



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, FEBRUARY 18, 2010 - 10:00 AM
BOARD OF COUNTY COMMISSIONERS

Beginning Board Order No. 2010-15

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

1. Proclaiming February 21-27, 2010 as Public Safety Appreciation Week in Clackamas County (Dana Robinson, Emergency Management)
2. Presentation on the Economic Impacts to Community Services in Clackamas County (Gary Schmidt, Public and Government Affairs)

II. HOUSING AUTHORITY CONSENT AGENDA

1. Resolution No. 1872: Approving the Housing Authority Board Vice Chair
2. Resolution No. 1873: Approval of an Amendment to the Housing Authority's Procurement Policy
3. Approval of a Contract and Appointment of a Hearings Officer for the Housing Authority of Clackamas County Personnel Policy
4. Approval of Contract #C010-10 with Walsh Construction Company, for the Recovery Act Modernization Project at Housing Authority Properties throughout Clackamas County

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

~NO DISCUSSION ITEMS SCHEDULED

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

A. Health, Housing & Human Services

1. Approval of Agency Services Contract Amendment #1 with the City of Canby/Canby Adult Center to Provide Social Services for Clackamas County Residents – *(Social Services)*
2. Approval of Agency Services Contract Amendment #1 with the City of Oregon City/Pioneer Community Center to Provide Social Services for Clackamas County Residents Age 60 and Over – *(Social Services)*
3. Approval to Apply for the Oregon Department of Human Services Statewide Children's Wraparound Initiative Grant to be Submitted by Cindy Becker on behalf of the Community Health Division – *(Community Health)*
4. Approval of a Construction Agreement between the Community Development Division and KDR Contractors, LLC. for Building Improvements to the Mt. Hood Museum and Cultural Center – *(Community Development)*

B. Department of Transportation & Development

1. Approval of Amendments to Intergovernmental Agreements with the Tigard-Tualatin, Centennial, Canby, Sherwood, Gresham-Barlow, West Linn-Wilsonville, Oregon City, Silver Falls, Oregon Trail, Molalla River, Newberg and Gladstone School Districts Authorizing the County to Retain Four Percent (4%) of the Construction Excise Tax Collected on the School Districts' behalf Effective September 28, 2009 and Establishing Terms and Conditions for the Amendment
2. Board Order No. _____ Adopting the Vacation of a Portion of Trailblazer Avenue and Alder Way

C. Elected Officials

1. Approval of Previous Business Meeting Minutes – BCC

D. Public & Government Affairs

1. Board Order No. _____ for Renewal of the Cable Franchise Agreement for use of County Rights-of-Way by Comcast of Oregon II, Inc., Comcast of Tualatin Valley, Inc., and Comcast of Illinois/Ohio/Oregon, LLC

VI. WATER ENVIRONMENT SERVICES

1. Acceptance of a Conservation Easement Offered by Carolyn McGill and Casey Beatty on behalf of Surface Water Management Agency of Clackamas County

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

February 18, 2010

Board of County Commissioners
Clackamas County

Members of the Board:

**PROCLAIMING FEBRUARY 21-27, 2010 AS
PUBLIC SAFETY APPRECIATION WEEK in CLACKAMAS COUNTY**

It is respectfully requested that the Board of County Commissioners proclaim the week of February 21 – 27, 2010 as Public Safety Appreciation Week in Clackamas County.

The members of our communities, who work daily as public safety responders to emergencies and other public safety needs, whether in 9-1-1 dispatching, law enforcement, fire, emergency medical response or support agencies such as juvenile services, the District Attorney's Office, medical examiners, community corrections and emergency management, are vital to the well-being of our citizens. They should be recognized for their ongoing contributions by honoring them throughout the week of February 21 – 27, 2010.

The North Clackamas County Chamber of Commerce will hold the 10th Annual Public Safety Appreciation Luncheon on Monday, February 21, 2010 to honor the public safety responders of Clackamas County.

RECOMMENDATION

Staff respectfully recommends the Board of County Commissioners proclaim February 21 - 27, 2010 as Public Safety Appreciation Week in Clackamas County.

