Transportation Plan, which were examined and found not to contain any directly applicable standards and criteria for boundary changes.

7. The PUBLIC FACILITIES AND SERVICES Element of the County Comprehensive Plan contains the following Goal:

POLICIES

Sanitary Sewage Disposal

* * *

- 6.0 Require sanitary sewerage service agencies to coordinate extension of sanitary services with other key facilities, i.e., water, transportation, and storm drainage systems, which are necessary to serve additional lands.
8. The territory is inside the City of Happy Valley and has a zoning designation of Single Family Attached Residential. The property owners have received approval from the City for a 68-unit PUD.
 9. ORS 195 requires agreements between providers of urban services. Urban services are defined as: sanitary sewers, water, fire protection, parks, open space, recreation and streets, roads and mass transit. These agreements are to specify which governmental entity will provide which service to which area in the long term. The counties are responsible for facilitating the creation of these agreements. There are no urban service agreements under ORS 195 relative to sewer service in this area of Clackamas County.
 10. WES, as the service provider for the District, has a sewer line in SE 172nd Avenue which can be extended to serve the site.
 11. The territory is with the Sunrise Water Authority and is already served by that the Authority.
 12. The area receives police service from the City of Happy Valley which contracts with the Clackamas County Sheriff's Department for service.
 13. The territory is within the Clackamas County R.F.P.D. #1. This service will not be affected by annexation to the County Service District for sanitary sewers.
 14. The area to be annexed receives parks and recreation service from either the City of Happy Valley or North Clackamas Parks and Recreation District.

CONCLUSIONS AND REASONS FOR DECISION

Based on the Findings, the Board determined:

1. The Metro Code requires the boundary change decision to be consistent with expressly applicable provisions in any urban service provider agreements, cooperative agreements and annexation plans adopted pursuant to ORS 195. As noted in Findings 5 & 9 there are no such agreements or plans in place in this area. The Board concludes that its decision is not inconsistent with any such agreements and plans.
2. The Metro Code calls for consistency between the Board decision and any "applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services." The Board notes the original public facility plan for this area does call for sewer service by the District.
3. ORS 198 requires consideration of the comprehensive plan and any service agreements affecting the area. The Board has reviewed the applicable comprehensive plans (Clackamas County Comprehensive Plan and the Happy Valley Comprehensive Plan) and concludes this proposal complies with them. All other necessary urban services can be made available.
4. The Board considered the timing & phasing of public facilities to this area, the quantity and quality of services available and the potential for duplication of services. The District, through Water Environment Services, has service available to the area to be annexed as noted in Finding No. 10. The Board concludes this annexation is timely, the District has an adequate quantity and quality of services available and that the services are not duplicative.
5. The Metro Code at 3.09.050 (B) (2) requires a determination of whether the boundary change will cause withdrawal of the territory from the boundary of any necessary party. An examination of this issue found that no such withdrawals would be caused by approval of this annexation.



AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 F: (503) 563-6152

AKS Job #5693

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - KEIZER, OR - BEND, OR

EXHIBIT B

Annexation Description

Lots 7, 8, and 9 of the plat "Rachella Acres", Plat No. 1743, Clackamas County Plat Records, located in the Northeast One-Quarter of Section 6, Township 2 South, Range 3 East, Willamette Meridian, City of Happy Valley, Clackamas County, Oregon.

The above described tract of land contains 6.00 acres, more or less.

5/8/2018

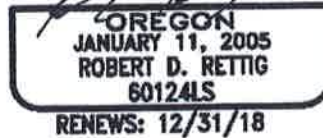
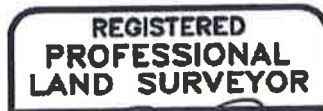
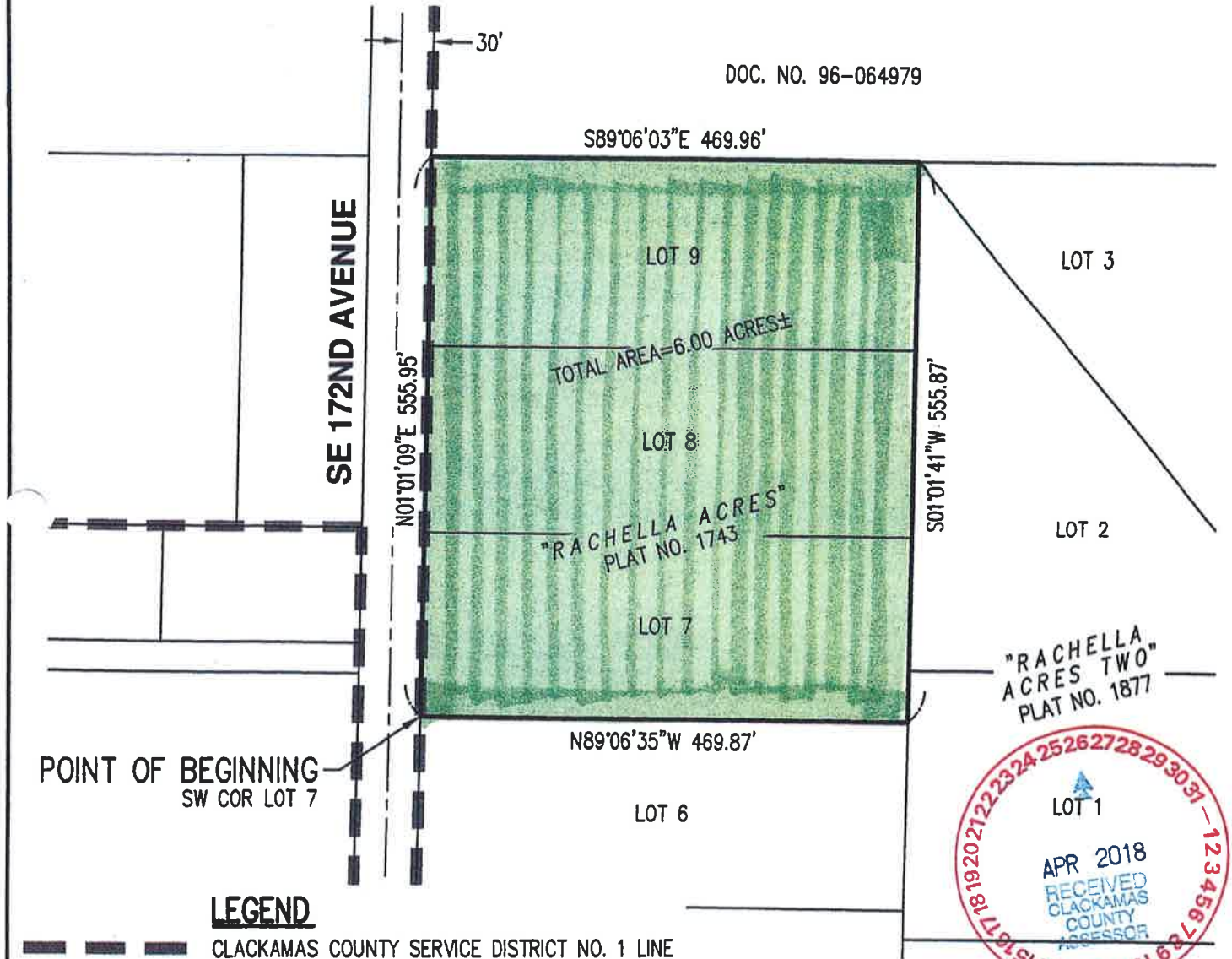


EXHIBIT C

LOTS 7, 8, AND 9 OF THE PLAT "RACHELLA ACRES",
 PLAT NO. 1743, CLACKAMAS COUNTY PLAT RECORDS,
 LOCATED IN THE NORTHEAST 1/4 OF SECTION 6,
 TOWNSHIP 2 SOUTH, RANGE 3 EAST, WILLAMETTE MERIDIAN,
 CITY OF HAPPY VALLEY, CLACKAMAS COUNTY, OREGON

