

AGENDA

THURSDAY, MARCH 31, 2011 - 10:00 AM **BOARD OF COUNTY COMMISSIONERS**

Beginning Board Order No. 2011-19

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

1. Proclaiming April 2011 as Earthquake Awareness Month in Clackamas County (Dana Robinson, Jay Wilson, Department of Emergency Management)

II. HOUSING AUTHORITY CONSENT AGENDA

1. Final Approval of the Housing Authority of Clackamas County FY 2011 Annual Plan, FY 2011 Capital Fund, the Five-Year FY 2011-2015 Capital Fund and 2007, 2008, 2009 and 2010 Performance and Evaluation Reports

III. 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.)*

IV. DISCUSSION ITEM *(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.)*

County Counsel

1. Resolution No. _____ Supporting the Wilsonville Urban Renewal Agency's SW 95th Avenue Urban Renewal Plan (Scot Sideras, County Counsel)

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

A. Health, Housing & Human Services

1. Approval of an Intergovernmental Agreement with the City of Damascus to Provide Janitorial Services – *Community Solutions*

B. DEVELOPMENT AGENCY

1. Resolution No. _____ Authorizing the Submission of a Grant Application for the Oregon Parks and Recreation Department Local Government Grant Program

C. Finance Department

1. Approval of Contract Documents with the State of Oregon Military Department, Office of Emergency Management for Federal Disaster Funds through the Public Assistance Program for Winter Storm Damage (FEMA-1956-DR-OR)
2. Approval to Purchase Striping Paint from Washington State Department of Transportation, State Agency Contract with Ennis Paint, Inc.

D. Elected Officials

1. Approval of Previous Business Meeting Minutes – BCC

E. Public and Government Affairs

1. Approval of Board Order No. _____ Granting a Cable Television Franchise Agreement for the Use of County Right-of-Way by Wavedivision VII, LLC – CABLE COMMUNICATIONS

VI. WATER ENVIRONMENT SERVICES

1. Acceptance of an Easement on behalf of Clackamas County Service District No. 1 for the Intertie #2 Diversion Pipeline Project – Oregon Conference Adventist Churches

VII. COMMISSIONERS COMMUNICATION

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

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



Dana S. Robinson
Director

DEPARTMENT OF EMERGENCY MANAGEMENT

COMMUNICATIONS AND EMERGENCY OPERATIONS CENTER
2200 KAEN ROAD | OREGON CITY, OR 97045

STAFF REPORT

March 31, 2011

Board of County Commissioners
Clackamas County

Members of the Board:

**PROCLAIMING APRIL 1-30, 2011 AS
EARTHQUAKE AWARENESS MONTH IN CLACKAMAS COUNTY**

It is respectfully requested that the Board of County Commissioners proclaim the month of April 2011 as Earthquake Awareness Month in Clackamas County.

Clackamas County residents and employees are encouraged to use the designation of April as Earthquake Awareness Month to practice personal safety by taking part in a Drop, Cover and Hold On drill at home and at work. April is also a good time to address hazards in the home and workplace that could cause injury or property damage during a significant earthquake.

With this proclamation Clackamas County recognizes the threat of future earthquakes and recommends the necessary safety practices to reduce potential losses to life and property.

RECOMMENDATION:

Staff respectfully recommends the Board of Commissioners proclaim April 1-30, 2011 as Earthquake Awareness Month in Clackamas County.

Sincerely,

Dana Robinson
Director

For information on this issue or copies of attachments
please contact Jay Wilson at 503-723-4848



***Proclaiming April 1-30, 2011
as Earthquake Awareness Month in Clackamas County***

WHEREAS, Clackamas County suffered considerable damage from a moderate Magnitude 5.3 earthquake event in 1993 known as the Scotts Mills Earthquake; and

WHEREAS, Scientific evidence indicates that the State of Oregon is at risk for much larger and potentially more damaging earthquakes; and

WHEREAS, A Magnitude 8 or greater earthquake associated with the Cascadia Subduction Zone is expected to generate strong ground shaking throughout western Oregon and a destructive tsunami along the Oregon coast, and will be similar to the events that occurred in the Indian Ocean in 2004, Chile in 2010 and most recently the devastation in Japan; and

WHEREAS, Oregon has enacted laws in that require schools, state and local agencies, and large private employers to conduct drills on emergency procedures such as those related to earthquakes; and

WHEREAS, Seismic strengthening of existing buildings and public education about earthquake drills and on tsunami evacuation is strongly encouraged to further reduce loss of life and property damage; and

WHEREAS, The Department of Emergency Management will highlight these preparedness and mitigation procedures and provide increased earthquake safety information to employees and the public and tsunami awareness information for Clackamas County visitors to the Oregon Coast.