Sincerely,

Dana S. Robinson
Emergency Management Director

For information on this issue or copies of attachments please contact
Dana Robinson at (503)655-8371



Elissa Gertler
Director

PUBLIC AND GOVERNMENT AFFAIRS

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

February 18, 2010

Board of County Commissioners
Clackamas County

Members of the Board:

ECONOMIC IMPACTS TO COMMUNITY SERVICES PRESENTATION

During these difficult economic times, Clackamas County's most vulnerable residents are affected by economic impacts to community services. Clackamas County recently distributed \$200,000 in county-funded grants to local non-profit organizations who serve the vulnerable citizens of the County.

Today's brief presentation will share how Clackamas County is supporting community programs and services.

Sincerely,

Mary Schmitt for Elissa Gertler

Elissa Gertler
Director

For information on this issue, please contact Gary Schmidt at (503) 742-5908

February 18, 2010

Board of Commissioners of the
Housing Authority of Clackamas County

Members of the Board:

Resolution No. 1872: Approving the Housing Authority Board Vice Chair

The Housing Authority of Clackamas County, a Division of the Department of Health, Housing and Human Services, requests approval of Resolution No. 1872 approving the 2010 Housing Authority Board Vice Chair.

The bylaws of the Housing Authority specify that a Vice Chair be elected each year during the Annual Meeting of the Housing Authority. The Clackamas County Board of Commissioners has appointed Ann Lininger as the Vice Chair. This Resolution will adopt the election of the County Commissioner's Vice Chair as the Housing Authority's Board Vice Chair.

Recommendation

Staff recommends that the Board approve Resolution 1872 which appoints Ann Lininger as the Vice Chair of the Housing Authority Board.

Respectfully submitted,



Cindy Becker
Director

For information on this issue or copies of attachments
Please contact Toni Karter at (503) 650-3139

February 18, 2010

Board of Commissioners of the
Housing Authority of Clackamas County

Members of the Board:

**Resolution 1873: Approval of an Amendment to the
Housing Authority's Procurement Policy**

The Housing Authority of Clackamas County (HACC) a Division of the Department of Health, Housing and Human Services, requests approval to amend its Procurement Policy and adopt Resolution 1873.

The American Recovery and Reinvestment Act (ARRA) Formula Grant Capital fund Program Amendment by and between HACC and the U.S. Department of Housing and Urban Development (HUD) obligated a \$1,516,897 Capital Fund Stimulus Grant (CFSG) to HACC. The ARRA imposes strict funding obligation and expenditure deadlines. Failure to meet these deadlines will result in recapture of all or a portion of the Grant.

In order to meet the obligations of the Grant and to comply with ARRA and its related Notices PIH 2009-12 and PIH 2009-31, HACC is adopting an amendment which includes the ARRA guidelines to HACC's Procurement Policy. Additionally, HACC is also required to document the approval formally with a signed Resolution 1873.

The amendment to HACC's Procurement Policy outlines unique requirements for all CFSG identified Projects. The requirements that HACC is recommending the Board adopt in the amendment relate to:

1. HACC can sole source a contract in excess of HACC's formal purchase threshold.
2. State and local procurement requirements shall not apply to CFSG Projects.
3. All contracts related to CFSG Projects will comply with all aspects of 24 CFR Part 85 requirements.
4. All contracts related to CFSG will comply with Buy American requirements of section 1605 of the Recovery Act and use only iron, steel and manufactured goods produced in the United States.
5. To the extent feasible, HACC should consider employing existing or additional force account laborers on either a permanent or temporary basis to perform CFSG work.

Recommendation

HACC recommends the Board approve the revisions to HACC Procurement Policy as recommended by HACC staff and authorize the Board Chair to sign Resolution 1873.

Respectfully submitted,

A handwritten signature in black ink that reads "Subm for Cindy Becker". The signature is written in a cursive, flowing style.

Cindy Becker
Director

February 18, 2010

Board of Commissioners of the
Housing Authority of Clackamas County

Members of the Board:

**Approval of a Contract with and Appointment of a Hearings Officer for
HACC Personnel Policy**

The Housing Authority of Clackamas County (HACC), a Division of the Department of Health, Housing and Human Services, requests approval to enter into a Contract with a Hearings Officer for HACC Personnel Policy.