DOC. NO. 96-064979



LEGEND

--- CLACKAMAS COUNTY SERVICE DISTRICT NO. 1 LINE

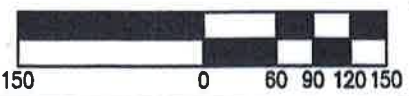
2/9/2018

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

PREPARED FOR

CROSSROADS 172, LLC
 P. O. BOX 61426
 VANCOUVER, WA 98666

SCALE: 1" = 150 FEET



JANUARY 11, 2005
 ROBERT D. RETTIG
 60124LS
 RENEWS: 12/31/18

MAP OF ANNEXATION		EXHIBIT B
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 P: 503.563.6151 F: 503.563.6152 aks-eng.com		DRWN: WCE CHKD: RDF AKS JOB: 5693





OFFICE OF COUNTY COUNSEL

PUBLIC SERVICES BUILDING
 2051 KAEN ROAD OREGON CITY, OR 97045

December 6, 2018

Board of County Commissioners
 Clackamas County

Members of the Board:

Approval of a Board Order for Boundary Change Proposal CL 18-009
Annexation to Clackamas County Service District No. 1

Stephen L. Madkour
 County Counsel

Kathleen Rastetter
Scott C. Ciecko
Amanda Keller
Nathan K. Boderman
Shawn Lillegren
Jeffrey D. Munns
Andrew R. Naylor
Andrew Narus
 Assistants

Purpose/Outcomes	Conduct Public Hearing/Approve Order
Dollar Amount and Fiscal Impact	None
Funding Source	Not Applicable
Duration	Permanent
Previous Board Action	None
Strategic Plan Alignment	Build Public Trust Through Good Government, hold transparent and clear public processes regarding jurisdictional boundaries
Contact Person	Ken Martin, Boundary Change Consultant - 503 222-0955 Nate Boderman, Assistant County Counsel
Contract No.	Not Applicable

BACKGROUND:

The County Board is charged with making boundary change decisions (annexations, withdrawals, etc.) for many types of special districts (water, sanitary sewer, rural fire protection, etc.) within the County. One type of special district over which the Board has jurisdiction is a county service district, and Clackamas County Service District No. 1 is such a district.

Proposal No. CL 18-009 is a proposed annexation to Clackamas County Service District No. 1 ("District").

State statute and the Metro Code require the Board to hold a public hearing on the proposed annexation. Notice of this hearing invited testimony from any interested party. Notice consisted of: 1) Posting three notices near the territory and one notice near the County hearing room 20 days prior to the hearing; 2) Published notice twice in the Clackamas County Review; 3) Mailed notice sent to affected local governments and all property owners within 100 feet of the area to be annexed.

As required by statute the Board of the District has endorsed the proposed annexation. Also as required by statute (ORS 198.720(1)), the City of Happy Valley has approved this petition.

This proposal was initiated by a consent petition of property owners. The petition meets the requirement for initiation set forth in ORS 198.857, ORS 198.750 (section of statute which specifies contents of petition) and Metro Code 3.09.040(a) (lists Metro's minimum requirements for petition). If the Board approves the proposal, the boundary change will become effective immediately.

The territory to be annexed is located generally in the eastern part of the District. The territory contains 2.93 acres, one single family dwelling, and is valued at \$362,338.

REASON FOR ANNEXATION

The property owners desire sewer service to serve a 25-lot subdivision.

CRITERIA

Oregon Revised Statute 198 directs the Board to "consider the local comprehensive plan for the area and any service agreement executed between a local government and the affected district."

Additional criteria can be found in the Metro Code. The code requires a report which addresses the criteria listed below and which includes the following information:

1. The extent to which urban services are available to serve the affected territory, including any extraterritorial extensions of service;
2. Whether the proposed boundary change will result in the withdrawal of territory from the legal boundary of any necessary party¹; and
3. The proposed effective date of the boundary change.

Service availability is covered in the proposed findings. Staff has examined the statutes and determined that approval of this annexation will not cause the withdrawal of the affected territory from the boundary of any necessary party. The proposed effective date (immediately upon adoption) was noted above.

To approve a boundary change, the reviewing entity [the County Board] must apply the following criteria:

To approve a boundary change the County must:

- (1) Find that the change is consistent with expressly applicable provisions in:
 - (A) Any applicable urban service agreement adopted pursuant to ORS 195.205;
 - (B) Any applicable annexation plan adopted pursuant to ORS 195.205;

¹ A "necessary party" is another governmental entity which includes the same area or provides an urban service to the area.

- (C) Any applicable cooperative planning agreement adopted pursuant to ORS 195.020 (2) between the affected entity and a necessary party;
 - (D) Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services; and
 - (E) Any applicable comprehensive plan;
 - (F) Any applicable concept plan; and
- (2) Consider whether the boundary change would:
- (A) Promote the timely, orderly and economic provision of public facilities and services;
 - (B) Affect the quality and quantity of urban services; and
 - (C) Eliminate or avoid unnecessary duplication of facilities and services.

There are no cooperative agreements, urban service agreements or annexation plans specifically adopted pursuant to ORS 195 in effect in this area. The proposal is consistent with the Comprehensive Plan as stated in the findings attached in the proposed order. No concept plans cover this area.

Staff has reviewed both the ORS 198 criteria and the Metro Code requirements, and found that the subject property is eligible for annexation to the District. A draft order with proposed findings is attached hereto for the Board's consideration. The territory, if annexed into the District, will be served by Water Environment Services pursuant to that certain ORS 190 Partnership entered into by the District with the Tri-City Service District and the Surface Water Management Agency of Clackamas County, as amended from time to time.

RECOMMENDATION:

Based on the attached Order and Findings, Staff recommends approval of Proposal No. CL-18-009, annexation to Clackamas County Service District No. 1.

Respectfully submitted,



Nate Boderman
Assistant County Counsel

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

In the Matter of Approving
Boundary Change Proposal No.
CL 18-009



Board Order No. _____

Whereas, this matter coming before the Board at this time, and it appearing that the owner of all the land in the territory to be annexed has petitioned to annex the territory to Clackamas County Service District No. 1; and

Whereas, it further appearing that this Board is charged with deciding this proposal for a boundary change pursuant to ORS Chapters 198 and Metro Code 3.09; and

Whereas, it further appearing that staff retained by the County have reviewed the proposed boundary change and issued a report which complies with the requirements of Metro Code 3.09.050(b); and

Whereas, it further appearing that this matter came before the Board for public hearing on December 6, 2018 and that a decision of approval was made December 6, 2018;

NOW, THEREFORE, IT IS HEREBY ORDERED that Boundary Change Proposal No. CL 18-009 is approved for the reasons stated in attached Exhibit A and the territory described in Exhibit B and depicted on Exhibit C is annexed to Clackamas County Service District No. 1 as of December 6, 2018.

DATED this 6th day of December, 2018

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary

Based on the study and the public hearing the Board found:

1. The territory to be annexed contains 2.93 acres, one single family dwelling and is valued at \$362,338.
2. The property owners desire sewer service for a 25-lot subdivision.
3. Oregon Revised Statute 198 directs the Board to “consider the local comprehensive plan for the area and any service agreement executed between a local government and the affected district.”

Clackamas County Service District No. 1 and the City of Happy Valley do have an agreement calling for the District to be the provider of sewers inside the City. The District has entered into an agreement with the Surface Water Management Agency of Clackamas County and the Tri-City Service District to create Water Environment Services, an ORS 190 partnership (“WES”) as a collective service provider for all three districts. If annexed into the District, the property would be served by WES under such agreement.

4. Additional criteria can be found in the Metro Code. The code requires a report which addresses the criteria listed below and which includes the following information:
 1. The extent to which urban services are available to serve the affected territory, including any extraterritorial extensions of service;
 2. Whether the proposed boundary change will result in the withdrawal of territory from the legal boundary of any necessary party¹; and
 3. The proposed effective date of the boundary change.

