



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 **\*Revised**

## THURSDAY, April 29, 2010 - 10:00 AM BOARD OF COUNTY COMMISSIONERS

Beginning Board Order No. 2010-40

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

1. Presentation of the Darlene Hooley Citizen Award (Barbara Smolak)
2. Presentation of the 2010 Clackamas County Sheriff's Office Alcohol Compliance Operation Overview (Patty McMillan)

**II. 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.)*

**III. 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.)*

#### **Department of Transportation and Development**

1. Board Order No. \_\_\_\_\_ Accepting a Transfer of Jurisdiction from Clackamas County to the City of Oregon City for Portions of Holcomb Blvd. and McCord Road - DTD #22019 and 32034 (Bill Garity)

**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 Intergovernmental Agreement between the Community Development Division and the City of Barlow for Improvements to the City's Water Reservoir - CD

**B. Finance Department**

1. Board Order No. \_\_\_\_\_ for Clackamas County for a Reduction and/or Transfer of Appropriations for Fiscal Year 2009-2010
2. Board Order No. \_\_\_\_\_ for Clackamas County for Budgeting of New Specific Purpose Revenue for Fiscal Year 2009-2010
3. Board Order No. \_\_\_\_\_ for Clackamas County Correcting a Clerical Error in Board Order No. 2009-120

**C. Elected Officials**

1. Approval of Previous Business Meeting Minutes – BCC

**D. Department of Emergency Management**

1. Approval of an Addendum to the Current Hazard Mitigation Grant Program Contract and Delegation of Authority to Acquire Flooded Property

**E. Department of Transportation and Development**

- \*1. Approval of Required Notice for the Proposed Fuller Road Station Community Ordinance, ZDO-226

**V. WATER ENVIRONMENT SERVICES**

1. Board Order No. \_\_\_\_\_ for Clackamas County Service District No. 1 for Transfer of Appropriations for Fiscal Year 2009-2010

**VI. 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/>



Elissa Gertler  
Director

**PUBLIC AND GOVERNMENT AFFAIRS**

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

April 29, 2010

Board of County Commissioners  
Clackamas County

Members of the Board:

**Presentation of the Darlene Hooley Citizen Award**

As a way to recognize and thank those citizens of Clackamas County for their dedication and leadership in making a difference in the community, the Board of County Commissioners in September 2009 established the Darlene Hooley Citizen Award to honor the former Congresswoman. Hooley served as a member of the U.S. House of Representatives from 1997-2008, representing the 5<sup>th</sup> Congressional District. She began advocating for safer playgrounds in the mid-1970's and served on the Parks District. She was elected to the West Linn City Council where she served for four years. Hooley went on to serve in the Oregon State Legislature and as a Clackamas County Commissioner. During her tenure as County Commissioner her accomplishments included: creating the North Clackamas Parks and Recreation District, the North Clackamas Aquatic Park, the Enhanced Law Enforcement District; securing funding for the Sunnybrook Transportation Project; and advocating for strong citizen involvement by the County.

The Darlene Hooley Award recognizes those citizens in Clackamas County who, through their dedication and leadership, have made a positive impact on the community.

The recipient of the **2010 Darlene Hooley Citizen Award is Mayor Alice Norris** of Oregon City. Mayor Norris' involvement in civic and cultural affairs spans two decades. She served on the Oregon City School Board from 1980 to 1987, was a founding board member of the Oregon Trail Foundation and executive director of the Oregon Trail Pageant from 1987 to 1999. She served two terms on the board of the Regional Arts & Culture Council during the 1990s, including two years as chair. She is a past chair of the Metropolitan Exposition-Recreation Commission and co-founded Oregon City's First City Festival in 1994. Since becoming Mayor in 2003, she has turned her energy to revitalizing Oregon City. Among her accomplishments during her eight years as Mayor: revitalized the city's 51-year old outdoor municipal elevator; improved the Willamette River waterfront creating Jon Storm Park, Willamette River Trail, and the McLoughlin Boulevard Enhancement Project; revitalized Main Street; reopened the South End Fire Station; and opened a new City Hall, the first city-owned building to be LEED certified.