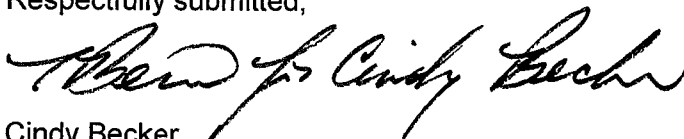
The HACC Personnel Policy provides that a Hearings Officer appointed by the Board of Commissioners shall preside at certain authorized hearings. The hearings relate to allegations of fraud or discrimination in the hiring process, or appeals of discipline or discharge by classified employees who do not have available a grievance procedure in a collective bargaining agreement. Few employees are in this category, as most are either in a collective bargaining unit, or are "unclassified" (at-will) employees, and thus do not meet the criteria for this type of hearing. At this time, HACC does not have an appointed Hearings Officer.

Timothy D.W. Williams was previously selected in a competitive process and appointed to serve as the Clackamas County hearings officer for its Personnel Code. Upon the expiration of that contract, he is being reappointed for the County Code. The attached contract will also appoint him for HACC's Personnel Policy. The hearings officer serves in an on-call capacity, and there is no expense unless a case is heard. In a typical year there are no cases heard under these provisions. Mr. Williams' firm is NorthWest Resolutions, Inc. This contract is for a maximum \$20,000. This was approved by County Counsel on February 8, 2010.

Recommendation

Staff recommends the Board approve the attached contract and appoint Timothy D.W. Williams of NorthWest Resolutions, Inc. as hearings officer for HACC Personnel Policy. Staff further recommend that Board Chair be authorized to sign the contract on behalf of the Board of County Commissioners.

Respectfully submitted,



Cindy Becker
Director

For information on this issue or copies of attachments
Please contact Toni Karter at (503) 650-3139

February 18, 2010

Board of Commissioners of the
Housing Authority of Clackamas County

Members of the Board:

**Approval of Contract #C010-10 with Walsh Construction Company,
for the Recovery Act Modernization Project at Housing Authority
Properties throughout Clackamas County**

The Housing Authority of Clackamas County (HACC), a Division of the Department of Health, Housing and Human Services, requests the approval of a Contract with Walsh Construction Company. This contract will allow HACC to upgrade energy efficiency items in 366 of its Public Housing units, referred to as Recovery Act Modernization Project #09001. This contract is in the format approved by County Counsel as part of the H3S Contract standardization project.

The contract amount is for a not to exceed fixed fee of \$1,071,560. The contract is effective when signed by both parties and continues for 180 calendar days from the date of the Notice to Proceed. The funding source is the Capital Fund Grant provided by the U.S. Department of Housing and Urban Development (HUD), grant numbers OR16S00150109 and OR16P00150108. No County General Funds are involved.

Recommendation

We recommend approval of this contract and further recommend that Board Chair 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 Toni Karter at (503) 650-3139

Healthy Families. Strong Communities.

February 18, 2010

Board of Commissioners,
Clackamas County

Members of the Board:

**Approval of an Agency Services Contract Amendment #1 with the
City of Canby/Canby Adult Center to provide Social Services
for Clackamas County Residents**

The Social Services Division of the Health, Housing and Human Services Department requests the approval of an Agency Services Contract Amendment #1 with the City of Canby/Canby Adult Center to provide social services to Clackamas County residents age 60 and over. This is a budget adjustment. This amendment adjusts the match rate for Medicaid client transportation services, redistributes OAA Title III-C funding of the nutrition program, and adjusts the contracted OAA Title III-C Meals. This amendment also adds funding for Low Income Energy Assistance Program (LIEAP) client intake services.

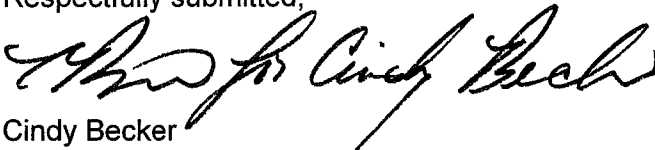
The goal in providing these services is to assist older residents in meeting their individual needs by linking them with County resources.

