



AGENDA

THURSDAY, SEPTEMBER 29, 2011 - 10:00 AM BOARD OF COUNTY COMMISSIONERS

Beginning Board Order No. 2011-73

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

1. Proclaiming October 2011 as Domestic Violence Awareness Month in Clackamas County (Christina Bondurant, Children, Youth and Families)

II. 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.)*

1. Approval to Accept the Honest Opportunity Probation with Enforcement Demonstration Field Experiment Fiscal Year 2011 Grant Award (John Foote, District Attorney)

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. 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 Amendment No. 1 to the Intergovernmental Agreement with the Oregon Health Authority for the Adult Mental Health Initiative - BH
2. Approval of an Intergovernmental Agreement with the State of Oregon Department of Human Services for the "Ticket to Work" Program - BH
3. Approval of an Intergovernmental Agreement with Lincoln County for the Citizen/Alien Waived Emergency Medical Children's Dental Services Expansion Program - CH

B. Elected Officials

1. Approval of Previous Business Meeting Minutes - BCC

V. DEVELOPMENT AGENCY

1. Approval of an Oregon Parks and Recreation Department Local Government Grant Agreement for the Construction of Hawthorne Park

VI. SERVICE DISTRICT NO. 5

1. Board Order No. _____ Certifying an Assessment Roll for Clackamas County Service District No. 5

VII. WATER ENVIRONMENT SERVICES

1. Approval of a Joint Funding Agreement between Clackamas County Service District No. 1 and the US Geological Survey for Cooperative Hydrologic Monitoring in the Johnson Creek Watershed
2. Board Order No. _____ Approving an Increase to the Loan from the Clean Water State Revolving Fund for Clackamas County Service District No. 1 - North Clackamas Revitalization Areal Sanitary Sewer Project

VIII. 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/>

COPY

September 29, 2011

Board of County Commissioners
Clackamas County

Members of the Board;

**Proclamation to declare October 2011 as
Domestic Violence Awareness Month in Clackamas County**

Domestic Violence is a serious crime that impacts our community at every level—from individual families to public health to the local economy. The problems of family violence cross all racial, social, religious, ethnic, geographic and economic groups. While important work is being done in our community by a number of public and private agencies to respond to and prevent domestic violence; it continues to be an ongoing issue.

In recognition of the impact of domestic violence on the lives of children and families and the need for greater awareness in our communities, the first Domestic Violence Awareness Month was observed in October 1987—the same year that the first national domestic violence toll-free hotline came into fruition. The U.S. Congress passed Public Law 101-112 in 1989 designating October of that year as National Domestic Violence Awareness Month; such legislation has passed every year since. (Adapted from the *1996 Domestic Violence Awareness Month Resource Manual* of the National Coalition Against Domestic Violence).

Important research has been done at the local level on the impact of domestic violence in our community. Based on media reports in 2010, thirty-five deaths were related to known intimate partner violence in Oregon. In 2009, there were over 8309 allegations of abuse or neglect towards seniors and people with disabilities, who are not living in facilities, in Oregon. In cases where the perpetrator was identified, 45% of these allegations indicated the perpetrator was an adult child, family member, spouse or intimate partner (*Oregon Department of Human Services Domestic & Sexual Violence Factsheet, 2011*).

According to Children First for Oregon, 28.8% of founded abuse/neglect/threat of harm referrals in Clackamas County were related to domestic violence in 2010 (*2009 Status of Oregon's Children*). Clackamas Women's Services reports that, on average, 1 in 2 students know an adult who has experienced domestic violence and more than 1 in 10 high school and middle school students say that a past or current partner (boyfriend/girlfriend) has hit, shoved, slapped, and/or kicked them (*CWS, 2009/2010*).

The Children, Youth and Families Division is actively supporting and developing evidenced based programs and initiatives that work towards addressing and preventing domestic violence in order to break the silence that often surrounds this issue. Our primary goals are to raise awareness in the community, increase safety and support for survivor/victims of domestic violence and hold those who abuse accountable for their actions. Some of the programs and initiatives underway in our County include:

Healthy Families. Strong Communities.