NOW, THEREFORE, WE DO HEREBY PROCLAIM April 2011 as EARTHQUAKE AWARENESS MONTH in Clackamas County. We urge all employees and County residents to join in this observance on April 28, 2011 by practicing Drop, Cover and Hold as the recommended action for personal protection during an earthquake.

Signed this 31st day of March, 2011

CLACKAMAS COUNTY BOARD OF COMMISSIONERS

Chair

March 31, 2011

Board of Commissioners of the
Housing Authority of Clackamas County

Members of the Board:

Resolution No. 1881: Final Approval of the Housing Authority's FY 2011 Annual Plan, FY 2011 Capital Fund and Five Year FY 2011-2015 Capital Fund and 2007, 2008, 2009, and 2010 Performance and Evaluation Reports

The Housing Authority of Clackamas County (HACC), a Division of Health, Housing and Human Services, requests approval of Resolution No. 1881, which authorizes the approval and submission of HACC's FY 2011 Annual Plan (Agency Plan). This submission also includes the approval of the Agency Plan attachments. The attachments are the FY 2011 and Five Year FY2011-2015 Capital Fund Program Grant Action Plans (Action Plans) and the 2007, 2008, 2009 and 2010 Performance and Evaluation Reports and revised Annual Statements and the FY 2010 American Recovery Act (ARA) Performance and Evaluation Report.

As required by the Quality Housing and Work Responsibility Act of 1998, all Housing Authorities must develop and submit an Agency Plan. The Agency Plan includes eight attachments. Six of the eight attachments are related to the Capital Fund Program Grant (CFP). CFP funds are granted by the U.S. Department of Housing and Urban Development (HUD) for the development, modernization and management of public housing. Through the submission of the annual and five year CFP Action Plans, HACC is applying for and seeking Capital Funds in the amount of \$1,183,320 for FY 2011. HACC is required to report on the expenditures of any prior year CFP monies not yet fully spent. The FY 2007, 2008, 2009 and 2010 CFP Performance and Evaluation Reports show how money was spent and how much is left to be obligated or spent as December 31, 2010. The FY 2010 ARA Performance and Evaluation Report is additional Capital Fund grant money. HACC is required to report on the FY 2010 ARA expenditures until all are spent.

The Agency Plan and its attachments were developed in consultation with a Resident Advisory Board (RAB). The RAB is made up of volunteers from the Public Housing and HCV programs. The RAB met on January 13, 2011 to review and make revisions to the Agency Plan and its attachments. HACC also worked closely with the Legal Aide Services of Oregon on behalf of its residents. The meeting minutes from the RAB process are included as one attachment to the Agency Plan.

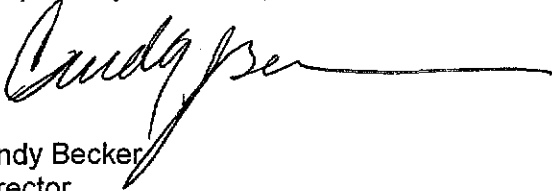
A public review period was held January 20, 2011 through March 4, 2011. A public hearing on the revised Agency Plan was held in front of the Housing Authority Board of Commissioners on March 17, 2011. Written comments were received by the Executive Director and were provided as documentation as part of the public review process. The Agency Plan was made available at the HACC Administrative Office, HACC Property Management Offices, the Clackamas County Oak Grove Library, and posted on the Housing Authority's website.

The final version of the Agency Plan, including all attachments and certifications, will be submitted to HUD upon approval. This final step is required to be completed at least 75 days before the beginning of the fiscal year, July 1, 2011.

Recommendation:

Staff recommends that the Board approve the Agency Plan, with attachments and certifications, and authorize the submittal of these documents to HUD by the Executive Director. Staff also recommends that the Board approve and authorize the Chair to sign Resolution No. 1881 and the "PHA Certification of Compliance" HUD Forms 50077, 50077-CR and 52836.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Cindy Becker", followed by a long horizontal line extending to the right.