Mayor Norris leads in the example of Darlene Hooley – collaborative, responsive and resolute. She is most deserving of the Darlene Hooley Citizen Award.

Sincerely,

Elissa Gertler  
Director

For information on this issue, please contact Barbara Smolak at 503.655.8552

# Clackamas County Sheriff's Office

*"Working together to make a difference"*



Sheriff  
**CRAIG ROBERTS**

Undersheriff  
**DAVID KIRBY**

Undersheriff  
**MATT ELLINGTON**

April 29, 2010

Board of County Commissioners  
Clackamas County

Members of the Board:

## 2010 Alcohol Compliance Operation Overview

Alcohol use is linked to some of Clackamas County's most significant social problems including crime, homelessness, domestic violence and vehicle crashes. Youth are of particular risk and reports from the 2008 Oregon Healthy Teen survey are alarming. In Clackamas County, 25% of 8<sup>th</sup> grade students and 44% of 11<sup>th</sup> grade students report using alcohol in the past month. Youth are also using alcohol at a younger age with 21% of 8<sup>th</sup> grader students reporting initial use before age 11 and 24% of 11<sup>th</sup> graders before the age of 13. The survey also queries students about how easy it would be to get alcohol and 80% of 11<sup>th</sup> grade students reported it would be "very easy" or "easy" to access alcohol.

The U.S. Department of Justice identifies strategies for preventing youth access to alcohol and among these strategies is restricting availability. Compliance checks reinforce laws that prohibit illegal sales of alcohol to minors and the Clackamas County Sheriff's Office is proud to sponsor these details. For the last four years, our staff has worked with local police departments, the Oregon Liquor Control Commission and the Cadet program to test vendor compliance. Teams enter retail establishments as Cadets serve as "decoys" trying to purchase alcohol. Criminal citations are issued to vendors who sell. Responsible vendors receive a "congratulatory" letter from the Sheriff's Office and sticker from OLCC to place in their facility.

We focus on spring break as some minors may choose to purchase alcohol during their time off. In past years the rate of illegal sales tipped over 30%. This year's operation was the most successful with only 17% of vendors supplying alcohol to decoys. Of course our goal is zero sales but this reduction is a step in the right direction.

We are here today to thank our partners including the OLCC, Canby Police Department, Molalla Police Department, Gladstone Police Department, Milwaukie Police Department and West Linn Police Department who tested 165 locations over a two day period.

Sincerely,

A handwritten signature in cursive script that reads "Craig Roberts".

Craig Roberts  
Sheriff

For more information on this issue or copies of attachments please contact Patty McMillan at 503-650-3945



**COPY**

**Campbell M. Gilmour**  
Director

**DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT**

April 29, 2010

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

Board of Commissioners  
Clackamas County

Members of the Board:

**A Board Order Accepting a Transfer of Jurisdiction from  
Clackamas County to City of Oregon City Portions of  
Holcomb Blvd. and McCord Rd. (DTD #22019 and 32034)**

The attached Board Order is to accept a jurisdictional transfer of portions of Holcomb Blvd. and McCord Rd. from Clackamas County to the City of Oregon City.

**RECOMMENDATION:**

Staff respectfully recommends that the Board approve the attached Board Order, which permanently transfers jurisdiction of a portion of these roads to the City of Oregon City.

Sincerely,

William Garity  
Inspection Supervisor  
DTD Engineering

For information on this issue or copies of attachments,  
please contact William Garity @ 503-742-4674

April 29, 2010

Board of Commissioners  
Clackamas County

Members of the Board:

**Approval of an Intergovernmental Agreement between the  
Community Development Division and the City of Barlow  
for Improvements to the City's Water Reservoir**

The Community Development Division of the Department of Health, Housing and Human Services requests approval of an Intergovernmental Agreement with the City of Barlow. The facility improvement project will include the design and construction of improvements to the water reservoir facility in Barlow, Oregon. Improvements will include re-surfacing the exterior of the 20-year old water reservoir tank