- Specific campaigns designed to raise awareness about this issue during Domestic Violence Awareness Month, including a Kick-Off Event during First Friday in downtown Oregon City, Purple Night Lights, the Purple Ribbon Campaign, displaying the Silent Witnesses throughout the month and a DV specific Coffee Talk event.
- The launching of a county-wide public awareness campaign focused on prevention.
- New funding through the Department of Justice Office on Violence Against Women to enhance training and services to women experiencing violence later in life.
- A top-level Leadership Committee meets quarterly to oversee the response to and prevention of domestic violence.
- The Family Violence Coordinating Committee (FVCC) meets monthly to develop and implement effective strategies to reduce and respond to domestic violence.
- Contracts with Los Niños Cuentan, Clackamas Women's Services, Clackamas County Sheriff's Office, and Clackamas County District Attorney's Office Victim Assistance Program to improve the quality of service delivery.
- Updating and maintaining a comprehensive website for domestic violence, to include information and resources for all community members.

To learn more about domestic violence prevention and response, please call the Children, Youth and Families Division Domestic Violence Coordinator at 503-650-5684.

Recommendation:

Staff recommends the Board approve the attached Domestic Violence Awareness Month Proclamation.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Becker", with a small "1, CB" written to the right of the signature.

Cindy Becker
Director

For information on this issue or copies of attachments
Please contact Rodney Cook at (503) 650-5677

**PROCLAIMING OCTOBER 2011
AS DOMESTIC VIOLENCE AWARENESS MONTH
IN CLACKAMAS COUNTY**

COPY

WHEREAS, domestic violence is a serious crime in Clackamas County that affects people of all races, ages, gender, and income levels;

WHEREAS, family is the foundation of a safe and healthy community, it is the goal of Clackamas County for our communities to be safe;

WHEREAS, 5,837 shelter nights were provided to domestic violence survivors and children and 2,899 calls for services for domestic violence survivors were received in our county in 2009;

WHEREAS, 28.8% of founded abuse/neglect/threat of harm referrals in Clackamas County were related to domestic violence in 2010;

WHEREAS, children that grow up in violent homes are believed to be abused and neglected at a rate higher than the national average;

WHEREAS, the economic costs of intimate partner physical and sexual assault in Oregon are estimated at over \$50 million each year, nearly \$35 million of which is for direct medical and mental health services;

WHEREAS, only a coordinated community effort will put a stop to this heinous crime;

WHEREAS, Domestic Violence Awareness Month provides an excellent opportunity for citizens to learn more about preventing domestic violence and to show support for the numerous organizations and individuals who provide critical advocacy, services and assistance to victims;

NOW, THEREFORE, the Clackamas County Board of Commissioners do hereby proclaim the month of October 2011 as

***Domestic Violence Awareness Month
in Clackamas County***

We encourage all citizens of the County to join in this observance and urge everyone in the community to learn more about domestic violence and how to address it both individually and collectively.

Dated this 29th day of September, 2011

Clackamas County Board of Commissioners

Commissioner Charlotte Lehan, Chair



John S. Foote, District Attorney for Clackamas County

Clackamas County Courthouse, 807 Main Street, Room 7, Oregon City, Oregon 97045
503 655-8431, FAX 503 650-8943, www.co.clackamas.or.us/da/

September 29, 2011

Board of Commissioners
Clackamas County

Members of the Board:

**Approval to accept the Honest Opportunity Probation with Enforcement
Demonstration Field Experiment
FY 2011 Award (HOPE DFE)**

This award presents a great opportunity for Clackamas County, as only four agencies in the nation were selected as sites for the HOPE DFE.

