



DAN JOHNSON
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD OREGON CITY, OR 97045

November 1, 2018

Board of County Commissioners
Clackamas County

Members of the Board:

Board Order and Public Hearing Forming a 12-Lot Assessment
Area Within Clackamas County Service District No. 5, Assessment
46-18 Mabel Ave. 12-Lot Petition

Purpose/Outcomes	This Board Order is to create a new assessment area in Clackamas County Service District No. 5. This process is necessary to allow for the installation of new street lights. Street lighting is proposed to be mounted on existing wood power poles.
Dollar Amount and Fiscal Impact	The cost of street lighting is paid by direct assessment against benefited property. As a result of the signing of this Board Order, Clackamas County Service District No. 5 will add the attached area to the assessment rolls for the District. Residential properties in this area fall under rate schedule B, \$49.01 per tax lot each year.
Funding Source	Assessments for street lighting will be levied against the properties within this area effective on the installation date furnished to the district by Portland General Electric Company as the official date that the properties within this area began receiving service. Successful completion of the petition and approval of formation of this assessment area will allow fees to be collected from benefiting properties for the operation and maintenance of the street lights.
Duration	Ongoing
Previous Board Contact	None
Strategic Plan Alignment	Promotes a safe, healthy and secure community through the enhanced nighttime visibility created with new street lighting.
Contact Person	Wendi Coryell, Service District Specialist - DTD Engineering 503-742-4657 (Phone) wendicor@clackamas.us

BACKGROUND:

A citizen owning property on SE Mabel Ave. requested lighting for their neighborhood through the District's petitioning process. There are 18 property owners of 12 tax lots in the petition area. Signatures from 7 of the 12 properties (58%) were collected. The requirement for a valid petition is the signature of more than 50% of benefiting property owners.

The affected property owners were notified of the time and place of the hearing by first class mail to the mailing address as listed by the Assessor for Clackamas County and a public hearing was scheduled for November 1, 2018, to hear objections to the above street lighting district. The milestone for terminating the petition is the receipt of objections, also known as remonstrance, from more than 50% of the affected property owners.

These documents have been reviewed and approved by Counsel.

RECOMMENDATION:

If remonstrances from more than 50% of the property owners in the proposed assessment area for street lighting *are not* received by the end of the public hearing, it is recommended that the Board of County Commissioners, acting in the capacity of governing board for Clackamas County Service District No. 5, approve this Order which will allow Clackamas County Service District No. 5 to proceed with the formation of a new assessment area for street lighting.

Respectfully submitted,

Wendi Coryell, Service District Specialist, CCSD#5

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

In the Matter of an Order Forming
an Assessment Area 46-18 (Mabel
Ave. 12-Lot Petition) Within
Clackamas County Service District
No. 5, Clackamas County, Oregon



Board Order No. _____
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Whereas, this matter coming before the Board of County Commissioners, acting as the governing body of Clackamas County Service District No. 5, and it appearing to the Board the properties within Assessment Area 46-18, Mabel Ave. 12-Lot Petition, SE Mabel Ave. between address 7002 SE Mabel Ave. and 7202 SE Mabel Ave. have requested street light service, and that the formation of new assessment areas within the District is necessary for the installation of street lights; and

Whereas, it further appearing to the Board that the method of financing construction, operation, and maintenance of service facilities is to be assessments against property benefited by street light facilities; and

Whereas, it further appearing to the Board that rates for street lighting as established by Order No. 2018-64 and subsequent rate change Orders shall be applied to Assessment Area 46-18, Mabel Ave. 12-Lot Petition, with fractional year assessments pro-rated from the date of installation and in accordance with Ordinance Number 94-1368 pursuant to ORS 451.495 as follows:

Rate Schedule B: \$49.01 per tax lot each year, applied to
residential properties; and

Whereas, it further appearing to the Board that the lots in the rate schedules receive an equal benefit for street lighting services; and

Whereas, it further appearing to the Board that the Department of Transportation and Development has given notice of public hearing as required by Order Number 94-1368 and ORS 451.495, and that said public hearing was duly held on the 1st day of November, 2018, and that the District did not receive written objections prior to the conclusion of the hearing from more than 50% of the property owners representing more than 50% of the affected property.

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NOW THEREFORE, the Board of County Commissioners, acting as the governing body of Clackamas County Service District No. 5, orders as follows:

1. The properties in the Assessment Area as described below be subject to an assessment for street lighting:

Assessment Area 46-18 All lots in the Mabel Ave. 12-Lot Petition area; and

2. That an assessment roll be prepared by the Department of Transportation and Development for Clackamas County showing the amount of each yearly assessment, the property against which it has been assessed, the owner thereof, and such additional information as is required to keep a complete and permanent record of the assessment;
3. That the Department of Transportation and Development proceed to construct the street lighting facilities in accordance with District rules and guidelines.

DATED this _____ day of November, 2018.

BOARD OF COUNTY COMMISSIONERS

Acting as the Governing Body of
Clackamas County Service District No. 5

Chair

Recording Secretary