Cindy Becker
Director

For information on this issue or copies of attachments
Please contact Mary-Rain O'Meara at 503-655-8279

BEFORE THE BOARD OF COMMISSIONERS
OF THE HOUSING AUTHORITY OF THE COUNTY OF CLACKAMAS, OREGON

In the Matter of Approving the Housing Authority's FY 2011 Annual Plan (Agency Plan), and related Certifications and Attachments

RESOLUTION NO. 1881

WHEREAS, the Housing Authority of Clackamas County (HACC), Oregon has developed a streamlined FY 2011 Annual Plan (Agency Plan) and

WHEREAS, the Agency Plan must be updated each year, and includes the following attachments: Capital Fund Program Annual and Five Year Statements, the Performance and Evaluation Reports for the 2007, 2008 , 2009 and 2010 grant funds received by U.S. Department of Housing and Urban Development (HUD) and required certifications, and

WHEREAS the HUD Grant OR16P00150111 (FY 2011) for Capital Fund Program is part of the Agency Plan submission and is requesting funds totaling \$1,183,320.00 for the development, modernization and management of HACC's public housing, and

WHEREAS, HUD requires that HACC prepare a Five Year Plan and its Performance and Evaluation Reports for Capital Fund Program grant funds not spent for FYs 2007, 2008 , 2009 and 2010 as part of the submission for the annual grant request, and

WHEREAS, the Agency Plan and its attachments, was developed using the required HUD templates and with input and recommendations from an established Resident Advisory Board (RAB) on January 13, 2011, and

WHEREAS, the Capital Fund Program budget was reviewed and discussed with current public housing residents at its quarterly site meetings on January 10, 12 and 19, 2011.

WHEREAS, the Agency Plan and its attachments were advertised in the Oregonian and the Catch All Chronicle for public review and comment from January 20, 2011 through March 4, 2011, and

WHEREAS, the Agency Plan and its attachments were discussed and testimony was taken at a public hearing in front by the Housing Authority's Board of Commissioners on March 17, 2011, and

WHEREAS, HUD requires HACC Board approval in the form of a board resolution in order to apply for the Capital Fund Program Grant, and

WHEREAS, the Agency Plan and required attachments and certifications are to be submitted to the HUD at least 75 days prior to the effective date of July 1, 2011,

BEFORE THE BOARD OF COMMISSIONERS
OF THE HOUSING AUTHORITY OF THE COUNTY OF CLACKAMAS, OREGON

In the Matter of Approving the Housing
Authority's FY 2011 Annual Plan (Agency
Plan), and related Certifications and
Attachments

RESOLUTION NO. 1881
(Contd)

NOW THEREFORE BE IT RESOLVED that the Agency
Plan, its attachments and its certifications are approved, and the Executive Director of the
Housing Authority is authorized to submit these documents to HUD.

DATED this 31st day of March, 2011

BOARD OF COMMISSIONERS OF THE HOUSING
AUTHORITY OF CLACKAMAS COUNTY, OREGON

Charlotte Lehan, Chair

Recording Secretary



OFFICE OF COUNTY COUNSEL

PUBLIC SERVICES BUILDING
2051 KAEN ROAD OREGON CITY, OR 97045

Stephen L. Madkour
County Counsel

David W. Anderson
Kimberley Ybarra-Cole
Kathleen Rastetter
Scot A. Sideras
Chris Story
Scott C. Ciecko
D. Daniel Chandler
Assistants

March 31, 2011

Board of County Commissioners
Clackamas County

Members of the Board:

Adopting a Resolution in Support of the Wilsonville Urban Renewal Agency's
SW 95th Avenue Urban Renewal Plan

The City of Wilsonville has proposed the creation of a new urban renewal district, the SW 95th Avenue Urban Renewal Area. The new district is located entirely within the borders of the City. The purpose of the new district is to increase investment and family wage jobs.

In order to create the SW 95th Avenue Urban Renewal Area the City must consult and confer with the County. This has been done. Your staff has met with representatives of the City and the Wilsonville Urban Renewal Agency, and studied the SW 95th Avenue Urban Renewal Plan (Plan) and Report On The SW 95th Avenue Urban Renewal Plan (Report).

Following its review of the City's proposed new urban renewal district, the County has the obligation to either support or oppose its formation. The review has concluded that the new urban renewal district has been proposed in the manner most likely to attain the County's goals of increasing appropriate investment and the number of family wage jobs within the County while avoiding or minimizing any undesirable consequences.