The HOPE DFE will provide an opportunity to test a high-intensity supervision program that targets those who have consistently violated probation conditions, including drug, sex and domestic violence offenders. According to Hawaii News, recently compiled data show that people in HOPE are less than half as likely to commit new crimes or fail drug tests as those on regular probation. (2009)

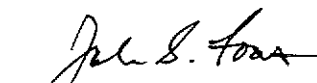
The District Attorney will use the grant funds, which total \$846,031, to operate the HOPE program for a period of 24 months with a start date of October 1, 2011. The program objectives are to successfully manage 200 HOPE probationers and maintain strong working relationships among key partners, while maintaining or improving Community Corrections' successful probation outcomes and recidivism rates. (DOJ, 2011)

Funds will be used to hire two probation and parole officers, two part-time human services assistants, one judicial services specialist, and a project coordinator. Award funds will also be used to cover travel and training expenditures, offset overtime to track down and arrest absconders, and provide a dedicated jail bed. The 25 percent match requirement will easily be met with in-kind services in the form of staff salaries.

RECOMMENDATION:

We respectfully recommend that the Board approve this Grant Award and further recommend that Steve Wheeler be authorized to sign on behalf of the Board of County Commissioners.

Sincerely,


John S. Foote

For information on this issue or attachments please contact
Sarah Brown at (503) 650-3532.

September 29, 2011

Board of Commissioners
Clackamas County

Members of the Board:

Approval of Amendment #1 to the Intergovernmental Agreement with the Oregon Health Authority for the Adult Mental Health Initiative (AMHI)

The Clackamas County Behavioral Health Division of the Health, Housing & Human Services Department requests the approval of Amendment #1 to the Intergovernmental Agreement with the Oregon Health Authority to provide mental health services through the Adult Mental Health Initiative (AMHI).

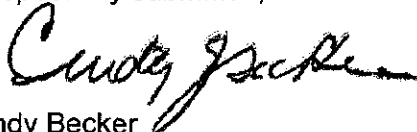
The AMHI is designed to promote effective use of facility-based mental health treatment, increase care coordination and increase accountability at a local and state level. This amendment adds revenue to fund acute psychiatric inpatient services.

This amendment increases the agreement by \$1,051,414 for a new agreement total of \$1,488,786. No County General Funds are involved. The amendment was reviewed and approved by County Counsel on September 7, 2011. The amendment is effective upon signature through June 30, 2012.

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 Emily M. Zwetzig/Office of Business Services at (503) 742-5318.

September 29, 2011

Board of County Commissioners
Clackamas County

Members of the Board:

**Approval of an Intergovernmental Agreement with
State of Oregon/Department of Human Services for "Ticket to Work" Program**

The Clackamas County Behavioral Health Division of the Health, Housing and Human Services Department requests the approval of an Intergovernmental Revenue Agreement with the State of Oregon/Department of Human Services, Office of Vocational Rehabilitation for an employment support program called "Ticket to Work".

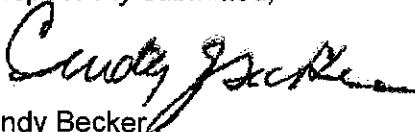
The "Ticket to Work" program provides collaboration and supports for consumers to create incentives to continue to work. The revenue from this agreement will be used to grow the individualized, evidence-based employment support program. The Board approved the agreement with the State on June 16, 2011.

This revenue agreement has no upper limit. It is funded through the State of Oregon/ Department of Human Services. County Counsel reviewed and approved this agreement on September 19, 2011. No County General Funds are involved. It is effective July 1, 2011 and terminates on June 30, 2013. The agreement is retroactive due to receiving the agreement late from the State.

Recommendation

We recommend the approval of this agreement 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 Emily M. Zwetzig/H3S/Office of Business Services at (503)742-5318.

Healthy Families. Strong Communities.

September 29, 2011

Board of Commissioners
Clackamas County

Members of the Board:

**Approval of an Intergovernmental Agreement with Lincoln County for
the Citizen/Alien Waived Emergency Medical (CAWEM)
Children's Dental Services Expansion Program**

The Clackamas County Community Health Division (CCCHD) of the Health, Housing and Human Services Department (H3S) requests the approval of an Intergovernmental Agreement with Lincoln County for the Citizen/Alien Waived Emergency Medical (CAWEM) Children's Dental Services Expansion Program.