This amendment increases the contract amount by \$12,143; to a total of \$134,678. This contract is in the format approved by County Counsel as part of the H3S contract standardization project. The contract begins July 1, 2009 and continues through June 30, 2010. This amendment is effective when signed by all parties.

Recommendation

We recommend the approval of this amendment and 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 Brenda Durbin, # 503-655-8641

Healthy Families. Strong Communities.

February 18, 2010

Board of Commissioners,
Clackamas County

Members of the Board:

**Approval of an Agency Services Contract Amendment #1 with the
City of Oregon City/Pioneer Community Center to Provide Social
Services for Clackamas County Residents age 60 and Over**

The Social Services Division of the Health, Housing and Human Services Department requests the approval of an Agency Services Contract Amendment #1 with the City of Oregon City/Pioneer Community Center to provide social services to Clackamas County residents age 60 and over. This is a budget adjustment. This amendment adjusts the match rate for Medicaid client transportation services, redistributes OAA Title III-C funding of the nutrition program, and adjusts the contracted OAA Title III-C Meals. This amendment also adds funding for Low Income Energy Assistance Program (LIEAP) client intake services.

The goal in providing these services is to assist older residents in meeting their individual needs by linking them with County resources.

This amendment increases the contract amount by \$18,907; to a total of \$105,250. This contract is in the format approved by County Counsel as part of the H3S contract standardization project. The contract begins July 1, 2009 and continues through June 30, 2010. This amendment is effective when signed by all parties.

Recommendation

We recommend the approval of this amendment and 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 Brenda Durbin, # 503-655-8641

Healthy Families. Strong Communities.

February 18, 2010

Board of Commissioners
Clackamas County

Members of the Board:

**Approval to apply for the Oregon Department of Human Services
Statewide Children's Wraparound Initiative Grant
to be submitted by Cindy Becker on behalf of the Community Health Division**

The Clackamas County Community Health Division (CCCHD) of the Health, Housing & Human Services (H3S) requests the approval to apply for the Oregon Department of Human Services (DHS) Statewide Children's Wraparound Initiative Grant. DHS is seeking applicants for three demonstration project sites.

The Statewide Children's Wraparound Initiative was passed into law during the 2009 Oregon Legislative Session. It is designed to help children ages 0-18 who are in DHS custody and have received mental health and/or addiction services. The project goal is to establish an integrated system of care to improve outcomes for children and families and to engage them in the decision making process. The program seeks to leverage the strengths of multiple systems and decrease the burden on any single system to assist a child and their family in making significant, measurable progress. It will also create administrative processes and promote efficient use of resources in Clackamas, Hood River, Sherman and Wasco Counties (Clackamas Managed Health Organization service area).

If awarded, the grant will provide funding of up to \$327,000 for care coordination, plus \$30,000 for infrastructure development. The demonstration period runs from July 1, 2010 to June 30, 2011.

Recommendation

We recommend the approval to apply for this grant 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.

February 18, 2010

Board of County Commissioners
Clackamas County, Oregon

Members of the Board:

**Approval of a Construction Agreement between the
Community Development Division and KDR Contractors, LLC.
for building improvements to the Mt. Hood Museum and Cultural Center**

The Community Development Division of Health, Housing and Human Services requests the approval of a Construction Agreement with KDR Contractors, LLC. for the design and construction of a 6-stop, 3 story elevator. Oregon residents and visitors who enter the Mt. Hood Museum and Cultural Center on the 3rd floor must use stairs to access the other areas of the building and as such the 3 floors above and 2 floors below the entry point are not ADA accessible. This project would remove material and architectural barriers that restrict mobility and accessibility.