Financial Impact: City of Barlow.....	\$ 2,800
<u>CDBG Funds (grant).....</u>	<u>\$ 14,300</u>
Total Project Budget: .....	\$ 17,100

No County General Fund dollars are involved. The Agreement was reviewed and approved by County Counsel on May 1, 2010

**Recommendation**

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

Sincerely,



Cindy Becker  
Director

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



Marc Gonzales  
Director

DEPARTMENT OF FINANCE

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

April 29, 2010

Board of County Commissioners  
Clackamas County

Members of the Board:

**Board Order for Clackamas County for a Reduction and/or  
Transfer of Appropriations for Fiscal Year 2009-2010**

Periodically during the fiscal year it is necessary to transfer appropriations between the major spending categories (personal services, materials and services, debt service, interfund transfer, capital outlay and other requirements) to more accurately reflect the changing requirements of the operating departments.

Transfers are a method of moving budgeted appropriations during the fiscal year as required by state budget law per ORS 294.450. There is no financial impact incurred as a result of transfers as appropriations for these amounts have been accomplished through the initial budget process.

In addition, circumstances such as unanticipated funding reductions or organizational changes necessitate reductions of appropriations.

The attached board order accomplishes the above mentioned changes as requested by the following operating departments in keeping with a legally accurate budget.

The **General Fund - Library** is transferring from materials and services to interfund transfer to more appropriately classify payment to Estacada Area Service District for Library Services to defease debt.

The **Public Safety Local Option Levy Fund** is transferring from contingency to personal services and materials and services to hire one full time systems project analyst and purchase 19 new laptop computers for patrol deputies.

The **Business and Economic Development Fund** is transferring from materials and services to personal services for temporary workers expenses associated with the Agricultural Investment Plan.

The **Sheriff's Fund - Patrol** is transferring from materials and services to capital outlay to pay for two radar speed signs.

The **District Attorney Fund** is transferring from personal services to capital outlay to pay for a case management system and software to convert paper discovery and intake to an electronic system.

The **Justice Court Fund** is transferring from contingency to capital outlay to pay for the court management and financial application software program.

The **Capital Projects Reserve Fund** is transferring from contingency to capital outlay for a contracted County Courthouse river bank erosion study.


The **Technology Services Fund** is transferring from personal services to materials and services to complete the large number of work requests from the county and assist in the Health, Housing & Human Services intranet redesign project.

The **Central Dispatch Fund** is transferring from reserve to capital outlay to pay for a new digital logging recorder.

**RECOMMENDATION:**

Staff respectfully recommends that the Board adopt the attached board order and Exhibit A to maintain an accurate budget.

Sincerely,



Diane D. Padilla  
Budget Manager

For information on this issue or copies of attachments  
please contact Diane Padilla at (503) 742-5425



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

In the matter of the Reduction  
and/or Transfer of Appropriations  
within the Clackamas County  
2009-10 Fiscal Year Budget.



Order Number  
(Page 1 of 1)

THIS MATTER COMING on at  
this time and it appearing to the Board of County Commissioners that the reduction and/or  
transfer of budgeted appropriations within the Clackamas County 2009-10 Fiscal Year Budget  
is necessary to continue to prudently manage the distribution of those resources and  
expenditures for the needs of Clackamas County departments; and

THE FUNDS AFFECTED by the  
reductions and/or transfers of budgeted appropriations described above being the

- . General Fund - Library
- . Public Safety Local Option Levy Fund
- . Business and Economic Development Fund
- . Sheriff's Fund - Patrol
- . District Attorney Fund
- . Justice Court Fund
- . Capital Projects Reserve Fund
- . Technology Services Fund
- . Central Dispatch Fund; and

advised in the premises; therefore

THIS BOARD being fully  
PURSUANT TO ORS 294.450,  
attachments to this Board Order as set forth in Exhibit A, documenting the aforementioned  
budget transfers and/or reductions are considered part of the approving resolution and are  
hereby approved.

Dated this 29th day of April, 2010.