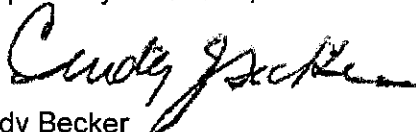
The agreement allows CCCHD to participate in a project with Lincoln County to improve Children's Dental Services. Multnomah County, Lane County, and Benton County are also participating with CCCHD in this project. CCCHD will coordinate financial assistance from these counties that are operating as Federally Qualified Health Centers (FQHCs). CCCHD will submit payments to the State of Oregon on behalf of these county FQHCs in support of expansion of dental care services to Title XXI eligible children. This project is operated under an agreement with the State of Oregon through the Children's Health Insurance Program (CHIP). The Board approved the agreement with the State on June 16, 2011.

Lincoln County will contribute a total of \$18,006. Ultimately, these funds will help the State meet matching fund obligations associated with capturing Title XXI federal funds for the program. In return, CCCHD expects to realize approximately \$1.6 million in revenue by June 2013 from billings for additional FQHC services provided to these consumers. County Counsel reviewed and approved this agreement as part of the H3S contract standardization project. This agreement is effective July 1, 2011 and terminates on June 30, 2013. The agreement is retroactive due to receiving the State agreement late and processing the State agreement before going forward with the county agreements.

Recommendation

We recommend the approval of this agreement 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 Emily M. Zwetzig/H3S Office of Business Services at (503)742-5318.

Healthy Families. Strong Communities.



COPY

DAN JOHNSON
MANAGER

DEVELOPMENT AGENCY

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

September 29, 2011

Clackamas County Board of Commissioners

Members of the Board:

Approval of an Oregon Parks and Recreation Department
Local Government Grant Agreement for the Construction of Hawthorne Park.

Clackamas County was recently awarded a \$50,000 grant by the Oregon Parks and Recreation Department (OPRD) through the Local Government Grant Program (LGGP). Application for the grant by the County on behalf of the Development Agency was approved by the Board at the March 31, 2011 Business Meeting. The grant is for construction of a public park as part of the Hawthorne Park development project. The park will include landscaping, nature-based play features, pathways and other site amenities such as picnic tables and benches.

Hawthorne Park is a 29-unit condominium development, comprised of two- and three-family dwellings, on a four (4) acre parcel located south of King Road in the North Clackamas Revitalization Area (NCRA). The Agency partnered with HP Development Inc., owned by Nick Stearns, to develop a project that includes affordable or "workforce" housing units and a small neighborhood park. The housing units have been completed and 28 of 29 have been purchased to date. The requirements for integrating the park into the Hawthorne Park development are included in the development agreement between the Agency and HP Development Inc.

Development of this park furthers a goal of the NCRA Plan to provide additional park facilities in the district and adds green space to one of the most park deficient neighborhoods in the metro area. Mill Park is currently the only park within the district. The Agency was previously awarded a \$140,000 Metro Nature in Neighborhoods grant for construction.

The Metro grant also acts as a match for the LGGP grant, allowing the Agency to leverage the use of its funds to the maximum extent possible. Estimated construction cost of the park is approximately \$250,000, with the Agency's contribution being the remaining \$60,000 after application of the \$190,000 in grant funds. The Agency's funding is included in the approved 2011-12 budget.

The IGA has been reviewed and approved by County Counsel.

Hawthorne Park
Oregon Parks and Recreation Dept Grant
Page 2
September 29, 2011

RECOMMENDATION

- Staff respectfully recommends that the Board approve and sign the attached Agreement between the County and OPRD.