This event has been reviewed by County Counsel.

RECOMMENDATION:

To adopt a Resolution supporting the City's decision to create a new urban renewal district, the SW 95th Avenue Urban Renewal Plan.

Sincerely,

Scot Sideras
Senior Legal Counsel

For more information on this item please contact Scot Sideras at (503) 742-4332 or via e-mail at ScotSid@clackamas.us.

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

In the Matter of a Resolution
Approving the City of Wilsonville's
SW 95th Avenue Urban Renewal Plan



RESOLUTION NO.
Page 1 of 1

WHEREAS, the State of Oregon in its Oregon Revised Statutes has set out a method in Chapter 457 by which municipalities may through the establishment of urban renewal agencies and urban renewal plans take actions that, among other purposes, encourage economic growth and tax revenues;

WHEREAS, the city of Wilsonville has established an urban renewal agency, the Wilsonville Urban Renewal Agency;

WHEREAS, the Wilsonville Urban Renewal Agency intends to create a new urban renewal district, the SW 95th Avenue Urban Renewal Area, and according to its obligations under ORS 457.085 has prepared both the SW 95th Avenue Urban Renewal Plan ("Plan") and the Report On The SW 95th Avenue Urban Renewal Plan ("Report");

WHEREAS, the Wilsonville Urban Renewal Agency has forwarded the Plan and Report to the County, and consulted and conferred with the County, all as required by ORS 457.085(5);

WHEREAS, ORS 457.437(2) requires the County to now adopt a resolution in support of or opposition to the Plan's options under ORS 457.435.

NOW, THEREFORE, BE IT RESOLVED THAT to carry out its obligations under ORS 457.437(2) the County declares this Resolution in support of the Wilsonville Urban Renewal Agency's SW 95th Avenue Urban Area as set out in the Plan and Report.

SO BE IT RESOLVED THIS 31st day of March, 2011.

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary

March 31, 2011

Board of County Commissioners
Clackamas County

Members of the Board:

**Approval of an Intergovernmental Agreement with the
City of Damascus to provide Janitorial Services**

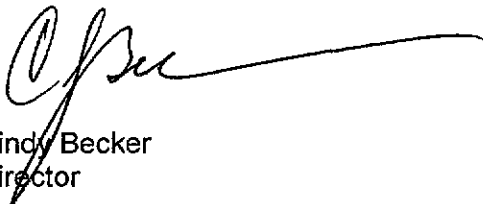
Community Solutions for Clackamas County, a Division of the Health, Housing and Human Services Department requests the approval of an Intergovernmental Agreement with the City of Damascus for the Working for Independence program, (WFI). This intergovernmental agreement enables WFI clients to provide janitorial services to the City.

Total amount of the contract is \$15,000. No County General Fund dollars are involved. Term of the contract is April 1, 2011 through June 30, 2012. County counsel approved this agreement on January 4, 2010.

Recommendation

We recommend approval of this intergovernmental 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 Maureen Thompson at 503-655-8842

Healthy Families. Strong Communities.

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



DEVELOPMENT AGENCY

March 31, 2011

DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK ROAD | OREGON CITY, OR 97045Board of County Commissioners
Clackamas County

Members of the Board:

**A Resolution to Authorize the Submission of an Application to the
Oregon Parks and Recreation Department Local Government Grant Program**

The Clackamas County Development Agency is seeking funding from the Oregon Parks and Recreation Department Local Government Grant Program to assist with construction of Hawthorne Park, which is located in the North Clackamas Revitalization Area (NCRA). The NCRA has a substantial deficiency of neighborhood park and recreation spaces, with only one park currently located within the district. This new one-acre park is greatly supported by the community. The park is being developed in conjunction with adjacent affordable housing units and was approved as part of an Owner Participation and Development Agreement between the Agency and HP Development. The Agency has already obtained a \$140,000 Metro Nature in Neighborhoods grant for park construction, which can serve as the required 50% match for the Oregon Parks grant.

Eligible projects under the Local Government grant program include acquisitions, development and major rehabilitation of park and recreation facilities. Projects must be consistent with the Statewide Comprehensive Outdoor Recreation Plan, Clackamas County Comprehensive Land Use Plans, and NCPRD Parks Master Plan. The Oregon Parks and Recreation Department requires that a resolution be signed by the governing board authorizing the grant application.

