



Lynn Peterson  
Chair  
Commissioners  
Bob Austin  
Jim Bernard  
Charlotte Lehan  
Ann Lininger

**BOARD OF COUNTY COMMISSIONERS**

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

# AGENDA

## **THURSDAY, MARCH 4, 2010 - 10:00 AM** **BOARD OF COUNTY COMMISSIONERS**

Beginning Board Order No. 2010-19

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

1. Proclaiming March 2010 as National Nutrition Month in Clackamas County (Marti Franc, Community Health)
2. Presentation - March for Meals Helps Feed Hungry in Clackamas County (Dan Zinzer, Business and Community Services)

**II. CITIZEN COMMUNICATION** *(The Chair of the Board will call for statements from citizens regarding issues relating to County government. It is the intention that this portion of the agenda shall be limited to items of County business which are properly the object of Board consideration and may not be of a personal nature. Persons wishing to speak shall be allowed to do so after registering on the blue card provided on the table outside of the hearing room prior to the beginning of the hearing. Testimony is limited to three (3) minutes. Comments shall be respectful and courteous to all.)*

**III. DISCUSSION ITEMS** *(The following items will be individually presented by County staff or other appropriate individuals. Citizens who want to comment on a discussion item may do so when called on by the Chair.)*

**~NO DISCUSSION ITEMS SCHEDULED~**

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

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

1. Approval of an Agreement with United Behavioral Health for Substance Abuse Intensive Outpatient Program Referred Consumers - CH
2. Approval of the Second Amendment to the Loan Agreement between Clackamas County and Seneca Terrace LLC for use of HOME Funds for the Acquisition of the Seneca Terrace Apartments - CD

#### **B. Department of Transportation & Development**

1. Resolution Order No. \_\_\_\_\_ Amending Declaration of Necessity and Purpose for Acquisition of Rights-of-Way, Easements, and Personal Property: Board Order No. 2009-88, dated July 23, 2009, and Amending Declaration of Necessity and Purpose for Acquisition of Rights-of-Way, Easements, and Personal Property: Amended Board Order No. 2009-100, dated Sept. 24, 2009, for the Clackamas River (Springwater Rd.) Bridge Project and Authorizing Negotiations and Eminent Domain Actions

### **V COMMISSIONERS COMMUNICATION**

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

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

March 4, 2010

Board of Commissioners  
Clackamas County

Members of the Board:

**Approval of a Proclamation declaring March, 2010 National Nutrition Month in  
Clackamas County**

The Community Health Division of the Health, Housing and Human Services Department requests approval of a proclamation declaring March 2010, National Nutrition Month. This is an annual recognition of the importance of nutrition in maintaining the health and well-being of our communities.

Nutrition plays a role in the daily health of each resident of Clackamas County. Access to a wide range of healthy food choices is critical to maintaining health. The County is blessed with excellent growing conditions for a range of fruits, vegetables, nuts and other food items. Several Farmers Markets bring a range of fresh food choices to communities and many people participate in community gardening. The County Provides the Women, Infants and Children (WIC) program to 6400 low income women and children, providing nutrition counseling and assistance with obtaining healthy foods. Many other Clackamas County programs provide nutrition education as a part of assisting individuals and families to meet their health goals.

**Recommendation:**

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

Respectfully submitted,

  
Cindy Becker  
Director

For information on this issue or copies of attachments  
Please contact Marti Franc/Community Health Division at (503) 655-8479.

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**PROCLAIMING THE MONTH OF MARCH, 2010 AS  
NATIONAL NUTRITION MONTH IN CLACKAMAS COUNTY**

**Whereas**, daily food choices affect the health and well-being of Clackamas County residents; and

**Whereas**, a well-balanced diet is one of the keys to a healthy lifestyle; and

**Whereas**, promoting health eating habits early in life is a powerful way to improve lifelong health; and

**Whereas**, good nutrition helps to prevent chronic conditions such as obesity, diabetes and heart disease;

**NOW THEREFORE**, We, the Clackamas County Board of County Commissioners, do hereby declare that Clackamas County will observe the entire month of March, 2010 as National Nutrition Month, and encourage all citizens to participate in activities to promote good nutrition as a part of a healthy lifestyle. We encourage educational programs to support good dietary choices throughout the lifespan and broad access to fresh, locally grown foods.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2010

CLACKAMAS COUNTY BOARD OF COMMISSIONERS

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



**NORTH  
CLACKAMAS**  
PARKS & RECREATION  
DISTRICT

February 24, 2010

Board of Commissioners  
Clackamas County

Members of the Board:

### **MARCH FOR MEALS HELPS FEED HUNGRY**

The month of March brings attention to the countywide and national celebration of March for Meals, a campaign created through Meals on Wheels at the national level to raise awareness and support for this program.