**BOARD OF COUNTY COMMISSIONERS**

\_\_\_\_\_  
Chair

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



Marc Gonzales  
Director

**DEPARTMENT OF FINANCE**

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

April 29, 2010

Board of County Commissioners  
Clackamas County

Members of the Board:

**Board Order for Clackamas County for Budgeting of  
New Specific Purpose Revenue for Fiscal Year 2009-2010**

Each fiscal year it is necessary to appropriate additional expenditures and allocate additional sources of revenue to more accurately meet the changing requirements of the operating departments of the County.

The attached board order reflects those changes that departments have requested which, pursuant to ORS 294.326 (ss 2), qualify as grants in trust for specific purposes in keeping with a legally accurate budget.

The **Social Services Fund** is recognizing funding from the State Mental Health (SMH) Development Disability, SMH Family Support, SMH Case Management and Children's Inn Home and budgeting it in personal services to add a full time case manager, increase a part time case manager to full time, add materials and services for program expenses, and increase capital outlay to pay for two new vehicles.

The **Community Solutions for Clackamas County Fund** is recognizing funding from the Oregon Youth Conservation Group and SOLV and appropriating it in personal services and materials and services for program costs associated with the grants.

The **Office for Children and Families Fund** is recognizing funding from a Kaiser Dental Grant and budgeting it in personal services and materials and services for the Healthy Start Program.

The **Community Health Fund** is recognizing revenue from Substance Abuse and Mental Health Services Administration and budgeting it in personal services to add a full time mental health specialist and materials and services for program expenses.

The **Central Dispatch Fund** is recognizing funding from Homeland Security and budgeting to transfer it to the **Capital Projects Reserve Fund** for the installation of a fire suppression system.

The effect of this Board Order is an increase in appropriations of \$852,311 including new revenues as detailed below:

Federal Operating Grants	\$ 439,440.
State Operating Grants	393,822.
Local Gov't and Other Agencies	<u>19,049.</u>
Total Recommended	<u>\$ 852,311.</u>

**RECOMMENDATION:**

Staff respectfully recommends that the Board adopt the attached board order and Exhibit A to maintain an accurate budget.

Sincerely,



Diane D. Padilla  
Budget Manager

For information on this issue or copies of attachments  
please contact Diane Padilla at (503) 742-5425

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

In the matter of Authorization  
to Appropriate Grants for  
Specific Purposes within the  
Clackamas County 2009-10  
Fiscal Year Budget.

} Order No  
(Page 1 of 1)

THIS MATTER COMING on at this time and it appearing to the Board of County Commissioners that the appropriation of grants entrusted for specific purposes within the Clackamas County 2009-10 Fiscal Year Budget is necessary to authorize the expenditure of those grants for the needs of Clackamas County departments; and

THE FUNDS AFFECTED by the appropriation of these additional resources described above being the

- . Social Services Fund
- . Community Solutions for Clackamas County Fund
- . Office for Children and Families Fund
- . Community Health Fund
- . Central Dispatch Fund; and

THIS BOARD BEING fully advised in the premises; now therefore

PURSUANT TO ORS 294.326 (ss2), appropriation authorizing expenditure of the aforementioned funds within the Clackamas County 2009-10 Fiscal Year Budget, is hereby approved as set forth in Exhibit A, attached hereto and made a part hereof.

DATED this 29th day of April, 2010

**BOARD OF COUNTY COMMISSIONERS**

\_\_\_\_\_  
Chair

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



Marc Gonzales  
Director

DEPARTMENT OF FINANCE

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

April 29, 2010

Board of County Commissioners  
Clackamas County

Members of the Board:

**Board Order for Clackamas County Correcting  
a Clerical Error In Board Order #2009-120**

During preparation of Board Order #2009-120, an error was made in reporting the dollar amounts in the expenditure categories for Social Services. Exhibit A indicated that \$271,720 was being allocated in personal services and \$1,975,222 in materials and services. The correct allocations are \$273,226 in personal services and \$1,973,716 in materials and services. The total appropriation remains the same. This Board Order corrects Board Order #2009-120.

**RECOMMENDATION:**

Staff respectfully recommends that the Board adopt the attached board order and exhibit.