Service availability is covered in the findings below. Staff has examined the statutes and determined that approval of this annexation will not cause the withdrawal of the affected territory from the boundary of any necessary party. The proposed effective date is immediately upon adoption.

5. To approve a boundary change, the reviewing entity [the County Board] must apply the following criteria:

To approve a boundary change the County must:

- (1) Find that the change is consistent with expressly applicable provisions in:
 - (A) Any applicable urban service agreement adopted pursuant to ORS

¹ A “necessary party” is another governmental entity which includes the same area or provides an urban service to the area.

- 195.205;
- (B) Any applicable annexation plan adopted pursuant to ORS 195.205;
 - (C) Any applicable cooperative planning agreement adopted pursuant to ORS 195.020 (2) between the affected entity and a necessary party;
 - (D) Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services;
 - (E) Any applicable comprehensive plan;
 - (F) Any applicable concept plan; and
- (2) Consider whether the boundary change would:
- (A) Promote the timely, orderly and economic provision of public facilities and services;
 - (B) Affect the quality and quantity of urban services; and
 - (C) Eliminate or avoid unnecessary duplication of facilities and services.

There are no cooperative agreements, urban service agreements or annexation plans specifically adopted pursuant to ORS 195 in effect in this area. The proposal is consistent with the Comprehensive Plan as stated in Findings 7 and 8 below. No concept plans cover this area.

Staff has reviewed both the ORS 198 criteria and the Metro Code requirements, and found that the subject property is eligible for annexation to the District.

6. This territory is inside of Metro's jurisdictional boundary and inside the regional Urban Growth Boundary (UGB).

The law that requires Metro to adopt criteria for boundary changes specifically states that Metro shall “. . . ensure that a boundary change is in compliance with the Metro regional framework plan as defined in ORS 197.015 and cooperative agreements and urban service agreements adopted pursuant to ORS chapter 195.” ORS 197.015 says “Metro regional framework plan means the regional framework plan required by the 1992 Metro Charter or its separate components.” The Regional Framework Plan was reviewed and found not to contain specific criteria applicable to boundary changes.

There are two adopted regional functional plans, the Urban Growth Management Functional Plan and the Regional Transportation Plan, which were examined and found

not to contain any directly applicable standards and criteria for boundary changes.

7. The PUBLIC FACILITIES AND SERVICES Element of the County Comprehensive Plan contains the following Goal:

POLICIES

Sanitary Sewage Disposal

* * *

- 6.0 Require sanitary sewerage service agencies to coordinate extension of sanitary services with other key facilities, i.e., water, transportation, and storm drainage systems, which are necessary to serve additional lands.

8. The territory is inside the City of Happy Valley and has a zoning designation of Mixed Use Residential. The property owner has received City approval for a 25-lot subdivision for the site.
9. ORS 195 requires agreements between providers of urban services. Urban services are defined as: sanitary sewers, water, fire protection, parks, open space, recreation and streets, roads and mass transit. These agreements are to specify which governmental entity will provide which service to which area in the long term. The counties are responsible for facilitating the creation of these agreements. There are no urban service agreements under ORS 195 relative to sewer service in this area of Clackamas County.
10. WES, as the service provider for the District, has an 8-inch sewer line which can be extended onto the site.
11. The territory is within the Sunrise Water Authority which has an 8-inch water line available to serve the property.
12. The area receives police service from the City of Happy Valley which contracts with the Clackamas County Sheriff's Department for service.
13. The territory is within the Clackamas County R.F.P.D. #1. This service will not be affected by annexation to the County Service District for sanitary sewers.
14. The area to be annexed receives parks and recreation service from either the City of Happy Valley or North Clackamas Parks and Recreation District.

CONCLUSIONS AND REASONS FOR DECISION

Based on the Findings, the Board determined:

1. The Metro Code requires the boundary change decision to be consistent with expressly applicable provisions in any urban service provider agreements, cooperative agreements and annexation plans adopted pursuant to ORS 195. As noted in Findings 5 & 9 there are no such agreements or plans in place in this area. The Board concludes that its decision is not inconsistent with any such agreements and plans.
2. The Metro Code calls for consistency between the Board decision and any “applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services.” The Board notes the original public facility plan for this area does call for sewer service by the District.
3. ORS 198 requires consideration of the comprehensive plan and any service agreements affecting the area. The Board has reviewed the applicable comprehensive plans (Clackamas County Comprehensive Plan and the Happy Valley Comprehensive Plan) and concludes this proposal complies with them. All other necessary urban services can be made available.
4. The Board considered the timing & phasing of public facilities to this area, the quantity and quality of services available and the potential for duplication of services. The District, through Water Environment Services, has service available to the area to be annexed as noted in Finding No. 10. The Board concludes this annexation is timely, the District has an adequate quantity and quality of services available and that the services are not duplicative.
5. The Metro Code at 3.09.050 (B) (2) requires a determination of whether the boundary change will cause withdrawal of the territory from the boundary of any necessary party. An examination of this issue found that no such withdrawals would be caused by approval of this annexation.