After review of the eleven (11) bids submitted on January 7, 2010, KDR Contractors, LLC. was determined to be the lowest responsive, responsible bidder substantially complying with the requirements of the solicitation documents. Below is a list of the 3 lowest bids:

- 1. KDR Contractors, LLC. \$239,019
- 2. Payne Construction \$246,311
- 3. O'Brien Construction \$249,500

Financial Impact: Mt Hood Museum and Cultural Center:\$ 94,019
CDBG Funding:.....\$ 145,000
 Total Construction Cost:.....\$ 239,019

No County General Fund dollars are involved. The Construction Agreement was reviewed and approved by County Counsel on November 23, 2009.

Recommendation

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

Respectfully submitted,



Cindy Becker
Director

For information on this issue or copies of attachments
Please contact Mark Sirois at 503-650-5664

Healthy Families. Strong Communities.



 COPY

Scott Caufield
Building Codes Administrator

BUILDING CODES DIVISION

February 18, 2010

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

Board of Commissioners
Clackamas County

Members of the Board:

APPROVAL OF AMENDMENTS TO INTERGOVERNMENTAL AGREEMENTS WITH THE TIGARD-TUALATIN, CENTENNIAL, CANBY, SHERWOOD, GRESHAM-BARLOW, WEST LINN-WILSONVILLE, OREGON CITY, SILVER FALLS, OREGON TRAIL, MOLALLA RIVER, NEWBERG AND GLADSTONE SCHOOL DISTRICTS (SDs) AUTHORIZING THE COUNTY TO RETAIN FOUR PERCENT (4%) OF THE CONSTRUCTION EXCISE TAX COLLECTED ON SD'S BEHALF EFFECTIVE SEPTEMBER 28, 2009 AND ESTABLISHING TERMS AND CONDITIONS FOR THE AMENDMENT.

In July 2007, the Governor signed legislation which authorized a school district to levy a Construction Excise Tax (CET) on new construction if it elects to do so by resolution. If a school district elects to impose a CET, the tax is to be assessed on certain construction permits issued within that school district. The tax is to be used solely for the purpose of funding capital improvements which are defined in the bill.

The school districts named above have elected to impose a CET and the Clackamas County Building Codes Division (County) has been collecting the tax on their behalf for some time. The original legislation authorized the County to retain up to one percent (1%) of the tax collected to offset the costs of collection of the tax. In 2009, the legislature authorized a change in the retention amount, increasing it from up to 1% to up to 4% of the tax collected to further assist local jurisdictions in defraying the costs of collection and administration of the CET.

The attached amendments modify IGAs with the named school districts authorizing the County to retain 4% of the tax collected on behalf of each school district retroactively to the date the change was authorized by the legislature, September 28, 2009 (ORS 320.179).

RECOMMENDATION:

Staff respectfully recommends that the Board approve the attached amendments to intergovernmental agreements with the named SDs which will authorize the Clackamas County Building Codes Division to retain four percent (4%) of the construction excise tax collected on SD's behalf beginning September 28, 2009.

Sincerely,



Scott Caufield
Building Codes Administrator

For more information on this issue, please contact Scott Caufield at 503-353-4747 or scottc@co.clackamas.or.us



COPY

Campbell M. Gilmour
Director

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

February 18, 2010

Board of Commissioners
Clackamas County

Members of the Board:

**BOARD ORDER ADOPTING THE VACATION OF A PORTION OF
TRAILBLAZER AVENUE AND ALDER WAY**


Trailblazer Avenue (Bush Avenue per plat) and Alder Way both public roads, are located in the northeast quarter of Section 32, Township 2 South, Range 7 East, Willamette Meridian, and the Plat of Mt. Hood Wildwood Annex, Plat No. 603. Trailblazer Road, and Alder Way, both Public Roads, were dedicated to the public through the plat in 1933. All of Alder Way lies within the Regulatory Floodway and, can only be constructed by special permit as a last resort. The vacation of the easterly 540 feet of Alder Way will not land lock any properties. Additionally the vacation of the southerly 322.00 feet of Trailblazer Avenue will not land lock any properties. Both of these rights-of-way are 15 feet wide and serve no purpose for the traveling public.