Attached is a resolution authorizing a grant application for up to \$110,000.

RECOMMENDATIONS

Development Agency staff recommends authorization of the grant application to the Oregon Parks and Recreation Department Local Government Grant Program and delegation of authority to the Agency manager to sign the grant application.

Sincerely,

Cam Gilmour

Director, Department of Transportation and Development

For information on this issue or copies of attachments please contact
Kenneth IteL at 503-742-4324 or email kennethite@co.clackamas.or.us

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

**A RESOLUTION AUTHORIZING THE
CLACKAMAS COUNTY
DEVELOPMENT AGENCY TO APPLY
FOR A LOCAL GOVERNMENT
GRANT FROM THE OREGON PARKS
AND RECREATION DEPARTMENT
ON BEHALF OF CLACKAMAS
COUNTY, FOR DEVELOPMENT OF
HAWTHORNE PARK**

Resolution No. _____

(Page 1 of 1)

WHEREAS, the Oregon Parks and Recreation Department is accepting applications for the Local Government Grant Program; and

WHEREAS, the Clackamas County Development Agency desires to participate in this grant program to the greatest extent possible as a means of providing needed park and recreation improvements and enhancements within the North Clackamas Revitalization Area (NCRA); and

WHEREAS, the NCPRD Advisory Board and Clackamas County Board of Commissioners, acting as the Board of Directors for NCPRD, have identified acquisition and development of park land as a high priority need in the Southgate neighborhood of Clackamas County, which is located within the NCRA; and

WHEREAS, the development of Hawthorne Park was approved by the Board as part of an Owner Participation and Development Agreement which included the development of adjacent affordable housing units, the project is highly supported by the Southgate neighborhood, located in an underserved community, and is planned for recreational use; and

WHEREAS, the Clackamas County Development Agency has certified that the required fifty percent (50%) matching share for this grant is currently available in the form of a \$140,000 grant from the Metro Nature in Neighborhoods program;

BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS does hereby authorize the Clackamas County Development Agency to apply, on behalf of Clackamas County, for a Local Government Grant from the Oregon Parks and Recreation Department for up to \$110,000 for the development of Hawthorne Park, as specified above, and authorizes the Agency manager to sign the application.

ADOPTED this _____ day of March, 2011

CLACKAMAS COUNTY BOARD OF COMMISSIONERS

Charlotte Lehan, Chair



MARC GONZALES
DIRECTOR

DEPARTMENT OF FINANCE

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

March 31, 2011

Board of County Commissioners
Clackamas County

Members of the Board:

**Approval of Contract Documents with State of Oregon, Military Department, Office of
Emergency Management (OEM), for Federal Disaster Funds Through the
Public Assistance Program for Winter Storm Damage (FEMA-1956-DR-OR)**

January 13, 2011 through January 21, 2011, Clackamas County, (along with five other Oregon counties) experienced severe winter storms, flooding, landslides and mudslides that caused extensive property damage. Clackamas County experienced a very large amount of storm and flood damage along the Salmon River as it overtopped Lolo Pass Road near Mt. Hood. On February 17, 2011, President Obama declared a major disaster for the State of Oregon, triggering the release of federal funds to help communities recover.

Clackamas County is required to enter into a contract with the State of Oregon, Military Department, Office of Emergency Management (OEM), in order to apply for and receive FEMA assistance for winter storm damage under the Public Assistance Program.

Working with FEMA, OEM and staff of affected County departments, the Finance Division of the Finance Department will coordinate and process the fiscal billings to OEM. The Winter Storm Damage (FEMA-1956-DR-OR) files will be maintained by the Finance Division to assure that appropriate and specific Federal and State policies and procedures are applied to tracking, application, funding of recovery activities, and document retention as required under federal laws and guidelines.

County Counsel has reviewed and approved the contract.

RECOMMENDATION

Staff respectfully recommends the Board approve this contract in order to proceed with the application process for disaster funding and recovery operations and activities. We also request that Marc Gonzales, Finance Director, be designated as the County's representative for this contract and be approved to sign the contract on behalf of the Board of County Commissioners.

Sincerely,


Marc Gonzales
Finance Director

For more information on this issue or copies of attachments please contact
Toni Hessevick at 503-742-5420



LANE MILLER
MANAGER

PURCHASING DIVISION

PUBLIC SERVICES BUILDING

2051 KAEN ROAD | OREGON CITY, OR 97045

Board of County Commissioners
Clackamas County

Members of the Board:

Approval to Purchase Striping Paint
From WSDOT State Agency Contract with Ennis Paint, Inc.