Sincerely,



Ken Itel
Senior Project Planner

Attachments

For more information on this item please contact
Ken Itel at (503) 742-4324 or via email at kennethite@co.clackamas.or.us



COPY

Campbell M. Gilmour
Director

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

September 29, 2011

Board of County Commissioners
Clackamas County

Members of the Board:

**BOARD ORDER CERTIFYING AN ASSESSMENT ROLL FOR
CLACKAMAS COUNTY SERVICE DISTRICT NO. 5**

This Board Order is to certify the Assessment Roll for Clackamas County Service District No. 5 for 2011-2012. Clackamas County Service District No. 5 makes annual special assessments against property benefited by street light service. The Assessment Roll is kept by the Department of Transportation and Development. Assessments are attached to the property tax statements for the County and collected in the same manner as ad valorem taxes. The Assessor must receive a Certifying Order by the District's Board, in this case, the Board of County Commissioners, before the assessments can be placed on the tax roll, and therefore on the tax statements.

The cost of street lighting within Clackamas County Service District No. 5 is paid by direct assessment against benefited property. The adopted district budget assumes the special assessment will be certified by the Board and collected with the property tax statements.

RECOMMENDATION

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 require the Assessor to place the assessments for street light service, in the amount of \$1,778,657.33 on the tax roll.

For additional information, please contact Kevin Noreen at 503-742-4699.

Sincerely,

Kevin Noreen
CCSD#5 Program Manager

For information on the issue or copies of attachments
please contact Kevin Noreen at (503)742-4699

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

In the Matter of Certifying an Assessment
Roll for Property Assessed for Street
Light Service in Clackamas County
Service District No. 5 for Fiscal Year
2011-2012



ORDER NO.
page 1 of 1

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 that assessment rates for Clackamas County Service District No. 5 were adopted by Order No. 2011-48, and that such assessments are a revenue source essential to the continuing viability of Service District No. 5, now therefore

IT IS HEREBY ORDERED that the benefited property as shown on the Assessment Roll maintained by the Department of Transportation and Development for Clackamas County, be assessed in the amount specified thereon, and that these assessments are required to be placed on the tax roll, and

IT IS FURTHER ORDERED that the Board of County Commissioners of Service District No. 5 hereby levy the assessments provided for in the adopted budget in the aggregate amount of \$1,778,657.33 and that these assessments are levied upon certain properties within the District as of 1:00 a.m. July 1, 2010. The following allocation and categorization subject to the limits of section 11b. Article XI of the Oregon Constitution make up the above aggregate levy:

	Subject to the General Government Limitation	Excluded from the Limitation
General Fund	\$1,778,657.33	\$ 0.00
Total	\$1,778,657.33	\$ 0.00

IT IS FURTHER ORDERED that the assessments collected in the amount of \$1,778,657.33 be placed in the Clackamas County Service District No. 5 account, out of which payments can be made for services and materials provided to the District.

ADOPTED this 29th day of September, 2011.

BOARD OF COUNTY COMMISSIONERS
Acting as the Governing Body of Clackamas County Service District No. 5

Chair

Recording Secretary



Beyond clean water.

September 29, 2011

Water Quality Protection
Surface Water Management
Wastewater Collection & Treatment

Michael S. Kuenzi, P.E.
Director

Board of Commissioners
Clackamas County

Members of the Board:

APPROVAL OF A JOINT FUNDING AGREEMENT BETWEEN CLACKAMAS COUNTY SERVICE DISTRICT NO. 1 (CCSD#1) AND THE U.S. GEOLOGICAL SURVEY (USGS) FOR COOPERATIVE HYDROLOGIC MONITORING IN THE JOHNSON CREEK WATERSHED

A cooperative, multi-jurisdictional hydrology study between the USGS and local governments in the Johnson Creek watershed is proposed to continue during Federal fiscal year (FFY) 2012. In 1999, CCSD#1 joined this long-term study. Other local governments who plan to participate are the Cities of Gresham, Milwaukie, Damascus, and Portland, Multnomah County, and the East Multnomah County Soil & Water Conservation District. Funds in this FFY will be used by the USGS to:

