



**DAN JOHNSON**  
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT  
DEVELOPMENT SERVICES BUILDING  
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

November 7, 2024

BCC Agenda Date/Item: \_\_\_\_\_

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

**Approval of a Board Order Forming New Assessment Areas within  
Clackamas County Service District No. 5. Current Value from the addition of  
the one assessment areas is \$987/year. Funding through rate payers. No  
County General Funds are involved.**

<b>Previous Board Action/Review</b>	Scheduled Hearing for new lighting assessment area.		
<b>Performance Clackamas</b>	Promotes a safe, healthy and secure community through the enhanced nighttime visibility created with new street lighting.		
<b>Counsel Review</b>	Yes HH October 14, 2024	<b>Procurement Review</b>	No
<b>Contact Person</b>	Wendi Coryell, Service District Specialist - DTD Engineering 503-742-4657 (Phone)   wendicor@clackamas.us		

**EXECUTIVE SUMMARY:**

The proposed assessment area(s) listed in **Exhibit A - New Service District No. 5 (CCSD5) Petition Assessment Area** attached to the proposed Board Order, would be formed in response to property owner requests for street lighting in existing neighborhoods under District Rule 4.020. Staff evaluated the existing conditions, prepared petition materials for neighborhood sponsors and followed up with informational mailings after the initial signature gathering phase. If approved, County staff will work with PGE to achieve a design appropriate to the neighborhood's needs.

Notice of the time and place of this hearing was mailed by first class mail to the current addresses as listed by the Clackamas County Assessment office. The notice specifically noted that a public hearing was scheduled for November 7, 2024, to hear objections or to file a remonstrance against the approval of the new assessment area. Pursuant to statute, a minimum of 50% of the affected property owners in a proposed assessment area must remonstrate to deny the formation of the new assessment area.

**RECOMMENDATION:**

If remonstrance's from more than 50% of the property owners in a proposed assessment area for street lighting are received by the end of this public hearing, it is recommended that the Board of County Commissioners, acting in the capacity of the governing body of CCSD5, note the remonstrated assessment area(s) in Section 1 of the Board Order (thereby removing that assessment area from the formations), which will allow CCSD5 to proceed with the formation of the remaining assessment areas for street lighting.

Respectfully submitted,

*Dan Johnson*

Dan Johnson, Director  
Department of Transportation and Development

For Filing Use Only

**BEFORE THE BOARD OF COUNTY COMMISSIONERS,  
ACTING AS  
THE GOVERNING BODY OF CLACKAMAS COUNTY SERVICE DISTRICT NO. 5,  
STATE OF OREGON**

In the Matter of an Order Forming A  
New Assessment Area Within  
Clackamas County Service District  
No. 5, Clackamas County, Oregon



Board Order No. \_\_\_\_\_

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**Whereas**, this matter coming before the Board of County Commissioners, acting as the governing body of Clackamas County Service District No. 5 (DISTRICT), a street and highway lighting service district organized under ORS Chapter 451 and formed pursuant to Ordinance No. 70-1078 (Dec. 11, 1970);

**Whereas**, under ORS 451.490 and 451.495, the DISTRICT may finance the construction, operation or maintenance of the service facilities through several means, including assessments against the property in the DISTRICT that is directly benefited by the service; and

**Whereas**, it appearing to the Board that certain properties, particularly those identified in the attached **Exhibit A - New Service District No. 5 (CCSD5) Petition Assessment Area**, have requested street light service under District Rule 4.020, and the formation of new assessment areas within the DISTRICT is necessary to finance the installation and illumination of street lights in these new areas; and

**Whereas**, it further appearing to the Board that the method of financing the operation and maintenance of service facilities is to be assessments against the properties benefited by street light facilities as authorized by ORS 451.495; and

**Whereas**, it further appearing to the Board that it adopts certain assessment rates each year that reflects the cost of providing lighting services, and has done so most recently by Resolution No. 2022-46, as shown in the attached **Exhibit B – Service District No. 5 (CCSD5) Rate Schedules**, as updated and as amended; and

**Whereas**, it further appearing to the Board that the Board’s adopted rate schedules **Exhibit B – Service District No. 5 (CCSD5) Rate Schedules**, as updated and as amended, may be applied to each new assessment area, including those listed in **Exhibit A - New Service District No. 5 (CCSD5) Assessment Areas**, at a schedule commensurate with street lighting services each area receives and at a fractional year assessment pro-rated from the date of installation; and