EXHIBIT B
CCSD#1 Annexation
Boundary Description

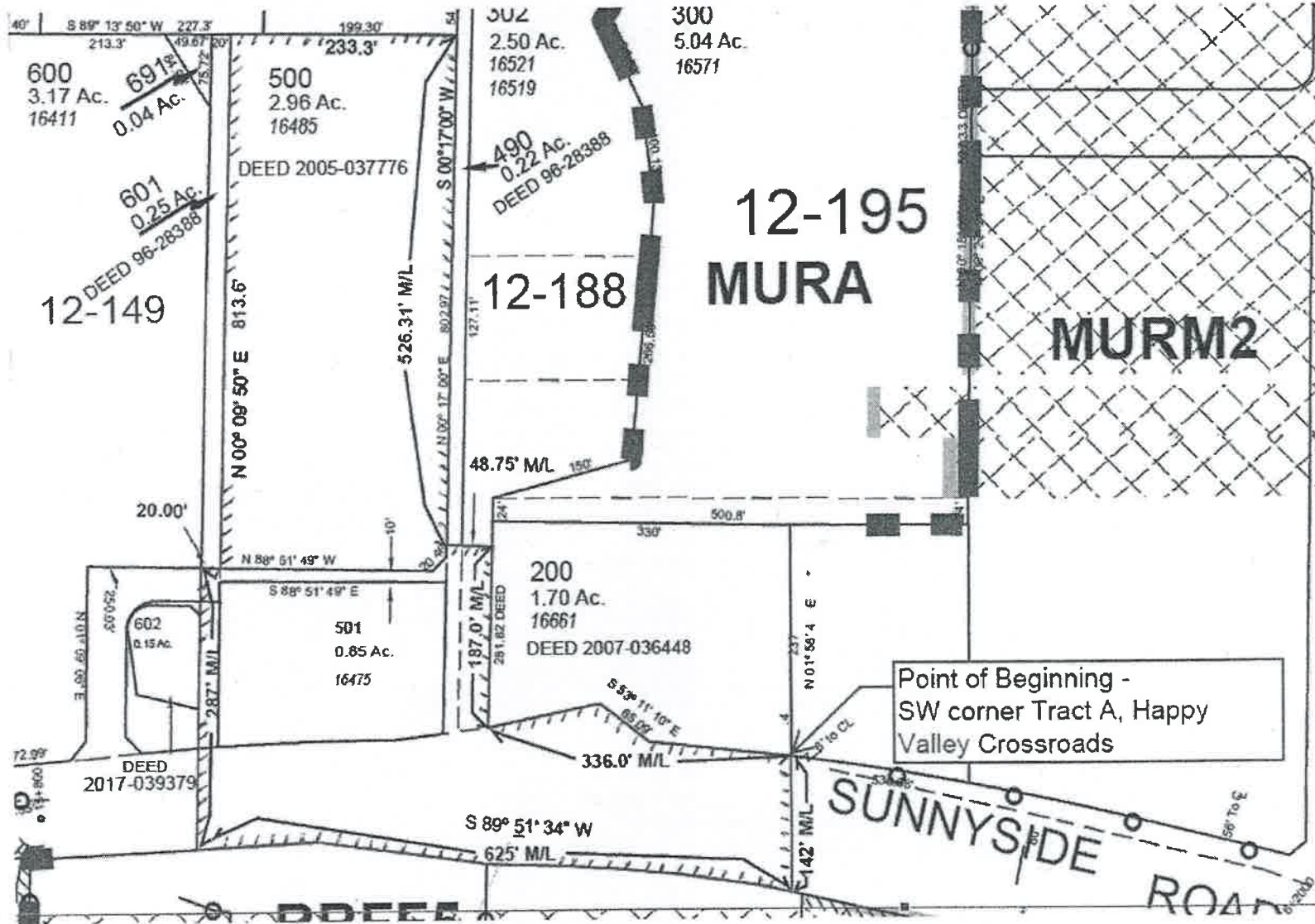
- 1 A tract of land situated in Section 06, Township 2 South 3 East of the Willamette Meridian, Clackamas
2 County, Oregon, being more particularly described as follows:
- 3 Beginning at the southwest corner of Tract A of "HAPPY VALLEY CROSSROADS", Clackamas County
4 Plat No. 4430 and the POINT OF BEGINNING;
- 5 1. Thence Southerly along the extension of the west line of Tract "A" of said plat 142 feet more or
6 less to a point of intersection with the south right-of-way (ROW) line of Clackamas County Road,
7 SE Sunnyside Road;
- 8 2. Thence Westerly along the south ROW line of SE Sunnyside Road 625 feet more or less to a
9 point of intersection by extension with the east line of that tract of land conveyed to Suntime Inc.,
10 under Clackamas County Deed record 2017-039379, (commonly known as map and tax lot
11 23E06B 00602);
- 12 3. Thence Northerly along the extension line of the east line of that tract of land conveyed to
13 Suntime Inc., under Clackamas County Deed record 2017-039379, 287 feet more or less to a point
14 of intersection with the south line of that tract of land conveyed to Michael A Lesh, under
15 Clackamas County Deed record 96-28388, (commonly known as map and tax lot 23E06B 00601);
- 16 4. Thence Easterly along the south line of that tract of land conveyed to Michael A Lesh, under
17 Clackamas County Deed record 96-28388, 20 feet to a point of intersection with the west line of
18 that tract of land conveyed to Bryan S. Dickerson and Lisa R. Dickerson, under Clackamas County
19 Deed record 2005-037776, (commonly known as map and tax lot 23E06B 00500);
- 20 5. Thence N 00°09'50" E, along said west line 813.6 feet to a point of intersection with the north
21 line of that tract of land conveyed to Bryan S. Dickerson and Lisa R. Dickerson, under Clackamas
22 County Deed record 2005-037776, (commonly known as map and tax lot 23E06B 00500);
- 23 6. Thence Easterly along said north line 233.3 feet to a point of intersection with the east line of
24 that tract of land conveyed to Bryan S. Dickerson and Lisa R. Dickerson, under Clackamas County
25 Deed record 2005-037776, (commonly known as map and tax lot 23E06B 00500);
- 26 7. Thence S 00°17'00" W 526.31 feet more or less to a point of intersection with the south line of
27 that tract of land conveyed to Michael A Lesh, under Clackamas County Deed record 96-28388,
28 (commonly known as map and tax lot 23E06B 00490);
- 29 8. Thence Easterly along said south line, 48.75 feet more or less to a point of intersection with the
30 west line of that tract of land conveyed to Clackamas County, under Clackamas County Deed
31 record 2007-036448, (commonly known as map and tax lot 23E06B 00200);
- 32 9. Thence Southerly along said east line 187.00 feet more or less to a point of intersection with the
33 north ROW line of Clackamas County Road, SE Sunnyside Road;
- 34 10. Thence Easterly along the north ROW line of Sunnyside Road 336.0 feet more or less to a point
35 of intersection with the southwest corner of Tract A of "HAPPY VALLEY CROSSROADS",
36 Clackamas County Plat No. 4430 and the POINT OF BEGINNING

Note: Tax Lot numbers, where included, are for reference only and are not to be considered part of the legal description. All deed reference numbers are based on Clackamas County Deed Records. As well, all Plats, Partitions and Surveys referenced are from Clackamas County Records. And, all Bearings, when cited, are as taken from referenced documents, surveys and Plats and are not to be construed as being on a common basis.

23 E 06B

N.W. 1/4 SEC. 6 T.2S. R.3E. W.M.
CLACKAMAS COUNTY

CL-18-009 EXHIBIT 'C'





OFFICE OF COUNTY COUNSEL

PUBLIC SERVICES BUILDING
 2051 KAEN ROAD OREGON CITY, OR 97045

December 6, 2018

Board of County Commissioners
 Clackamas County

Members of the Board:

Stephen L. Madkour
 County Counsel

Kathleen Rastetter
Scott C. Ciecko
Amanda Keller
Nathan K. Boderman
Shawn Lillegren
Jeffrey D. Munns
Andrew R. Naylor
 Assistants

Approval of a Board Order for Boundary Change Proposal CL 18-011
Annexation to Tri-City County Service District

Purpose/Outcomes	Conduct Public Hearing/Approve Order
Dollar Amount and Fiscal Impact	None
Funding Source	Not Applicable
Duration	Permanent
Previous Board Action	None
Strategic Plan Alignment	Build Public Trust Through Good Government, hold transparent and clear public processes regarding jurisdictional boundaries
Contact Person	Ken Martin, Boundary Change Consultant - 503 222-0955 Nate Boderman, Assistant County Counsel
Contract No.	Not Applicable

BACKGROUND:

The County Board is charged with making boundary change decisions (annexations, withdrawals, etc.) for many types of special districts (water, sanitary sewer, rural fire protection, etc.) within the County. One type of special district over which the Board has jurisdiction is a county service district and Tri-City County Service District is such a district.

Proposal No. CL 18-011 is a proposed annexation to Tri-City County Service District ("District").

State statute and the Metro Code require the Board to hold a public hearing on the proposed annexation. Notice of this hearing invited testimony from any interested party. Notice consisted of: 1) Posting three notices near the territory and one notice near the County hearing room 20 days prior to the hearing; 2) Published notice twice in the West Linn Tidings; 3) Mailed notice sent to affected local governments and all property owners within 100 feet of the area to be annexed.

As required by statute the Board of the District has endorsed the proposed annexation. Also as required by statute (ORS 198.720(1)) the City of West Linn has approved this petition.

This proposal was initiated by a consent petition of property owners. The petition meets the requirement for initiation set forth in ORS 198.857, ORS 198.750 (section of statute which specifies contents of petition) and Metro Code 3.09.040(a) (lists Metro's minimum requirements for petition). If the Board approves the proposal the boundary change will become effective immediately.

The territory to be annexed is located generally in the eastern part of the District. The territory contains 6.48 acres, 1 single family dwelling and is valued at \$751,882.

REASON FOR ANNEXATION

The property owners desire sewer service to permit development consistent with the R-7 zoning.

CRITERIA

Oregon Revised Statute 198 directs the Board to "consider the local comprehensive plan for the area and any service agreement executed between a local government and the affected district."

Tri-City County Service District and the City of West Linn do have an agreement calling for the District to be the provider of sewage treatment and transmission for the City. The District has entered into an agreement with the Surface Water Management Agency of Clackamas County and Clackamas County Service District # 1 to create Water Environment Services, an ORS 190 partnership ("WES") as a collective service provider for all three districts. If annexed into the District, the property will receive sewerage treatment and transmission from WES under such agreement. Local sewerage collection will continue to be provided by the City.

Additional criteria can be found in the Metro Code. The code requires a report which addresses the criteria listed below and which includes the following information:

1. The extent to which urban services are available to serve the affected territory, including any extraterritorial extensions of service;
2. Whether the proposed boundary change will result in the withdrawal of territory from the legal boundary of any necessary party¹; and
3. The proposed effective date of the boundary change.