- Continue ongoing research into the relationship between turbidity and suspended sediment to increase our understanding of sediment sources and transport in the watershed. Since turbidity can be continuously measured by automated equipment – while samples of suspended sediment in water must be collected in the field and then analyzed in a laboratory – this research could yield more cost-effective ways to measure sediment sources and transport in the watershed.
- Maintain a network of several continuous creek water quality and/or flow monitoring stations. Water quality parameters measured by this network includes temperature and turbidity.
- Collect seepage measurements to identify sources of cool, groundwater-fed flows to the creek.
- Maintain an existing network of monitoring stations which measure groundwater levels.

The total cost of the work in FFY 2012 is \$17,900. The USGS will provide \$8,950 if CCSD#1 provides \$8,950. If approved by the Board, funds for the monitoring work performed in FFY 2012 are expected to be provided from CCSD#1's 2012-2013 Surface Water Management Operating Budget.

District counsel has reviewed the Agreement as to form.

Recommendation

Staff respectfully recommends that the Board approve the attached agreement between CCSD#1 and the USGS for joint hydrologic monitoring in the Johnson Creek watershed.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Kuenzi".

Michael Kuenzi
Director

For information on this issue or copies of attachments, please contact Trista Crase at 503-742-4566.

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Beyond clean water.

Water Quality Protection
Surface Water Management
Wastewater Collection & Treatment

Michael S. Kuenzi, P.E.
Director

September 29, 2011

Board of County Commissioners
Clackamas County

Members of the Board:

**ORDER APPROVING AN INCREASE TO THE LOAN FROM THE
CLEAN WATER STATE REVOLVING FUND FOR CLACKAMAS COUNTY
SERVICE DISTRICT NO. 1'S NORTH CLACKAMAS REVITALIZATION AREA
SANITARY SEWER PROJECT**

Construction of a public sanitary sewer system to serve the Clackamas County Service District No. 1 (CCSD#1) areas of the North Clackamas Revitalization Area has been underway since January 2010. Phases 1 and 2 are completed and are now in service; approximately 50 new customers have connected to the CCSD#1 system. The contract for the third and final phase was recently awarded and construction is expected to begin soon. The entire project is scheduled for completion in early Fall 2012.

Engineering and construction costs are initially paid by CCSD#1. The District is in turn reimbursed for these costs by the Oregon Department of Environmental Quality (DEQ) Clean Water State Revolving Fund (SRF). Once the project is completed, these reimbursements will be converted into a 20-year loan from the SRF to the District which will have annual principal and interest payments due over that term.

The District will generate sufficient revenue to pay the annual principal and interest amounts associated with this loan through assessments on the benefitted properties. To this end, Assessment District 2009-10 was formed by Order 2009-20 on March 19, 2009.

The total project is estimated to cost \$12.8 million and is being funded by three SRF loans over DEQ's 2009 through 2011 funding cycles. The specific terms of the agreements do not have to be renegotiated for each loan.

The initial loan agreement in the amount of \$4 million was approved by Order 2009-105 on October 15th, 2009. The loan was funded through the SRF program with funds from the American Recovery and Reinvestment Act. Consequently, the initial loan will have one half of the principal amount, \$2 million, forgiven with the remaining \$2 million not accruing any interest over the 20 year term of the planned

assessments. These principal and interest reductions will be passed along to the assessments on benefitted properties within the NCRA. The remaining two phases will be financed through traditional SRF funding sources and will require full principal and interest payments.

A second loan agreement, R22403, in the amount of \$5,000,000 was approved by Order 2010-23 on March 18, 2010. DEQ subsequently increased this loan by \$350,000; the Director of Water Environment Services executed Amendment 1 to this Agreement in accordance with his authority as delegated by the Board of County Commissioners.

Staff is submitting for approval the attached Amendment 2 to Loan Agreement No. R22403 for the third and final increase to the initial loan in the amount of \$3,450,100.00, at an interest rate of 2.77% per annum and an annual fee of 0.5% of the outstanding loan amount.