The Transportation Maintenance Division requests approval to purchase striping paint from Washington State Department of Transportation, (WSDOT) contract with Ennis Paint.

The Transportation Maintenance Division uses white and yellow waterborne traffic paint to stripe County roads and contracts with cities to stripe roads within their jurisdiction. WSDOT established the specifications for striping paint and went out for competitive bids. From the bids submitted, the most competitive bid was from Ennis Paint, Inc. The State of Washington price agreement number is 07609.

Approval of purchases from Ennis Paint, Inc. is being requested based upon LCRB Rule C046-0430 where competitive bids for the same goods or services have been obtained by any other public agency which subscribes to the basic intent of ORS 279, and the contract is to be awarded to the party to whom the contract was awarded by the public agency, so long as the price of the goods or services is the same or lower than that paid by the public agency. The paint will be purchased from WSDOT price agreement number 07609. We are anticipating expending not more than \$400,000 from the FY 2010/2011 and FY 2011-12 budgets, line item 215-2410-00-424710. Notice of Intent to Purchase was advertised on March 17, 2011. Purchasing received no comments within the required seven days to respond to the notice. The agreement has had Counsel review.

Recommendation

Staff recommends that the Board give approval to the Transportation Maintenance Division to purchase striping paint from WSDOT's state agency contract with Ennis Paint, Inc. Total contract amount not to exceed \$400,000.

Respectfully Submitted,

Dan Nenow, C. P. M.
Purchasing Staff

For information on this issue or copies of attachments
please contact Samuel Irving Jr. at 503-650-3467.

Placed on the Agenda of March 31st, 2011 by the Purchasing Division

BOARD OF COUNTY COMMISSIONERS BUSINESS MEETING MINUTES

A complete video copy and packet including staff reports, of this meeting can be viewed at <http://www.clackamas.us/bcc/business/>

Thursday, March 17, 2011 – 10:00 AM

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

**PRESENT: Commissioner Jim Bernard
Commissioner Charlotte Lehan
Commissioner Ann Lininger
Commissioner Paul Savas**

~Pledge of Allegiance~

I. CITIZEN COMMUNICATION - NONE

II. HOUSING AUTHORITY CONSENT AGENDA

1. In the Matter of Writing off Uncollectible Accounts for the Third Quarter of FY 2011
2. Approval to Apply for a Grant from Oregon Housing and Community Services for the 2011 Consolidated Funding Cycle

Chair Bernard asked the Clerk to read the Housing Authority Consent Agenda by title, then asked for a motion.

MOTION:

Commissioner Lininger: I move we approve the Housing consent agenda.

Commissioner Lehan: Second.

Chair Bernard – all those in favor:

Commissioner Savas: Aye.

Commissioner Lininger: Aye.

Commissioner Lehan: Aye.

Chair Bernard: Aye.

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

III. PUBLIC HEARINGS

1. Public Hearing for the Housing Authority of Clackamas County Fiscal Year 2011 Annual Plan

Trell Anderson, Housing Authority Director presented the staff report. Trell stated this public hearing gives the opportunity for public comment to be received and considered by the Board for the Housing Authority to make any final revisions to the annual plan. The Board will adopt the final version of the annual plan on Thursday, March 31, 2011, and then the final version will be submitted to HUD. There will be no Board action today.

Chair Bernard announced this is a public hearing and asked if anyone wished to speak, seeing none he said this will come back on the March 31st consent agenda for consideration.

2. Board Order No. **2011-12** Accepting a Transfer of Jurisdiction from Clackamas County to the City of West Linn of a Portion of Rosemont Road (County Road No. 82, DTD No. 21048)

Bill Garity, Engineering presented the staff report.

Chair Bernard announced this is a public hearing and stated one person has signed up to speak.

Alice Richmond, West Linn spoke in support of this transfer of jurisdiction.

Chair Bernard asked if anyone else wished to speak, seeing none he asked for a motion.

MOTION:

Commissioner Lehan: I move we approve the Order accepting a Transfer of Jurisdiction from Clackamas County to the City of West Linn for a portion of Rosemont Road.
Commissioner Savas: Second.