Thanks for the support you have given for the program in the past and some of you will be a part of this March campaign. More than 100 drivers deliver meals to the most vulnerable population in North Clackamas County - the fragile, homebound and elderly.

From the Milwaukie Center, meals are prepared five days a week for about 100 routes throughout the calendar year.

This month's drive - our fourth annual effort, that keeps growing - allows us the opportunity to spotlight the Milwaukie Center and the more than 70,000 meals we provide annually to homebound older adults. The Mayors March takes place later in the month, and each of the meals delivered costs about \$5.50, with \$2.85 needed to have funds raised to cover the unreimbursed cost of each meal.

Local businesses from throughout the area have again signed on to help us with the campaign. Early in the month, we have serious financial commitments and support for the Meals on Wheels program - "SO NO SENIOR GOES HUNGRY." These partners are Bob's Red Mill, Dave's Killer Bread, New Season Market, Clackamas Federal Credit Union, Burgerville and more. We of course thank our volunteers, without whom this event would never happen.

This Saturday's big event at North Clackamas Park is the third annual March for Mutts. You can come, bring your dog and yourself in matching costumes, pay \$5, and walk the perimeter path around the park. All proceeds will go toward the March for Meals effort. Registration will begin at 9 a.m., followed by the costume judging and then the walk. John Gill and his service dog Henry are here with us today, representing the volunteers from the Milwaukie Center. They'll be at Saturday's event too and hope to entice to you join in the fun.

We invite each of you to support the march. We'll be sure to let you know the outcome of the campaign, furthering our efforts as the dollar continues to dwindle with today's rising prices for the food. Last year we raised nearly \$23,000, and we hope it continues to grow.

[www.co.clackamas.or.us/hcprd](http://www.co.clackamas.or.us/hcprd)

Administration Office  
150 Beaver Creek Road  
Oregon City, OR 97045  
503-742-4348  
fax: 503-742-4349

Aquatic & Recreation Services  
7300 SE Harmony Road  
Milwaukie, OR 97222  
503-794-8080  
fax: 503-794-8085

Milwaukie Center  
5440 SE Kellogg Creek Drive  
Milwaukie, OR 97222  
503-653-8100  
fax: 503-794-8016

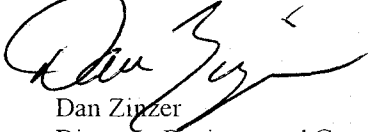
Parks Maintenance Office  
9909 SE 40th Avenue  
Milwaukie, OR 97222  
503-794-8030  
fax: 503-794-8087

*A service district  
of Clackamas County*

RECOMMENDATION:

Staff recommends that you support the March for Meals and March for Mutts campaign. and DAB. Thank you to the commissioners for their support.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Zipzer", written in a cursive style.

Dan Zipzer  
Director, Business and Community Services Department

For more information on this issue, contact Pam Girtman, 503-353-4353 or e-mail [pamelagir@co.clackamas.or.us](mailto:pamelagir@co.clackamas.or.us).

March 4, 2010

Board of Commissioners  
Clackamas County

Members of the Board:

**Approval of an Agreement with United Behavioral Health for  
Substance Abuse Intensive Outpatient Program Referred Consumers**

The Clackamas County Community Health Division (CCCHD) of the Department of Health, Housing & Human Services (H3S) requests the approval of an agreement with United Behavioral Health (UBH).

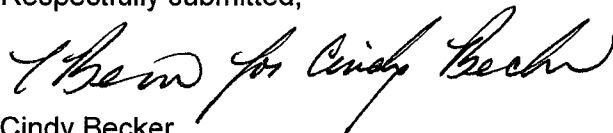
This agreement will allow UBH to refer their members to CCCHD for substance abuse treatment services.

This is a revenue contract for CCCHD. The total amount of the contract is unknown because the number of consumers who will be referred cannot be projected with certainty. No County General Funds are involved. CCCHD has other agreements in place with UBH for different types of services and County Counsel reviewed and approved this agreement boilerplate on January 20, 2009. It is effective upon signature and will renew annually for successive one-year periods unless written notice of termination is given 120 days in advance or the agreement is otherwise terminated according to its terms.

**Recommendation**

We recommend the approval of this agreement and further recommend that Cindy Becker be authorized to sign on behalf of the Board of County Commissioners.

Respectfully submitted,



Cindy Becker  
Director

For information on this issue or copies of attachments  
Please contact Emily M. Zwetzig/Community Health Division at (503) 742-5318.