District Counsel has reviewed the loan amendment and approved it as to form.

RECOMMENDATION:

Staff recommends that the Board of County Commissioners of Clackamas County, Oregon, acting as the governing body of Clackamas County Service District No. 1, a county service district ("District"):

- A. Approve the final increase to the Clean Water State Revolving Fund Loan, Agreement No. R22403, Amendment 2, in the amount of \$3,450,100.00;
- B. Authorize the Director of Water Environment Services to execute the Agreement without further Board action; and
- C. Authorize the Loan Reserve Account and its funding at the Loan Reserve Requirement.

Sincerely,



Michael S. Kuenzi, P.E.
Director

**IN THE MATTER OF AN ORDER
APPROVING LOANS FROM THE CLEAN
WATER STATE REVOLVING LOAN FUND
TO CLACKAMAS COUNTY SERVICE
DISTRICT NO. 1's NORTH CLACKAMAS
REVITALIZATION AREA SANITARY
SEWER COLLECTION SYSTEM PROJECT**

Order No. 2011-__

Page 1 of 2

This matter coming before the Board of County Commissioners, acting as the governing body of Clackamas County Service District No. 1 ("District"), and it appearing to the Board that the District is authorized by Order No. 89-467 to make applications for State Revolving Fund ("SRF") loans from the Oregon Department of Environmental Quality ("DEQ") for various District projects; and

It further appearing to the Board that the District did make application for and receive through the American Recovery and Reinvestment Act of 2009 ("ARRA") of SRF Loan No. R06224 in the initial amount of \$4,000,000 (the "Loan") for the initial phases of the North Clackamas Revitalization Area ("NCRA") Sanitary Sewer Collection System Project ("Project"), which was approved by Board Order 2009-105; and

It further appearing that the DEQ, through Clean Water State Revolving Fund Loan No. R22403, increased the loan in the amount of \$5,000,000, approved by Board Order 2010-23, to fund Phase 2 of the NCRA Project; and

It further appearing that the DEQ offered to increase Loan No. R22403 by \$350,000; said Amendment 1 approved by the Director of Water Environment Services in accordance with his authority as delegated by the Board; and

It further appearing to the Board that the Oregon Department of Environmental Quality, through Clean Water State Revolving Fund Loan No. R22403 Amendment 2, will increase the loan in the amount of \$3,450,100 to fund the remaining portions of the NCRA Project at an interest rate of 2.77% per annum;

It further appearing that DEQ requires formal authorization by the Board of a designee to sign all documents on behalf of the District, and that the District shall create a Loan Reserve Account and agrees to provide for the Loan Reserve Requirement in a Loan Reserve Account.

**IN THE MATTER OF AN ORDER
APPROVING LOANS FROM THE CLEAN
WATER STATE REVOLVING FUND LOAN
TO CLACKAMAS COUNTY SERVICE
DISTRICT NO.1'S NORTH CLACKAMAS
REVITALIZATION AREA SANITARY
SEWER COLLECTION SYSTEM PROJECT**

Order No. 2011-___

Page 2 of 2

NOW, THEREFORE, IT IS HEREBY ORDERED that SRF Loan No. R22403, Amendment 2, is approved, and the District shall fund the Loan Reserve Requirement which shall be deposited in a Loan Reserve Account in order to qualify for the loan funds; and

IT IS FURTHER ORDERED that the Director of Water Environment Services shall have the authority to make, execute, and deliver on behalf of the Board of County Commissioners as the governing body of the District any and all documents required to be executed under the DEQ SRF loan program, the ARRA and related regulations, and further that District's legal counsel may deliver any opinions or other documents necessary to complete the Loan.

DATE this ____ day of September 2011.

BOARD OF COUNTY COMMISSIONERS

Acting as the Governing Body of Clackamas County Service District No. 1

Chair

Recording Secretary