~Board Discussion~

Chair Bernard – all those in favor:

Commissioner Savas: Aye.

Commissioner Lining: Aye.

Commissioner Lehan: Aye.

Chair Bernard: Aye.

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

3. Board Order No. **2011-13** Accepting a Transfer of Jurisdiction from Clackamas County to the City of Wilsonville of Portions of Tooze Road (County Road No. 400, DTD No. 30004) and Westfall Road (County Road No. 82, DTD No. 30049)

Bill Garity, Engineering presented the staff report.

Chair Bernard announced this is a public hearing and asked if anyone wished to speak, seeing none he asked for a motion.

MOTION:

Commissioner Savas: I move we approve the Order accepting a Transfer of Jurisdiction from Clackamas County to the City of Wilsonville for portions of Tooze Road and Westfall Road.

Commissioner Lehan: Second.

Chair Bernard – all those in favor:

Commissioner Savas: Aye.

Commissioner Lining: Aye.

Commissioner Lehan: Aye.

Chair Bernard: Aye.

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

IV. DISCUSSION ITEM

Board of County Commissioners

1. Board Order No. **2011-14** Appointing Commissioner Charlotte Lehan to the Position of Chair (Position 1) of the Board of County Commissioners

Steve Wheeler, County Administrator presented the staff report.

Chair Bernard announced this is a discussion item and asked if anyone wished to speak, seeing none he asked for a motion.

MOTION:

Commissioner Lining: I move we approve the Order appointing Commissioner Charlotte Lehan to the Position of Chair (Position 1) of the Board of County Commissioners effective at 5 PM on March 17, 2011.

Commissioner Savas: Second.

~Board Discussion~

Chair Bernard – all those in favor:

Commissioner Savas: Aye.

Commissioner Lining: Aye.

Commissioner Lehan: Abstain.

Chair Bernard: Aye.

Chair Bernard – all those opposed: - There are three Ayes and one Abstain, the Ayes have it and the motion is approved.

V. CONSENT AGENDA

Chair Bernard asked the Clerk to read the Consent Agenda by title, then asked for a motion.

MOTION:

Commissioner Savas: I move we approve the consent agenda.

Commissioner Lehan: Second.

~Board Discussion~

Chair Bernard – all those in favor:

Commissioner Savas: Aye.

Commissioner Lehan: Aye.

Chair Bernard: Aye.

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

A. Health, Housing & Human Services

1. Approval of a Mental Health Services Agreement with Lake Oswego Counseling Center for Mental Health Services - BH
2. Approval to Apply for a Grant from the US Department of Justice Office on Violence Against Women for the Enhanced Training and Services to End Violence Against and Abuse of Women Later in Life Program – CYF
3. Approval of a Healthcare Service Agreement with CareOregon Community Health, LLC to Provide Primary Care Services at the Gladstone Community Clinic - CH

B. Department of Transportation & Development

1. Approval of an Intergovernmental Agreement with Clackamas Community College for Energy Education and Outreach
2. Board Order No. 2011-15 Correcting a Clerical Error in Board Order No. 2009-127

C. Community Corrections

1. Approval of the Intergovernmental Agreement between Clackamas County Community Corrections and the State Department of Corrections

D. County Administration

1. Board Order No. 2011-16 Approving the Participation in Funding Activities for the Oregon Office of Community Dispute Resolution

E. Elected Officials

1. Approval of Previous Business Meeting Minutes – BCC
2. Approval of a Second Hand Dealers Permit Renewal for Chellis Kassab, Melinda's on 82nd - CCSO

VI. WATER ENVIRONMENT SERVICES

1. Approval of a Partnership Agreement between the Clean River Partners of Clackamas County including: Clackamas County Service District No. 1, Surface Water Management Agency of Clackamas County and Oak Lodge Sanitary District and the Cities of West Linn, Gladstone, Lake Oswego, Oregon City, Wilsonville, and the City of Milwaukie for Representation on the Joint Funding for the Regional Coalition for Clean Rivers and Streams
2. Acceptance of a Conservation Easement on behalf of Surface Water Agency of Clackamas County

VII. COMMISSIONERS COMMUNICATION

MEETING ADJOURNED – 10:35 AM

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



Debbie McCoy
Manager

CABLE COMMUNICATIONS
PUBLIC SERVICES BUILDING

2051 KAEN ROAD OREGON CITY, OR 97045

March 31, 2011

Board of Commissioners
Clackamas County

Members of the Board:

**BOARD ORDER GRANTING A CABLE TELEVISION FRANCHISE AGREEMENT
FOR USE OF COUNTY RIGHTS-OF-WAY BY WAVEDIVISION VII, LLC**

The County granted WaveDivision VII, LLC's (Wave-Sandy) predecessor a franchise agreement on June 6, 1996, for a term of ten years, and has extended the franchise several times. Wave has continued to provide cable services in the County and pay franchise fees as required under the 1996 franchise as the parties engaged in good faith negotiations for renewal of the franchise.