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March 4, 2010

Board of Commissioners  
Clackamas County

Members of the Board:

**Approval of the Second Amendment to the Loan Agreement  
between Clackamas County and Seneca Terrace LLC for use of HOME Funds  
for the Acquisition of the Seneca Terrace Apartments**

The Community Development Division of Health, Housing & Human Services requests approval of a Second Amendment to the HOME Loan Agreement with Seneca Terrace LLC, an Oregon limited liability company whose sole member is Northwest Housing Alternatives (NHA). The amendment increases the HOME funds by \$300,000 and increases the HOME-assisted units by three units. The total amount of HOME funds will be \$500,000 and the total number of Home-assisted units will be seven units.

Under the terms of the original Agreement, approved November 13, 2008, \$200,000 in HOME funds were made available for the acquisition of the Seneca Terrace Apartments, a multi-family rental housing project located at 11802 SE Fuller Road in Milwaukie. The HOME assistance was in the form of a 2.75% interest deferred-payment loan. Four units were initially designated as Home-assisted units.

The unit rents on the 32-unit complex had been subsidized through a HUD Housing Assistance Payment contract that would have expired. By purchasing the units, NHA preserved these affordable housing units for the future and the project will continue to meet the housing needs of low-income families. The initial purchase was made with HOME funds and a \$1.9 million bridge loan that was to be paid off in phase two of the project. Phase two would consist of re-financing and rehabilitation to improve the energy efficiency of the units and extend the useful life of the project. The re-finance would be made possible through the sale of federal low income housing tax credits.

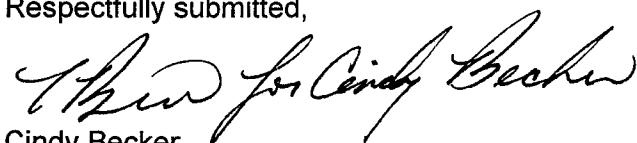
Since the acquisition, difficulties in the financial markets have caused a funding gap for the refinancing and repayment of the bridge loan. NHA has attributed the funding gap to lower tax credit pricing, higher long-term interest rates and more stringent underwriting standards. NHA has requested additional HOME funds to close a funding gap by buying down the principal on the existing bridge loan. The rules that govern the HOME Program allow additional HOME funds to be committed to a project for up to one year after project completion. This HOME project was closed out March 12, 2009.

No general fund dollars are involved in this project. County Counsel approved this Amendment on February 16, 2010.

**Recommendation**

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

Respectfully submitted,



Cindy Becker  
Director

For information on this issue or copies of attachments  
Please contact Gloria Lewton / H3S / CD 503-655-8359





Campbell M. Gilmour  
Director

**DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT**

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

March 4, 2010

Board of County Commissioners  
Clackamas County

Members of the Board:

**Approval of a Resolution Amending that Declaration of Necessity and Purpose  
for Acquisition of Rights of Way, Easements, and Personal Property:  
Board Order No. 2009-88, dated July 23rd, 2009,  
and Amending that Declaration of Necessity and Purpose  
for Acquisition of Rights of Way, Easements, and Personal Property:  
Amended Board Order No. 2009-101, dated September 24, 2009,  
for the Clackamas River (Springwater Rd) Bridge Project and  
Authorizing Negotiations and Eminent Domain Actions**

The Board of County Commissioners has approved funding for the Clackamas River (Springwater Rd) Bridge Project No. 22085, which will provide for the re-construction of the bridge over the Clackamas River in Damascus, Oregon, near the Carver intersection. The Board has authority under ORS Chapter 35 to acquire rights of way, easements, and personal property by purchase or condemnation proceedings.

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

The Department has developed the final legal descriptions required for acquisition of rights of way, easements, and personal properties for the six real properties and 3 personal properties affected by the Project. If during the course of the project design/construction modifications should effect acquisitions, staff will bring subsequent revisions to the Board for authorization.

This resolution amends Exhibit "A" of that Resolution of Necessity and Purpose known as Board Order No. 2009-88, dated July 23rd, 2009, and Exhibit "A" of that Resolution of Necessity and Purpose known as Amended Board Order No. 2009-101, dated September 24<sup>th</sup>, 2009, and directs the Department to resolve issues of just compensation through good faith negotiations. It requires the Director of the Department to notify the Board if

exercise of the power of eminent domain becomes necessary. Only after this process is completed does it authorize the Office of County Counsel to file a condemnation action.

Staff respectfully requests that the Board approve the Amended Resolution of Necessity and Purpose for the Clackamas River (Springwater Rd) Bridge Project for the acquisition of necessary rights of way, easements, and personal property to provide for construction of the project.

RECOMMENDATION:

Approval of the attached Board Resolution authorizing the amendment of the acquisition of rights of ways, easements, to the fee purchase of property by negotiation, if possible, or condemnation, if necessary for the subject parcel.

Respectfully submitted,



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

Attachment

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