Sincerely,

Diane D. Padilla  
Budget Manager

For information on this issue or copies of attachments  
please contact Diane Padilla at (503) 742-5425

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

In the Matter of Correcting  
BO #2009-120 for the 2009-10  
Fiscal Year Budget



Order Number

THIS MATTER COMING on at this time and it appearing to the Board of Commissioners that a correction to Board Order #2009-120, dated December 03, 2009, should be made to accurately reflect the Clackamas County 2009-10 fiscal year budget, and;

SAID CORRECTIONS having been prepared and reviewed by the Department of Finance and recommendation having been made that these changes should be adopted in keeping with a legally accurate budget, and;

THE DETAILED explanation of these being attached hereto, now therefore;

IT IS HEREBY ORDERED that the changes correcting Board Order #2009-120 are approved.

Dated this 29th day of April, 2010.

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Chair

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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, March 25, 2010 – 10:00 AM**

**Public Services Building**

**2051 Kaen Road, Oregon City, OR 97045**

**PRESENT:** Commissioner Bob Austin  
Commissioner Jim Bernard  
Commissioner Ann Lininger  
**EXCUSED:** Commissioner Lynn Peterson  
Commissioner Charlotte Lehan

### **☆PLEDGE OF ALLEGIANCE ☆**

Commissioner Lininger announced that Commissioner Peterson and Commissioner Lehan are out of the Office and will not be in attendance today. Commissioner Lininger will be serving as Chair.

Commissioners Lininger also announced there is a Revised Agenda before the Board today – Public Hearing No. 1 has been removed for further staff review and will be placed back on the April 8, 2010 Business Meeting Agenda. Also, we will have a Special Discussion item that is not on the agenda. However, our first order of Business is Citizen Communication.

### **I. CITIZEN COMMUNICATION - NONE**

### **II. PUBLIC HEARING**

1. **REMOVED** - First Reading of Ordinance No. \_\_\_\_\_ Amending Chapter 2.07 of the County Code (Cam Gilmour, Scott Ceicko) – *this item has been removed for further review and will be on the April 8, 2010 Business Mtg. agenda.*

### **III. DISCUSSION ITEM**

#### **Finance Department**

1. **ADDED** - Approval of an Intergovernmental Agreement with the State of Oregon, Department of Energy for an American Recovery and Reinvestment Act Grant of \$400,000 through the State of Energy Program for Energy Efficiency Improvements to Clackamas County Facilities

Eben Polk, Office of Sustainability and Jeff Jorgenson, Facilities Manager presented the staff report.

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

#### **MOTION:**

Commissioner Austin: I move we approve the Intergovernmental Agreement with the State of Oregon, Department of Energy for an American Recovery and Reinvestment Act Grant of \$400,000 through the State of Energy Program for Energy Efficiency Improvements to Clackamas County Facilities as Presented.

Commissioner Bernard: Second.

Commissioner Bernard: Aye.

Commissioner Austin: Aye.

Chair Lininger: Aye.

#### **IV. CONSENT AGENDA**

##### **MOTION:**

Commissioner Bernard: I move approval of the Consent Agenda.

Commissioner Austin: Second.

Commissioner Bernard: Aye.

Commissioner Austin: Aye.

Chair Lininger: Aye.

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

##### **A. Health, Housing & Human Services**

1. Approval of a Renewal Grant Agreement from the US Department of Housing and Urban Development, Supportive Housing Program, for the Ready to Rent Permanent Housing Solutions Program for the Purpose of Reducing Barriers to Access Permanent Housing for Homeless Participants - SSD
2. Approval of a Consortium Funding Agreement between Clackamas County and Oregon Housing & Community Services for Use of Neighborhood Stabilization Program 2 Funds - CD

##### **B. Department of Transportation & Development**

1. Approving a Utility Placement Agreement between Clackamas Count and Timberline Rim Water Company
2. Approving a Utility Placement Agreement between Clackamas County and Welches Water Company
3. Approval of the Intergovernmental Agreement (25784) between Clackamas County, Metro and Oregon Department of Transportation to Complete the 172<sup>nd</sup> Sunnyside Road to Multnomah County Line Planning and Alignment Study
4. Approval to Purchase Striping Paint from Washington State Department of Transportation, State Agency Contract with Ennis Paint, Inc.