Service availability is covered in the proposed findings. Staff has examined the statutes and determined that approval of this annexation will not cause the withdrawal of the affected territory from the boundary of any necessary party. The proposed effective date (immediately upon adoption) was noted above.

To approve a boundary change, the reviewing entity [the County Board] must apply the following criteria:

To approve a boundary change the County must:

¹ A "necessary party" is another governmental entity which includes the same area or provides an urban service to the area.

- (1) Find that the change is consistent with expressly applicable provisions in:
 - (A) Any applicable urban service agreement adopted pursuant to ORS 195.205;
 - (B) Any applicable annexation plan adopted pursuant to ORS 195.205;
 - (C) Any applicable cooperative planning agreement adopted pursuant to ORS 195.020 (2) between the affected entity and a necessary party;
 - (D) Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services; and
 - (E) Any applicable comprehensive plan;
 - (F) Any applicable concept plan; and
- (2) Consider whether the boundary change would:
 - (A) Promote the timely, orderly and economic provision of public facilities and services;
 - (B) Affect the quality and quantity of urban services; and
 - (C) Eliminate or avoid unnecessary duplication of facilities and services.

There are no cooperative agreements, urban service agreements or annexation plans specifically adopted pursuant to ORS 195 in effect in this area. The proposal is consistent with the Comprehensive Plan as stated in the findings attached in the proposed order. No concept plans cover this area.

Staff has reviewed both the ORS 198 criteria and the Metro Code requirements, and found that the subject property is eligible for annexation to the District. A draft order with proposed findings is attached hereto for the Board's consideration. The territory, if annexed into the District, will be served (major transmission and treatment) by Water Environment Services pursuant to that certain ORS 190 Partnership entered into by the District with Clackamas County Service District # 1 and the Surface Water Management Agency of Clackamas County, as amended from time to time.

RECOMMENDATION:

Based on the attached Order and Findings, Staff recommends approval of Proposal No. CL-18-011, annexation to Tri-City County Service District.

Respectfully submitted,



Nate Bodenman
Assistant County Counsel

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

In the Matter of Approving
Boundary Change Proposal No.
CL 18-011



Board Order No. _____

Whereas, this matter coming before the Board at this time, and it appearing that the owner of all the land in the territory to be annexed has petitioned to annex the territory to Tri-City County Service District; and

Whereas, it further appearing that this Board is charged with deciding this proposal for a boundary change pursuant to ORS Chapters 198 and Metro Code 3.09; and

Whereas, it further appearing that staff retained by the County have reviewed the proposed boundary change and issued a report which complies with the requirements of Metro Code 3.09.050(b); and

Whereas, it further appearing that this matter came before the Board for public hearing on December 6, 2018 and that a decision of approval was made December 6, 2018;

NOW, THEREFORE, IT IS HEREBY ORDERED that Boundary Change Proposal No. CL 18-011 is approved for the reasons stated in attached Exhibit A and the territory described in Exhibit B and depicted on Exhibit C is annexed to Tri-City County Service District as of December 6, 2018.

DATED this 6th day of December, 2018

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary

FINDINGS

Based on the study and the public hearing the Board found:

1. The territory to be annexed contains 6.48 acres, 1 single family dwelling and is valued at \$751,882.
2. The property owners desire sewer service to permit residential development consistent with the R-7 zoning.
3. Oregon Revised Statute 198 directs the Board to “consider the local comprehensive plan for the area and any service agreement executed between a local government and the affected district.”

Tri-City County Service District and the City of West Linn do have an agreement calling for the District to be the provider sewage treatment and transmission for the City. The District has entered into an agreement with the Surface Water Management Agency of Clackamas County and Clackamas County Service District # 1 to create Water Environment Services, an ORS 190 partnership (“WES”) as a collective service provider for all three districts. If annexed into the District, the property will receive sewerage treatment and transmission from WES under such agreement. Local sewerage collection will continue to be provided by the City.

4. Additional criteria can be found in the Metro Code. The code requires a report which addresses the criteria listed below and which includes the following information:
 1. The extent to which urban services are available to serve the affected territory, including any extraterritorial extensions of service;
 2. Whether the proposed boundary change will result in the withdrawal of territory from the legal boundary of any necessary party¹; and
 3. The proposed effective date of the boundary change.

Service availability is covered in the findings below. Staff has examined the statutes and determined that approval of this annexation will not cause the withdrawal of the affected territory from the boundary of any necessary party. The proposed effective date is immediately upon adoption.

5. To approve a boundary change, the reviewing entity [the County Board] must apply the following criteria:

¹ A “necessary party” is another governmental entity which includes the same area or provides an urban service to the area.

To approve a boundary change the County must:

- (1) Find that the change is consistent with expressly applicable provisions in:
 - (A) Any applicable urban service agreement adopted pursuant to ORS 195.205;
 - (B) Any applicable annexation plan adopted pursuant to ORS 195.205;
 - (C) Any applicable cooperative planning agreement adopted pursuant to ORS 195.020 (2) between the affected entity and a necessary party;
 - (D) Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services;
 - (E) Any applicable comprehensive plan;
 - (F) Any applicable concept plan; and
- (2) Consider whether the boundary change would:
 - (A) Promote the timely, orderly and economic provision of public facilities and services;
 - (B) Affect the quality and quantity of urban services; and
 - (C) Eliminate or avoid unnecessary duplication of facilities and services.

There are no cooperative agreements, urban service agreements or annexation plans specifically adopted pursuant to ORS 195 in effect in this area. The proposal is consistent with the Comprehensive Plan as stated in the Findings 7 and 8 below. No concept plans cover this area.

Staff has reviewed both the ORS 198 criteria and the Metro Code requirements, and found that the subject property is eligible for annexation to the District.

6. This territory is inside of Metro's jurisdictional boundary and inside the regional Urban Growth Boundary (UGB).

The law that requires Metro to adopt criteria for boundary changes specifically states that Metro shall " . . . ensure that a boundary change is in compliance with the Metro regional framework plan as defined in ORS 197.015 and cooperative agreements and urban service agreements adopted pursuant to ORS chapter 195." ORS 197.015 says "Metro regional framework plan means the regional framework plan required by the 1992 Metro Charter or its separate components." The Regional Framework Plan was

reviewed and found not to contain specific criteria applicable to boundary changes.

There are two adopted regional functional plans, the Urban Growth Management Functional Plan and the Regional Transportation Plan, which were examined and found not to contain any directly applicable standards and criteria for boundary changes.

7. The PUBLIC FACILITIES AND SERVICES Element of the Comprehensive Plan contains the following Goal:

POLICIES

Sanitary Sewage Disposal

* * *

- 6.0 Require sanitary sewerage service agencies to coordinate extension of sanitary services with other key facilities, i.e., water, transportation, and storm drainage systems, which are necessary to serve additional lands.

8. The territory is designated Low Density Residential on the City Comprehensive Plan and is zoned R-7 (7,000 square foot minimum lot size).

According to Section 1 of the Public Services and facilities Chapter of the West Linn Comprehensive Plan:

The Water Environment Services Department of Clackamas County is responsible for providing wastewater treatment services for the cities of West Linn, Oregon City and Gladstone.

9. ORS 195 requires agreements between providers of urban services. Urban services are defined as: sanitary sewers, water, fire protection, parks, open space, recreation and streets, roads and mass transit. These agreements are to specify which governmental entity will provide which service to which area in the long term. The counties are responsible for facilitating the creation of these agreements. There are no urban service agreements under ORS 195 relative to sewer service in this area of Clackamas County.
10. The City has an 8-inch sewer line at the SE corner of the site. WES, as the service provider for the District, will provide major transmission and treatment of the sewerage.
11. The City has an 8-inch water line at the SE corner of the site.
12. The area receives police service from the City of West Linn.

13. The City is provided fire protection by Tualatin Valley Fire & Rescue.
14. The area to be annexed receives parks and recreation service from the City of West Linn.