**Whereas**, it further appearing to the Board that Clackamas County through adopted District Rules and Regulations, has given notice of public hearing as required by Order Number 94-1368 and ORS 451.495, and that said public hearing was duly held on the 7th day of November, 2024, as noticed.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS,**

**ACTING AS**

**THE GOVERNING BODY OF CLACKAMAS COUNTY SERVICE DISTRICT NO. 5,**

**STATE OF OREGON**

In the Matter of an Order Forming  
New Assessment Areas Within  
Clackamas County Service District  
No. 5, Clackamas County, Oregon



Board Order No. \_\_\_\_\_

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

1. The DISTRICT received written objections prior to the conclusion of the hearing from more than 50% of the of the property owners representing more than 50% of the affected property in assessment area(s): \_\_\_\_\_, therefore, that assessment area(s) is not approved. (If this line is blank none of the assessment areas are subject to a remonstrance.)
2. All properties in the Assessment Areas described in **Exhibit A - New Service District No. 5 (CCSD5) Assessment Areas** that are not subject to a remonstrance are hereby subject to an assessment for street lighting.
3. That an assessment roll be prepared by the County showing the amount of each yearly assessment, the property against which it has been assessed, the owner thereof, and such additional information as is required to keep a complete and permanent record of the assessment.
4. That the Department of Transportation and Development proceed to facilitate the installation of the street lighting in accordance with DISTRICT rules and guidelines.

**DATED** this \_\_\_\_\_ day of November, 2024.

**BOARD OF COUNTY COMMISSIONERS**

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

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Recording Secretary

**Exhibit A - New Service District No. 5 (CCSD5) Petition Assessment Area**

ASSESSMENT AREA	RATE	TAX PAYER NAME	SITE ADDRESS	SITE CITY, STATE, ZIP	JURISDICTION
14-23	B	Adam Hunt	15504 SE Hugh Ave.	Milwaukie, OR 97267	Clackamas unincorporated area
14-23	B	James C Harris Jr.	15506 SE Hugh Ave.	Milwaukie, OR 97267	Clackamas unincorporated area
14-23	B	Travis and Jennifer Lynn	15711 SE Hugh Ave.	Milwaukie, OR 97267	Clackamas unincorporated area
14-23	B	Jennifer Helmbold*	15705 SE Hugh Ave.	Milwaukie, OR 97267	Clackamas unincorporated area
14-23	B	Jon Henry Storgaard	15683 SE Hugh Ave.	Milwaukie, OR 97267	Clackamas unincorporated area
14-23	B	Carole M Kocina	15665 SE Hugh Ave.	Milwaukie, OR 97267	Clackamas unincorporated area
14-23	B	Scott A Palmer Sl.	15507 SE Hugh Ave.	Milwaukie, OR 97267	Clackamas unincorporated area
14-23	B	Dennis L & Sandra K Sargent	15501 SE Hugh Ave.	Milwaukie, OR 97267	Clackamas unincorporated area
14-23	B	Martha Adolf Trustee	15641 SE Hugh Ave.	Milwaukie, OR 97267	Clackamas unincorporated area
14-23	B	Larry A Bever Lav.	15625 SE Hugh Ave.	Milwaukie, OR 97267	Clackamas unincorporated area
14-23	B	Craig Johnston	15607 SE Hugh Ave.	Milwaukie, OR 97267	Clackamas unincorporated area
14-23	B	Pamela L Darling	15515 SE Hugh Ave.	Milwaukie, OR 97267	Clackamas unincorporated area
14-23	B	Wilson and Nancy Maher	15500 SE Hugh Ave.	Milwaukie, OR 97267	Clackamas unincorporated area
14-23	B	Mark Hamman	15510 SE Hugh Ave.	Milwaukie, OR 97267	Clackamas unincorporated area
14-23	B	Patty A Glines	15672 SE Hugh Ave.	Milwaukie, OR 97267	Clackamas unincorporated area
14-23	B	David Hall & Ashley Shapiro	15692 SE Hugh Ave.	Milwaukie, OR 97267	Clackamas unincorporated area
14-23	B	David H Miars	15704 SE Hugh Ave.	Milwaukie, OR 97267	Clackamas unincorporated area
14-23	B	Rebecca R Smith	15716 SE Hugh Ave.	Milwaukie, OR 97267	Clackamas unincorporated area
14-23	B	Scott A & Christina Palmer	15524 SE Hugh Ave.	Milwaukie, OR 97267	Clackamas unincorporated area
14-23	B	Michael Loren & Allison Marie Gerig	15518 SE Hugh Ave.	Milwaukie, OR 97267	Clackamas unincorporated area
14-23	B	Justin Lee Vanhorn	15512 SE Hugh Ave.	Milwaukie, OR 97267	Clackamas unincorporated area