The Petition to Vacate has been filed with the prescribed fee of \$2,186.00 and signed by 100 percent of the abutting property owners. All abutting property owners have signed Consent to Vacate forms that have been acknowledged by the proper authority. Clackamas County Transportation Maintenance, Engineering and Planning Departments, and local utility companies have been contacted and do not have any objections to this vacation, provided that the rights of all public and private utilities currently installed within the area to be vacated continue to remain in effect, particularly those of Portland General Electric Company, their agents, successors, and assigns.

RECOMMENDATION:

Staff respectfully recommends that the Board adopt the attached Board Order approving the vacation of a portion of Trailblazer Avenue (Bush Avenue per plat) and Alder Way both public roads, in the Plat of Mt. Hood Wildwood Annex, Plat No. 603

Sincerely,


Mike Bezner, Engineering Manager
DTD Engineering

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

In the matter of the Vacation of a portion of Trailblazer Avenue & Alder Way in Mt. Hood Wildwood Annex, Plat No. 603, located in Sec. 32, T. 2 S., R. 7 E., W. M., Clackamas County, Oregon.

Order No.
Page 1 of 2



This matter coming before the Board of County Commissioners at this time and it appearing to the Board that in accordance with ORS 368.351, Consent To Vacate petitions have been signed by 100 percent of the abutting property owners and a written report from the County Road Official, Campbell Gilmour, finding this vacation to be in the public interest, has been submitted in this matter of the Vacation of a portion of Trailblazer Avenue (Bush Avenue per plat) and Alder Way, both public roads in Mt. Hood Wildwood, Plat No. 603, Clackamas County Surveyors Plat Records being those portions of road right-of-way described as follows:

All of that portion of Trailblazer Avenue (Bush Avenue per plat) as shown on Exhibit "B" attached hereto and being a part of this description, that lies south of and between a line that is 1 foot south of the easterly extension of the north line of Lot 21, Block 9 of said Plat and, the south right-of-way line of Alder Way.

All of that portion of Alder Way as shown on Exhibit "B" attached hereto and being a part of this description, that lies east of and between a line that is 1 foot east of the southerly extension of the west line of Lot 39, Block 8 of said Plat and, the east right-of-way line of Trailblazer Avenue (Bush Avenue per plat).

IT FURTHER APPEARING that Board, having read said Petition and report from the County Road Official, and having determined the vacation of the above described Trailblazer Avenue (Bush Avenue per plat) and Alder Way, to be in the public interest; and,

IT FURTHER APPEARING that Clackamas County departments of Transportation Maintenance Division, Engineering and Planning, and all local utility companies have been contacted and do not have any objections to this vacation, provided that the rights of all public and private utilities currently installed within the area to be vacated continue to remain in effect, particularly those of Portland General Electric Company, their agents, successors, and assigns; now therefore,

IT IS HEREBY ORDERED that the above described portions of Public roads known as Trailblazer Avenue (Bush Avenue per plat) and Alder Way, both public roads in Mt. Hood Wildwood, Plat No. 603, be Vacated, with the right to maintain, repair, construct or reconstruct, install, renew, and enlarge all of the public and private utilities currently installed within the vacated area, particularly those of Portland General Electric Company, their agents, successors, and assigns; and,

IT IS FURTHER ORDERED that this Order and supporting documents be recorded free of charge with the Clackamas County Clerk when presented, with copies sent to the County Assessor Office, County Surveyor's Office, and County Finance/Fixed Assets' Offices.

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

In the matter of the Vacation of
a portion of Trailblazer Avenue &
Alder Way in Mt. Hood Wildwood
Annex, Plat No. 603, located in
Sec. 32, T. 2 S., R. 7 E., W. M.,
Clackamas County, Oregon.



Order No.
Page 2 of 2

ADOPTED this 18th day of February, 2010.

Chair, BOARD OF COUNTY COMMISSIONERS

Recording Secretary

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, January 14, 2010 – 10:00 AM

Public Services Building

2051 Kaen Road, Oregon City, OR 97045

PRESENT: Commissioner Bob Austin, Vice Chair
Commissioner Jim Bernard
Commissioner Charlotte Lehan
Commissioner Ann Lininger

EXCUSED: Commissioner Lynn Peterson

Commissioner Bob Austin called the January 14, 2010 Business Meeting to order. He announced Commissioner Lynn Peterson is attending the "Transportation Research Board Conference" and will not be in attendance today – he will be severing as Chair for this meeting.