CONCLUSIONS AND REASONS FOR DECISION

Based on the Findings, the Board determined:

1. The Metro Code requires the boundary change decision to be consistent with expressly applicable provisions in any urban service provider agreements, cooperative agreements and annexation plans adopted pursuant to ORS 195. As noted in Findings 5 & 9 there are no such agreements or plans in place in this area. The Board concludes that its decision is not inconsistent with any such agreements and plans.
2. The Metro Code calls for consistency between the Board decision and any "applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services." The Board notes the City and the District have agreed which entity will provide which aspects of sewer service to the area.
3. ORS 198 requires consideration of the comprehensive plan and any service agreements affecting the area. The Board has reviewed the applicable comprehensive plans (Clackamas County Comprehensive Plan and the West Linn Comprehensive Plan) and concludes this proposal complies with them. All other necessary urban services can be made available.
4. The Board considered the timing & phasing of public facilities to this area, the quantity and quality of services available and the potential for duplication of services. The District, through Water Environment Services, has service available to the area to be annexed as noted in Finding No. 10. The Board concludes this annexation is timely, the District has an adequate quantity and quality of services available and that the services are not duplicative.
5. The Metro Code at 3.09.050 (B) (2) requires a determination of whether the boundary change will cause withdrawal of the territory from the boundary of any necessary party. An examination of this issue found that no such withdrawals would be caused by approval of this annexation.

EXHIBIT 'B'



SECTION 1: LEGAL DESCRIPTION OF PROPERTY TO BE ANNEXED

A TRACT OF LAND SITUATED IN THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON AND BEING A PORTION OF LOT 21, "BLAND ACRES", A PLAT OF RECORD IN CLACKAMAS COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF LOT 10, "WEATHERHILL ESTATES" A PLAT OF RECORD IN CLACKAMAS COUNTY, OREGON; THENCE ALONG THE NORTHEASTERLY LINE OF "GRAND VIEW", A PLAT OF RECORD IN CLACKAMAS COUNTY, OREGON SOUTH 73°04'36" EAST 413.62 FEET TO THE SOUTHWEST CORNER OF THAT TRACT OF LAND CONVEYED TO THE CITY OF WEST LINN BY WARRANTY DEED RECORDED AS DOCUMENT NUMBER 95-071438, CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG THE WEST LINE OF SAID CITY OF WEST LINN TRACT NORTH 19°02'10" EAST 21.83 FEET TO THE NORTHWESTERLY CORNER THEREOF; THENCE ALONG THE NORTH LINE OF SAID CITY OF WEST LINN TRACT SOUTH 86°14'54" EAST 63.68 FEET; THENCE CONTINUING ALONG SAID NORTH LINE NORTH 84°23'46" EAST 61.41 FEET; THENCE CONTINUING ALONG SAID NORTH LINE SOUTH 88°18'57" EAST 67.26 FEET, MORE OR LESS, TO THE WEST RIGHT OF WAY LINE OF SALAMO ROAD; THENCE ALONG SAID WEST RIGHT OF WAY LINE NORTH 15°36'00" EAST 124.82 FEET TO AN ANGLE POINT IN SAID RIGHT OF WAY LINE; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE NORTH 34°09'00" EAST 82.44 FEET TO THE MOST SOUTHERLY CORNER OF THAT TRACT OF LAND CONVEYED TO THE CITY OF WEST LINN BY DEED RECORDED AS DOCUMENT NUMBER 95-004519, CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG THE WESTERLY LINE OF SAID CITY OF WEST LINN TRACT (WHICH IS DESCRIBED IN DEED RECORDED AS DOCUMENT NUMBER 95-004519) 76.80 FEET ALONG A NON-TANGENT 570.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHEAST THROUGH A CENTRAL ANGLE OF 07°43'12" (LONG CHORD BEARS NORTH 23°50'56" EAST 76.74 FEET); THENCE CONTINUING ALONG SAID WESTERLY LINE 155.87 FEET, MORE OR LESS, ALONG A 490.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHWEST THROUGH A CENTRAL ANGLE OF 18°13'32" (LONG CHORD BEARS NORTH 18°35'46" EAST 155.21 FEET, MORE OR LESS) TO THE NORTH LINE OF LOT 21, "BLAND ACRES"; THENCE ALONG SAID NORTH LINE NORTH 74°45'00" WEST 569.97 FEET TO THE MOST EASTERLY CORNER OF LOT 22, "BLAND ACRES"; THENCE ALONG THE EASTERLY LINE OF THE AFOREMENTIONED "WEATHERHILL ESTATES" SOUTH 24°14'17" WEST 495.87 FEET TO THE POINT OF BEGINNING.

REGISTERED
PROFESSIONAL
LAND SURVEYOR


OREGON
JULY 14, 1978
DON DEVLAEINCK
1634

DATE OF SIGNATURE: 11/20/17
EXPIRES 12/31/2019



"WEATHERHILL ESTATES"

EXHIBIT 'C'

PARCEL 1

PARTITION PLAT NO. 1997-97

PARCEL 2

LOT 10

LOT 11

LOT 17

LOT 18

LOT 19

SATTER STREET

LOT 14

LOT 13

LOT 12

LOT 11

LOT 10

LOT 9

LOT 8

TAX LOT 9300
MAP 2-1E-35AB

TAX LOT 9200
MAP 2-1E-35AB

TAX LOT 9100
MAP 2-1E-35AB
(DOC. NO. 89-35589)

TAX LOT 9000
MAP 2-1E-35AB

"GRAND VIEW"

TRACT A

S73°04'36"E 413.62'

S24°14'17"W 499.81'

POINT OF BEGINNING
SOUTHEASTERLY
CORNER OF LOT 10,
"WEATHERHILL ESTATES"

MOST EASTERLY
CORNER OF LOT 22,
"BLAND ACRES"

NORTH LINE OF LOT
21, "BLAND ACRES"

N74°45'00"W 569.97'

TRACT CONVEYED TO
CITY OF WEST LINN PER
DOC. NO. 95-71438

L=76.80'

R=570.00'

Δ=07°43'12"

CH=N23°50'56"E

76.74'

L=155.87'±

R=490.00'

Δ=18°13'32"

CH=N18°35'46"E

155.21'±

N19°02'10"E
21.83'

S86°14'54"E
63.68'

N84°23'46"E
61.41'

S88°18'57"E
67.26'±

N15°36'00"E
124.82'

N34°09'00"E
82.44'

20'

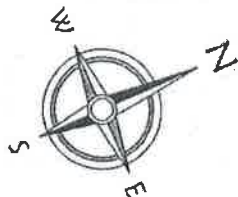
SALAMO ROAD

CENTERLINE OF SALAMO ROAD
(FORMERLY CO. RD. NO. 1113)

TRACT CONVEYED TO
CITY OF WEST LINN PER
DOC. NO. 95-4519

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 14, 1978
DON DEVLAMINCK
1634



Scale: 1" = 100'

DATE OF SIGNATURE: 6/22/18
EXPIRES 12/31/2019

7917 Exh.dwg

ANNEXATION EXHIBIT MAP

COMPASS Land Surveyors
4107 SE International Way, Suite 705
Milwaukie, Oregon 97222 503-653-9093

NE 1/4 OF SECTION 35, T.2S., R.1E., W.M.
CLACKAMAS COUNTY, OREGON



CHRISTA BOSSERMAN WOLFE, CPA
INTERIM DIRECTOR

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

December 6, 2018

Board of County Commissioners
Clackamas County

Members of the Board:

Approval of a Resolution for a Clackamas County Supplemental Budget
(Greater Than Ten Percent and Budget Reduction) for Fiscal Year 2018-2019

Purpose/Outcome	Supplemental budget change FY 2018-2019
Dollar Amount and Fiscal Impact	The effect is an increase in appropriations of \$23,128,069
Funding Source	Prior year revenue, fund balance, state operating grants, charge for services and interfund transfer
Duration	July 1, 2018-June 30, 2019
Previous Board Action/Review	Budget Adopted June 28, 2018
Strategic Plan Alignment	Build public trust through good government
Contact Person	Christa Bosserman Wolfe, 503-742-5407

BACKGROUND:

Each fiscal year it is necessary to reduce allocations or allocate additional sources of revenue and appropriate additional expenditures to more accurately meet the changing requirements of the operating departments. The attached resolution reflects such changes requested by departments in keeping with a legally accurate budget. These changes are in compliance with ORS 294.471, which allows for governing body approval of supplemental budget changes for items ten percent or greater of the qualifying expenditures of the budget funds(s) being adjusted. The required notices have been published.