##### **C. Finance Department**

1. Board Order No. **2010-24** Creating a Petty Cash Account for the Clackamas County Community Solutions WFI Coffee Cart

##### **D. Elected Officials**

1. Approval of Previous Business Meeting Minutes – BCC
2. Approval of an Intergovernmental Agreement between the Clackamas County Sheriff's Office and the Cities of Canby, Milwaukie and Oregon City to Establish an Interagency Special Weapons and Tactics (SWAT) Team - CCSO

##### **E. Public and Government Affairs**

1. Approval of an Intergovernmental Agreement for Donation of a Portion of the Willamette Shore Line Right-of-Way to Trimet for the Portland-Milwaukie Light Rail Project

##### **F. Department of Employee Services**

1. Approval and Adoption of the 2010 Clackamas County Affirmative Action Plan Update



**G. Business & Community Services**

1. Board Order No. **2010-25** Authorizing the Submittal of a Grant Application to the Oregon Parks and Recreation Department Local Government Grant Program
2. Approval to Execute a County Opportunity Grant RVG#0155 from the Oregon State Parks and Recreation Department for the Barton Park Master Plan Project
3. Approval of a Memorandum of Understanding between Clackamas County and the City of Happy Valley to Provide Library Service East of I-205
4. Approval of a Annexation of the Sunnyside Village Community Center Properties, Located at 13793 and 13786 SE Sieben Parkway, Clackamas, to the City of Happy Valley
5. Approval of a Contract with Pacific Mobile Structures, Inc. for a Modular Building for Stone Creek Golf Club

**VI. NORTH CLACKAMAS PARKS AND RECREATION DISTRICT**

1. Board Order No. **2010-26** Authorizing the Submittal of a Grant Application to the Oregon Parks and Recreation Department Local Government Grant Program
2. Board Order No. **2010-27** Authorizing Execution of Real Property Leases or Other Agreements Along the Trolley Trail Right-of-Way

**VII. COMMISSIONERS COMMUNICATION**

**MEETING ADJOURNED – 10:25 AM**

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<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

April 29, 2010

Board of Commissioners  
Clackamas County

Members of the Board:

An Addendum to the Current Hazard Mitigation Grant Program Contract  
and Delegation of Authority to Acquire Flooded Property

Attached please find an Addendum to Hazard Mitigation Grant Program Contract DR-1824-OR (the "Addendum") with the Oregon Military Department, Office of Emergency Management (OEM).

In March 2009, the County began the process of providing assistance to flooded homeowners along Abernethy Creek through the Federal Emergency Management Agency Hazard Mitigation Grant Program (HMGP) with the option of voluntary flooded property acquisitions (buyouts) to permanently alleviate future impacts to those individual properties and the greater community. Acquired properties will be maintained as open space in accordance with federal law.

Four properties will be acquired under the Addendum: 19525 S. Creek Road, 19402 S Creek Road, 19608 S Creek Road and 14804 S Redland Road. These properties could be acquired more expeditiously, and with more convenience to the landowners, if the Board were to specifically delegate the power to acquire these properties under the Addendum to the Director of the Department of Emergency Management. The Addendum and Agreement have been reviewed and approved by County Counsel.

**RECOMMENDATION:**

- Staff respectfully recommends that the Board approve and sign the attached Addendum for the Hazard Mitigation Grant Program Contract DR-1824-OR; and
- Delegate authority for the purchase of properties at 19525 S. Creek Road, 19402 S Creek Road, 19608 S Creek Road and 14804 S Redland Road to the Director of the Department of Emergency Management.