I. CITIZEN COMMUNICATION

1. Virginia Daves-Rock, Lake Oswego, 97034 – frustrated that she has not been able to get an H1N1 shot.

Marti Franz and Teri Beemer, H3S, were present to assist Ms. Daves-Rock with an H1N1 vaccination.

2. Lauri Hein, 5915 SW Burma Rd., Lake Oswego, 97035 – upset that the Board sent out flyer in favor of measure 66 and 67 - wasteful spending.

3. Shannon, Clackamas County – upset the Board sent out 66 and 67 flyer.

4. Cindy Tyree, 3351 SW Hazelbrush Ct., Wilsonville – upset about 66 & 67 flyer. Will submit a formal complaint to the Secretary of State.

5. Jerry Simnitt, 168 NE 22nd, Canby – Asked the Board to change an area in Canby that is designated rural reserve to undesignated. Submitted map.

6. Brooks Cutsforth, 225 NE 2nd, Canby – area designated rural reserve change to undesignated.

7. Catherin Davis, PO Box 73, Canby – area designated rural reserve changed to undesignated.

8. Susan Myers, 372 SE 13th Place, Canby – area designated rural reserve changed to undesignated. Submitted maps.

9. Randy Carson, 556 SE 10th Ave. Canby – reconsider your decision - area designated rural reserve change to undesignated.

Commissioner Lehan stated that there are several public hearings going on at this time before the Metro Council regarding Urban and Rural Reserve. This information will be considered during this process.

Chair Austin explained the reason the informational mailer was sent out to Citizens of the County.

II. PUBLIC HEARING

1. First Reading of Ordinance No. **01-2010** Repealing County Code Chapter 8.07, Burglar Alarm Ordinance, and Replacing it with a New Chapter 8.07, Alarm Permit Ordinance
Kimberly Ybarra Cole, County Counsel presented the staff report. She introduced Kevin Poppen, Clackamas County Sheriff's Office, who has also worked on this ordinance. She stated this is the first reading and the second reading is scheduled for January 28, 2010.

Chair Austin announced this is a public hearing and asked if anyone wished to speak, seeing none he asked for a motion to read the ordinance by title only.

MOTION:

Commissioner Lehan: I move we read the Ordinance by title only.

Commissioner Lininger: Second.

Chair Austin – all those in favor:

Commissioner Allison: Aye.

Commissioner Lininger: Aye.

Commissioner Lehan: Aye.

Commissioner Bernard: Aye.

Chair Austin: Aye.

Chair Austin – all those opposed: - The Ayes have it and the motion is approved – he asked the Clerk to assign a number and read the Ordinance by title only.

The Clerk assigned Ordinance No. 01-2010 and read the Ordinance by title only.

Chair Austin announced the second reading will January 28, 2010 at the Board's regularly scheduled Business Meeting.

III. DISCUSSION ITEMS

~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 Amendment to an Intergovernmental Agreement with the State of Oregon Department of Human Services, Senior and People with Disabilities Department for Services to Older Workers under the Senior Community Services Employment Program – CSCC *(Community Solutions)*
2. Approval of an Intergovernmental Agreement with the City of Gladstone for Services Delivered by Clackamas County Project Payback Program – CSCC *(Community Solutions)*

B. Department of Transportation & Development

1. Approval of Cooperative Improvement Agreement Amendment No. 1 with the Oregon Department of Transportation, the City of Portland and TriMet for Telecommunications Infrastructure

C. Elected Officials

1. Approval of Previous Business Meeting Minutes – BCC

2. Approval of an Authorization to Purchase Mobile Data Computers from Feeney Wireless, Inc. - CCSO

D. Department of Emergency Management

1. Approval of Three FY 2009 State Homeland Security Grant Agreements between Clackamas County and the State of Oregon

E. Tourism and Cultural Affairs

1. Approval of an Intergovernmental Agreement with the University of Oregon's Community Planning Workshop for a Website Evaluation and Re-Design Project for the Tourism & Cultural Affairs Department