The County School Fund is recognizing fund balance and budgeting for special payments to local governments.

The Building Codes Fund is recognizing beginning fund balance and budgeting it in reserves and appropriating for temporary employment costs during the transition time of retirements.

The Road Fund is recognizing fund balance, interfund transfers from DTD Capital Projects Fund and adjusting state grant funding and budgeting for personnel costs, contracted maintenance costs and a heavy equipment purchase that was budgeted in previous fiscal year, but finalized in this fiscal, with the balance increasing contingency.

The Property Resources Fund is recognizing fund balance and other financing sources and budgeting for program costs, reserve and contingency.

The Justice Court is recognizing fund balance and budgeting an interfund transfer to the General Fund.

The Transportation System Development Fund is recognizing fund balance and interfund transfers from the Happy Valley/Clackamas Joint Transportation Fund and the Transportation Capital Projects Fund and budgeting for professional services and contingency.

The Happy Valley/Clackamas Joint Transportation Fund is recognizing fund balance and budgeting an interfund transfer to the Transportation System Development Fund to close this fund.

The Clackamas Community Solutions Fund is recognizing fund balance and budgeting an interfund transfer to the Children, Youth and Families Fund for closure of this fund.

The Safety Net Local Projects Fund is recognizing prior year revenue and lower than anticipated fund balance and adjusting special payments accordingly.

The Transient Room Tax Fund is recognizing fund balance and increasing the interfund transfer to the Tourism Fund.

The Forest Management Fund is recognizing fund balance and increasing capital outlay for land acquisition anticipated but not made in prior year.

The DTD Capital Projects Fund is recognizing additional fund balance and budgeting an interfund transfer to the Transportation and Development Fund and the Transportation System Development Fund for closure of this fund.

The Local Improvement District Construction Fund is recognizing lower than anticipated fund balance and adjusting appropriations accordingly.

The Clackamas Broadband Utility Fund is recognizing fund balance and budgeting for repairs and construction costs associated with this fund and establishing a contingency.

The Telecommunication Fund is recognizing additional fund balance and budgeting for higher personnel costs, capital equipment replacement and upgrade costs.

The Technology Services Fund is recognizing additional fund balance from carryover projects and budgeting for completion of those projects, equipment replacement costs and higher personnel cost.

The Self-Insurance Fund is recognizing fund balance and budgeting for programs costs and increasing contingency.

The Fleet Management Fund is recognizing additional fund balance and an interfund transfer from the Sheriff's Fund and budgeting for capital vehicle expenses, professional services and increasing contingency.

The Records Management Fund is recognizing additional fund balance and budgeting for office updates to provide better security for staff and increasing contingency.

The effect of this Resolution is an increase in appropriations of \$23,128,069 including revenues as detailed below

Prior Year Revenue	\$ 378,292.
Fund Balance	21,944,481.
State Operating Grants	(220,886.)
Charge for Services	134,640.
Interfund Transfer	<u>891,542.</u>
Total Recommended	<u>\$ 23,128,069.</u>

RECOMMENDATION:

Staff respectfully recommends adoption of the attached Resolution Order and Exhibit A in keeping with a legally accurate budget.

Sincerely,

Christa Bosserman Wolfe, CPA
Interim Director

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

In the Matter of Providing
Authorization Regarding Adoption of a
Supplemental Budget for items
Greater Than 10 Percent of the Total
Qualifying Expenditures and Making
to Appropriations for Fiscal 2018-19



Resolution Order No. _____

Page 1 of 2

WHEREAS, during the fiscal year changes in appropriated expenditures may become necessary and appropriations may need to be increased, decreased or transferred from one appropriation category to another;

WHEREAS, a supplemental budget for the period of July 1, 2018 through June 30, 2019, inclusive, has been prepared, published and submitted to the taxpayers as provided by statute;

WHEREAS; a hearing to discuss the supplemental budget was held before the Board of County Commissioners on December 6, 2018.

WHEREAS; the funds being adjusted are:

- . County School Fund
- . Building Codes Fund
- . Road Fund
- . Property Resources Fund
- . Justice Court Fund
- . Transportation System Development Charge Fund
- . Happy Valley/Clackamas Joint Transportation Fund
- . Community Solutions Fund
- . County Safety Net Legislation Local Projects
- . Transient Room Tax Fund
- . Forest Management Fund
- . DTD Capital Projects Fund
- . Local Improvement District Construction Fund
- . Clackamas Broadband Utility Fund
- . Telecommunication Services Fund
- . Technology Services Fund
- . Self-Insurance Fund
- . Fleet Management Fund
- . Records Management Fund;

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

In the Matter of Providing
Authorization Regarding Adoption of a
Supplemental Budget for items
Greater Than 10 Percent of the Total
Qualifying Expenditures and Making
to Appropriations for Fiscal 2018-19



Resolution Order No. _____

Page 2 of 2

It further appearing that it is in the best interest of the County to approve this greater than 10 percent change in appropriations for the period of July 1, 2018 through June 30, 2019.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS THAT:

Pursuant to its authority under OR 294.473, the supplemental budget be adopted and appropriations established as shown in the attached Exhibit A which by this reference is made a part of this Resolution.

DATED this 6th day of December, 2018

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary

SUMMARY OF SUPPLEMENTAL BUDGET
Exhibit A
CHANGES OF GREATER THAN 10% OF BUDGET
December 6, 2018

Recommended items by revenue source:

Prior Year Revenue	\$	378,292
Fund Balance		21,944,481
State Operating Grants		(220,886)
Charge for Services		134,640
Interfund Transfers		891,542
Total Recommended	<u>\$</u>	<u>23,128,069</u>

COUNTY SCHOOL FUND

Revenues:		
Fund Balance	\$	305,553
Total Revenue	<u>\$</u>	<u>305,553</u>
Expenses:		
Not Allocated to Organizational Unit		
Special Payments	\$	305,553
Total Expenditures	<u>\$</u>	<u>305,553</u>

County School Fund is recognizing fund balance and budgeting for special payments to local governments.

BUILDING CODES FUND

Revenues:		
Fund Balance	\$	1,327,025
Total Revenue	<u>\$</u>	<u>1,327,025</u>
Expenses:		
General Government	\$	10,000
Not Allocated to Organizational Unit		
Reserve		1,317,025
Total Expenditures	<u>\$</u>	<u>1,327,025</u>

Building Codes Fund is recognizing beginning fund balance and budgeting it in reserves and appropriating for temporary employment costs during the transition time of retirements.

SUMMARY OF SUPPLEMENTAL BUDGET
Exhibit A
CHANGES OF GREATER THAN 10% OF BUDGET
December 6, 2018

ROAD FUND

Revenues:	
Fund Balance	\$ 8,762,098
State Operating Grants	(220,886)
Intefund Transfer	388,204
Total Revenue	<u>\$ 8,929,416</u>
Expenses:	
Public Ways and Facilities	\$ 6,520,826
Not Allocated to Organizational Unit	
Contingency	2,408,590
Total Expenditures	<u>\$ 8,929,416</u>

Road Fund is recognizing fund balance, interfund transfers from DTD Capital Projects Fund and adjusting state grant funding and budgeting for personnel costs, contracted maintenance costs and a heavy equipment purchase that was budgeted in previous fiscal year, but finalized in this fiscal, with the balance increasing contingency.