The County has concluded negotiations with Wave-Sandy with terms and conditions for use of the County's rights-of-way to provide a video television system to residents in the unincorporated area of Clackamas County around the city of Sandy. Wave-Sandy will pay franchise fees, the same as other cable television providers, of 5% of gross revenues.

Provisions of the Franchise Agreement include broadcast of one additional access channel to Sandy area subscribers for a total of two access channels. This will be expanded with up to an additional 4 access channels when the company converts to an all-digital platform and the access channels meet certain requirements set forth in the franchise. Additionally, Wave will provide a monthly contribution of \$1.00 per subscriber to support Public, Education and Government access channels as well as continuation of the existing I-Net connection. Wave has further agreed to provide, without charge, one outlet of basic cable upon request to eight (8) public buildings in the service area.

RECOMMENDED ACTION:

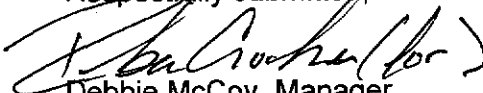
Approve the cable television franchise agreement with Wave-Sandy for a term of twelve (12) years from the effective date of the Board Order.

County Counsel has seen and approved the attached Board Order

 (FOR)

David Anderson, Assistant County Counsel

Respectfully submitted,

 (for)

Debbie McCoy, Manager
Cable Communications

Cablesare on 'lion' (S):debbiest:WaveDivision:Staff report to BO for agreement 3-24-2011.doc

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

In the Matter of Granting a Cable Television
Franchise Agreement For Use of the County
Rights-of-Way By WaveDivision VII, LLC



ORDER NO.

This matter coming on at this time, and it appearing that WaveDivision VII, LLC (Wave-Sandy) has been providing cable television service utilizing the County rights-of-way during good faith negotiations for a franchise agreement, and;

It further appearing that the County and Wave have conducted extensive negotiations as provided by federal law concerning the grant of a franchise agreement, and;

It further appearing that the issuance of a cable television franchise subject to the terms and conditions of the attached Franchise Agreement would be in the best interests of the citizens of the County;

NOW, THEREFORE, IT IS HEREBY ORDERED that the attached Franchise Agreement be approved and executed, and be subject to the terms and conditions as specified in the Agreement for a term of twelve (12) years as specified in Section 3.3.

DATED this ____ day of March, 2011

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary



Water Quality Protection
Surface Water Management
Wastewater Collection & Treatment

Michael S. Kuenzi, P.E.
Director

March 31, 2011

Board of Commissioners
Clackamas County

Members of the Board:

**ACCEPTANCE OF EASEMENT ON BEHALF OF CLACKAMAS COUNTY SERVICE DISTRICT
NO. 1 THE INTERTIE 2 DIVERSION PIPELINE PROJECT**

The attached sanitary sewer easement has been acquired on behalf of Clackamas County Service District No. 1 for the Intertie 2 Diversion Pipeline Project. The easement is offered by the Oregon Conference Adventist Churches:

<i>Owner</i>	<i>Tax Lots</i>	<i>Cost</i>
Oregon Conference Adventist Churches	22E16C08200 & 2900	\$7,606.95

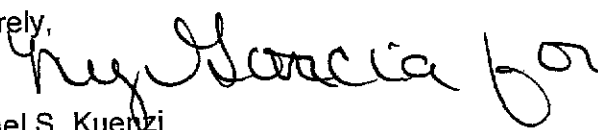
The easement is further described in Exhibits "A" and "B".

The easement has been prepared to comply with state statutes and will allow the District to proceed with the project. District Counsel has reviewed it as to form.

RECOMMENDATION:

Staff respectfully recommends that the Board accept the attached easement on behalf of Clackamas County Service District No. 1.

Sincerely,


Michael S. Kuenzi
Director

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