\*Petitioner

# Exhibit B - Service District No. 5 (CCSD5) Rate Schedules

Rate schedules were established by Commissioners' Resolution No. 2022-46, to reflect the cost of providing street lighting service in the District, effective fiscal year 2022-2023 as follows:

## RATE SCHEDULES

<b>Schedule A</b>	District owned residential lights and poles <b>\$34.00 per tax lot each year</b>
<b>Schedule B</b>	PGE owned lights on existing distribution poles (Cobra lights on existing wood poles) <b>\$47.00 per tax lot each year</b>
<b>Schedule C</b>	PGE owned lights and poles with underground service (Cobra lights on gray fiberglass poles or Town and Country lights and poles) <b>\$65.00 per tax lot each year</b>
<b>Schedule D</b>	PGE and District owned lights and poles for commercial, multifamily and/or industrial areas (all types not on McLoughlin Blvd.) <b>\$1.16 per frontage foot tax lot each year</b>
<b>Schedule E</b>	PGE owned lights and poles for condominiums (all types) <b>\$8.00 per tax lot each year</b>
<b>Schedule F</b>	PGE owned lights and painted steel poles (formerly Southwood Park Highway Lighting District) <b>\$58.00 per tax lot each year</b>
<b>Schedule H</b>	PGE owned lights and poles for service in the City of Happy Valley (Shoebox lights w/ poles) <b>\$86.00 per tax lot each year</b>
<b>Schedule J</b>	PGE owned lights and poles, ornamental Acorn light with fluted fiberglass poles (may substitute fluted aluminum pole) <b>\$113.00 per tax lot each year</b>
<b>Schedule K</b>	PGE owned lights and poles for service in the City of Happy Valley for high density residential development (Techtra lights w/ Shepherd's Crook poles) <b>\$79.00 per tax lot each year</b>
<b>Schedule M</b>	PGE owned lights poles for commercial, multi-family and/or industrial uses on urban highways. (cobra LED lights with wood and aluminum poles) <b>\$1.67 per tax lot each year</b>
<b>Schedule R</b>	PGE owned lights and poles for service in the City of Happy Valley (Techtra lights w/ Shepherd's Crook poles) <b>\$243.00 per tax lot each year</b>
<b>Schedule W</b>	PGE owned lights and poles for service in the City of Happy Valley (Aurora Pendant lights (previously Westbrook) with decorative aluminum poles) <b>\$227.00 per tax lot each year</b>

10/27/24

To Whom it May Concern,

We are opposed to adding street lights to Hugh Avenue in unincorporated Clackamas County. We have lived on Hugh Avenue for 14 years and as residents we do not see the need for street lights to be placed for a number of reasons which we have stated below.

The yearly cost is high and adds a burden to our budget.

We have seen very little to no crime on the block and feel porch lights have provided enough lighting needs for crime prevention.

Additional light could affect our son who already suffers from insomnia. Based on the location of the existing pole, the street light would be placed directly in front of his bedroom window.

We also feel the lights would hurt migratory birds by disorientating them and they could possibly crash into the houses or other structures on the street. Street lights can also harm other wildlife that live on our street including wild rabbits, coyotes, skunks and raccoons.

We also enjoy being able to see the stars from our front porch which we would not be able to do with street lights especially because a street light would be placed directly in front of our house.

Please do not add street lights to Hugh Avenue.

Thank you

Colleen and Craig Johnston

15607 SE Hugh Ave., Milwaukie, OR 97267

# HUGH AVENUE – STREET LIGHTING PETITION