PROPERTY RESOURCES FUND

Revenues:	
Fund Balance	\$ 473,249
Charge for Services	134,640
Total Revenue	<u>\$ 607,889</u>
Expenses:	
General Government	\$ 134,640
Not Allocated to Organizational Unit	
Reserve	322,249
Contingency	151,000
Total Expenditures	<u>\$ 607,889</u>

Property Resources Fund is recognizing fund balance and other financing sources and budgeting for program costs, reserve and contingency.

JUSTICE COURT

Revenues:	
Fund Balance	\$ 1,375,508
Total Revenue	<u>\$ 1,375,508</u>
Expenses:	
Not Allocated to Organizational Unit	
Interfund Transfer	\$ 1,375,508
Total Expenditures	<u>\$ 1,375,508</u>

Justice Court is recognizing fund balance and budgeting an interfund transfer to the General Fund.

SUMMARY OF SUPPLEMENTAL BUDGET
Exhibit A
CHANGES OF GREATER THAN 10% OF BUDGET
December 6, 2018

TRANSPORTATION SYSTEM DEVELOPMENT CHARGE FUND

Revenues:	
Fund Balance	\$ 351,237
Interfund Transfer	303,338
Total Revenue	<u>\$ 654,575</u>
Expenses:	
Public Ways and Facilities	\$ 20,000
Not Allocated to Organizational Unit Reserve	5,633.00
Contingency	628,942
Total Expenditures	<u>\$ 654,575</u>

Transportation System Development Fund is recognizing fund balance and interfund transfers from the Happy Valley/Clackamas Joint Transportation Fund and the Transportation Capital Projects Fund and budgeting for professional services and contingency.

HAPPY VALLEY/CLACKAMAS JOINT TRANSPORTATION FUND

Revenues:	
Fund Balance	\$ 5,633
Total Revenue	<u>\$ 5,633</u>
Expenses:	
Not Allocated to Organizational Unit Interfund Transfer	\$ 5,633
Total Expenditures	<u>\$ 5,633</u>

Happy Valley/Clackamas Joint Transportation Fund is recognizing fund balance and budgeting an interfund transfer to the Transportation System Development Fund to close this fund.

CLACKAMAS COMMUNITY SOLUTIONS FUND

Revenues:	
Fund Balance	\$ 31,155
Total Revenue	<u>\$ 31,155</u>
Expenses:	
Not Allocated to Organizational Unit Interfund Transfer	\$ 31,155
Total Expenditures	<u>\$ 31,155</u>

Clackamas Community Solutions Fund is recognizing fund balance and budgeting an interfund transfer to the Children, Youth and Families Fund for closure of this fund.

SUMMARY OF SUPPLEMENTAL BUDGET
Exhibit A
CHANGES OF GREATER THAN 10% OF BUDGET
December 6, 2018

COUNTY SAFETY NET LEGISLATION LOCAL PROJECTS FUND

Revenues:	
Prior Year Revenue	\$ 378,292
Fund Balance	(306,162)
Total Revenue	<u>\$ 72,130</u>
Expenses:	
Not Allocated to Organizational Unit	
Special Payments	\$ 72,130
Total Expenditures	<u>\$ 72,130</u>

Safety Net Local Projects Fund is recognizing prior year revenue and lower than anticipated fund balance and adjusting special payments accordingly.

TRANSIENT ROOM TAX FUND

Revenues:	
Fund balance	\$ 186,034
Total Revenue	<u>\$ 186,034</u>
Expenses:	
Not Allocated to Organizational Unit	
Interfund Transfer	\$ 186,034
Total Expenditures	<u>\$ 186,034</u>

Transient Room Tax Fund is recognizing fund balance and increasing the interfund transfer to the Tourism Fund.

FOREST MANAGEMENT FUND

Revenues:	
Fund Balance	\$ 1,044,547
Total Revenue	<u>\$ 1,044,547</u>
Expenses:	
Culture, Education and Recreation	\$ 1,044,547
Total Expenditures	<u>\$ 1,044,547</u>

Forest Management Fund is recognizing fund balance and increasing capital outlay for land acquisition anticipated but not made in prior year.

DTD CAPITAL PROJECTS FUND

Revenues:	
Fund Balance	\$ 685,909
Total Revenue	<u>\$ 685,909</u>
Expenses:	
Not Allocated to Organizational Unit	
Interfund Transfer	\$ 685,909
Total Expenditures	<u>\$ 685,909</u>

DTD Capital Projects Fund is recognizing additional fund balance and budgeting an interfund transfer to the Transportation and Development Fund and the Transportation System Development Fund for closure of this fund.

SUMMARY OF SUPPLEMENTAL BUDGET
Exhibit A
CHANGES OF GREATER THAN 10% OF BUDGET
December 6, 2018

LOCAL IMPROVEMENT DISTRICT CONSTRUCTION FUND

Revenues:	
Fund Balance	\$ (72,391)
Total Revenue	<u>\$ (72,391)</u>
Public Ways and Facilities	\$ (72,391)
Total Expenditures	<u>\$ (72,391)</u>

Local Improvement District Construction Fund is recognizing lower than anticipated fund balance and adjusting appropriations accordingly.

CLACKAMAS BROADBAND UTILITY FUND

Revenues:	
Fund Balance	\$ 283,405
Total Revenue	<u>\$ 283,405</u>
Broadband Utility (Business-type Activity)	\$ 133,405
Not Allocated to Organizational Unit	
Contingency	150,000
Total Expenditures	<u>\$ 283,405</u>

Clackamas Broadband Utility Fund is recognizing fund balance and budgeting for repairs and construction costs associated with this fund and establishing a contingency.

TELECOMMUNICATIONS SERVICES FUND

Revenues:	
Fund Balance	\$ 623,827
Total Revenue	<u>\$ 623,827</u>
General Government	\$ 623,827
Total Expenditures	<u>\$ 623,827</u>

Telecommunication Fund is recognizing additional fund balance and budgeting for higher personnel costs, capital equipment replacement and upgrade costs.

TECHNOLOGY SERVICES FUND

Revenues:	
Fund Balance	\$ 2,839,054
Total Revenue	<u>\$ 2,839,054</u>
Expenses:	
General Government	\$ 2,739,054
Not Allocated to Organizational Unit	
Contingency	100,000
Total Expenditures	<u>\$ 2,839,054</u>

Technology Services Fund is recognizing additional fund balance from carryover projects and budgeting for completion of those projects, equipment replacement costs and higher personnel cost.

SUMMARY OF SUPPLEMENTAL BUDGET
Exhibit A
CHANGES OF GREATER THAN 10% OF BUDGET
December 6, 2018

SELF INSURANCE FUND

Revenues:	
Fund Balance	\$ 3,552,473
Total Revenue	<u>\$ 3,552,473</u>
Expenses:	
General Government	\$ 4,102
Not Allocated to Organizational Unit	
Contingency	3,548,371
Total Expenditures	<u>\$ 3,552,473</u>

Self-Insurance Fund is recognizing fund balance and budgeting for programs costs and increasing contingency.

FLEET MANAGEMENT FUND

Revenues:	
Fund Balance	\$ 380,758
Interfund Transfer	200,000
Total Revenue	<u>\$ 580,758</u>
Expenses:	
General Government	\$ 300,000
Not Allocated to Organizational Unit	
Contingency	280,758
Total Expenditures	<u>\$ 580,758</u>

Fleet Management Fund is recognizing additional fund balance and an interfund transfer from the Sheriff's Fund and budgeting for capital vehicle expenses, professional services and increasing contingency.

RECORDS MANAGEMENT FUND

Revenues:	
Fund Balance	\$ 95,569
Total Revenue	<u>\$ 95,569</u>
Expenses:	
General Government	\$ 12,000
Not Allocated to Organizational Unit	
Contingency	83,569
Total Expenditures	<u>\$ 95,569</u>

Records Management Fund is recognizing additional fund balance and budgeting for office updates to provide better security for staff and increasing contingency.