V. NORTH CLACKAMAS PARKS & RECREATION DISTRICT

1. Approval of a Letter of Concurrence for Section 4(f) "De-minimis" use Determination for the Trolley Trail by the Portland to Milwaukie Light Rail Project

VI. WATER ENVIRONMENT SERVICES

1. Acceptance of Sanitary Sewer Easements on behalf of Clackamas County Service District No. 1 for Phase 1 of the North Clackamas Revitalization Area Sanitary Sewer Project

VII. COMMISSIONERS COMMUNICATION

MEETING ADJOURNED – 10:50 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

February 18, 2010

Board of Commissioners
Clackamas County

Members of the Board:

BOARD ORDER FOR RENEWAL OF THE CABLE TELEVISION FRANCHISE AGREEMENT FOR USE OF THE COUNTY RIGHTS-OF-WAY BY COMCAST OF OREGON II, INC., COMCAST OF TUALATIN VALLEY, INC., AND COMCAST OF ILLINOIS/OHIO/OREGON, LLC.

The County has concluded negotiations with Comcast of Oregon II, Inc., Comcast of Tualatin Valley, Inc., and Comcast of Illinois/Ohio/Oregon, LLC, (Collectively Comcast) with terms and conditions for use of the County's rights-of-way to provide a video television system to residents in unincorporated Clackamas County. A map of the area to be served is represented as Exhibit A in the franchise agreement. Comcast will pay franchise fees, the same as other cable television providers, of 5% of gross revenues.

Provisions of the Franchise Agreement include broadcast of five (5) access channels in each of the franchise territories. Also included are interconnection requirements with all other contiguous cable systems in Clackamas County in addition to the continuation of the existing I-Net connections. The cable company has also agreed to support Public, Education and Government Access with a monthly contribution of \$1.00 per subscriber. An additional two (2) access channels may be required upon request of the Board of County Commissioners when expansion criteria for channel capacity are met.

RECOMMENDED ACTION:

Approve the Cable Television Franchise Renewal Agreement with Comcast for a term of five (5) years.

County Counsel has seen and approved the attached Board Order



David Anderson, Assistant County Counsel

Respectfully submitted,



Debbie McCoy, Manager
Cable Communications

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

In the Matter of a Renewal
Of the Cable Television
Franchise Agreement For Use of the
County Rights-of-Way By
Comcast of Oregon II, Inc., Comcast
of Tualatin Valley, Inc., and Comcast
of Illinois/Ohio/Oregon, LLC.

}

ORDER NO.

This matter coming on at this time, and it appearing that Comcast of Oregon II, Inc., Comcast of Tualatin Valley, Inc., and Comcast of Illinois/Ohio/Oregon, LLC., (Collectively Comcast) has been providing cable television service utilizing the County rights-of-way pursuant to a franchise agreement that expired on March 31, 2009 and;

It further appearing that the County and Comcast have conducted extensive negotiations as provided by federal law concerning the franchise renewal and;

It further appearing that the issuance of a renewal 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 five (5) years as specified in Section 3.3.

DATED this _____ day of February, 2010

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary



Water Quality Protection
Surface Water Management
Wastewater Collection & Treatment
Michael S. Kuenzi, P.E.
Director

February 18, 2010

Board of Commissioners
Clackamas County

Members of the Board:

ACCEPTANCE OF A CONSERVATION EASEMENT ON BEHALF OF
SURFACE WATER AGENCY OF CLACKAMAS COUNTY

This conservation easement will protect the integrity, viability, conveyance and water quality functions of the sensitive area and associated buffer located on the property and is described in the attached Exhibits A and B. If accepted, Carolyn McGill and Casey Beatty will grant the easement to the District free of charge.

District counsel has reviewed the proposed Easement as to form.

RECOMMENDATION

We respectfully recommend that the Board of County Commissioners accept the conservation 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 at (503) 742-4566

Serving Clackamas County, Gladstone, Happy Valley, Johnson City, Milwaukie, Oregon City, Rivergrove and West Linn.
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