Sincerely,

Dana Robinson  
Director

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



Campbell M. Gilmour  
Director

**DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT**

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

April 29, 2010

Board of County Commissioners  
Clackamas County

Members of the Board:

**APPROVAL OF REQUIRED NOTICE FOR THE PROPOSED  
FULLER ROAD STATION COMMUNITY ORDINANCE, ZDO-226**

Prior to the first hearing on an ordinance that proposes to limit or prohibit land uses previously allowed, the County is required by ORS 215.503 to mail written individual notice to owners of the affected properties. In consultation with the Office of County Counsel, the Planning Division has determined that such a notice is required for the proposed Fuller Road Station Community ordinance. Based on the scope of the proposed ordinance, the notice will be mailed to the thirty-eight property owners with property inside the proposed station community boundary. The statute requires that the notice be approved by the Board of County Commissioners.

ORS 215.503 requires that the notice include substantially the following language in boldfaced type across the top of the face page extending from the left margin to the right margin:

**"This is to notify you that Clackamas County has proposed a land use regulation that may affect the permissible uses of your property and other properties."**

In addition, the body of the notice must contain substantially the following language:

**"Clackamas County has determined that adoption of this ordinance may affect the permissible uses of your property, and other properties in the affected zone, and may change the value of your property."**

The Planning Commission hearing on the Fuller Road Station Community ordinance is scheduled for May 24, 2010. The required property owner notice must be mailed between 20 and 40 days prior to the hearing. In order to meet the timelines for printing and mailing, Board approval is necessary at this time, or the Planning Commission hearing must be rescheduled.

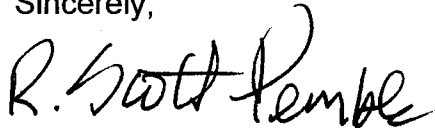
Notice for the Proposed Fuller Road Station Community Ordinance  
April 29, 2010  
Page 2

In addition to providing details about the proposed Fuller Road station community ordinance and the Planning Commission hearing, the proposed notice announces the Board's hearing on the station community ordinance, scheduled for June 30, 2010, beginning at 9:30 A.M.

**RECOMMENDATION**

Staff respectfully recommends the Board approve the attached property owner notice regarding the proposed Fuller Road Station Community ordinance.

Sincerely,

A handwritten signature in black ink that reads "R. Scott Pemble". The signature is written in a cursive style with a large initial "R" and a long, sweeping underline.

Scott Pemble  
Planning Director

For information on this issue or copies of attachments  
please contact Shari Gilevich at (503) 742-4523

**This is to notify you that Clackamas County has proposed a land use regulation that may affect the permissible uses of your property and other properties. (ORS 215.503)**



## **PUBLIC NOTICE**

**Public Hearings on  
Proposed Ordinance to create the  
Fuller Road Station Community  
May 24 and June 30, 2010**

**Proposed amendments to text and maps in the Clackamas County Comprehensive Plan and Zoning and Development Ordinance, File No. ZDO-226, regarding the creation of a transit-oriented, station community connected to the Fuller Road light rail station, and addition of design and development standards for development in the station community.**

On Monday, May 24, 2010, the Clackamas County Planning Commission will hold a public hearing about the adoption of File No. ZDO-226, proposed new and amended ordinances to establish a station community associated with the Fuller Road light rail station and to implement a form-based code for parcels of land within the station community boundary. Clackamas County has determined that adoption of this ordinance may affect the permissible uses of your property, and other properties in the affected area, and may change the value of your property.

The Board of County Commissioners will hold a public hearing on the same topic Wednesday, June 30, 2010. There may be significant differences in the content of the ordinance between the May 24 and June 30 public hearings.

File No. ZDO-226 is available for inspection in the Clackamas County Planning Division located on the second floor of the Development Services Building, 150 Beaver Creek Rd., Oregon City, and on the county website at <http://www.clackamas.us/transportation/planning/zdoproposed.jsp> For additional information, contact the Planning Division at 503-742-4500 or [zoninginfo@co.clackamas.or.us](mailto:zoninginfo@co.clackamas.or.us).

## **Affected ZDO Sections and Plan Chapters and Highlights of the Proposal**

The proposed amendments to the ZDO are as follows:

- Add section 1700.03, *Additional Design and Development Standards*, that includes a map of the station community boundary, and code for building types, setbacks, location of surface parking lots to the side or back of buildings, street cross-sections and future block pattern to support a walkable community. Provide for a master planning process for phased development and to allow flexibility in achieving development standards.
- Amend Section 1704 (*Corridor Commercial*, applicable only to those CC properties within the station community boundary) to address potential for non-conforming development issues.
- Delete Section 1705 (*Low Traffic Impact Commercial*); and,
- Add new Section 1707, *Station Community Mixed Use* (replaces the LTIC zone) to allow mix of residential, office, retail and limited manufacturing (if part of a mixed-use development).

The proposal also includes reorganization of Section 1700.01 into 1700.01 and 1700.02 (no text changes) and conforming amendments to Sections 1012, 1022 and 1102.

The Station Community design type and supporting policies are proposed to be added to Chapter 10 of the Clackamas County Comprehensive Plan, Clackamas Regional Center Area Design Plan, with text and map amendments that pertain to the station community. In addition, amendments are proposed for Chapter 4 of the Plan to be in conformance with the design type in Chapter 10.

The entire ordinance is available for review in the Planning Division, second floor of the Development Services Building, 150 Beaver Creek Rd., Oregon City, or online at <http://www.clackamas.us/transportation/planning/zdoproposed.jsp>

### **NEXT STEP: Public Hearings**

**Monday, May 24, 2010 – 6:30 p.m.**

Planning Commission Public Hearing  
Development Services Building Auditorium  
150 Beaver Creek Rd., Oregon City

At the end of the meeting, the Planning Commission may act on sending the draft ordinance, with or without changes, to the County Commission or may continue the matter to a later date.

**Wednesday, June 30, 2010 – 9:30 a.m.**

Board of County Commissioners Public Hearing  
4th Floor Board Hearing Room, Public Services Building  
2051 Kaen Rd., Oregon City

People who would like to comment on the proposed ordinance but are not able to attend the hearing, are welcome to do so in advance, in writing, by sending an email or letter to: Planning Commission, c/o Clackamas County Planning Division, Development Services Bldg., 150 Beaver Creek Rd, Oregon City, OR 97045 or by email to [zoninginfo@co.clackamas.or.us](mailto:zoninginfo@co.clackamas.or.us).

For additional information, contact the Planning Division at 503-742-4500 or [zoninginfo@co.clackamas.or.us](mailto:zoninginfo@co.clackamas.or.us).



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

April 29, 2010

Board of County Commissioners  
Clackamas County

Members of the Board:

**Board Order for Clackamas County Service District #1  
Transfer of Appropriations for Fiscal Year 2009-2010**

Periodically during the fiscal year it is necessary to transfer appropriations between the major spending categories (personal services, materials and services, debt service, interfund transfer, capital outlay and other requirements) to more accurately reflect the changing requirements of the service district.

Transfers are a method of moving budgeted appropriations during the fiscal year as required by state budget law per ORS 294.450. There is no financial impact incurred as a result of transfers, as appropriations for these amounts have been accomplished through the initial budget process.

The attached board order accomplishes the above mentioned changes in keeping with a legally accurate budget.

The **Clackamas County Service District #1 Construction Fund** is transferring from contingency to capital outlay to pay for additional construction expenditures associated with phase I of the Capacity Management Program, which are expected to be incurred before the end of the fiscal year.

**RECOMMENDATION:**

Staff respectfully recommends that the Board adopt the attached board order and Exhibit A to maintain an accurate budget.

Sincerely,



Michael S. Kuenzi  
Director

For information on this issue or copies of attachments  
please contact Doug Waugh at (503) 742-4564

In the matter of the Transfer of  
Appropriations within Clackamas  
County Service District #1 2009-10  
Fiscal Year Budget.

ORDER NO.

THIS MATTER COMING on at  
this time and it appearing to the Board of County Commissioners that the transfer of budgeted  
appropriations within the Clackamas County Service District #1 2009-10 Fiscal Year Budget is  
necessary to continue to prudently manage the distribution of those resources and expenditures  
for the needs of Clackamas County Service District #1; and

THE FUND AFFECTED by the  
transfers of budgeted appropriations described above being the

Clackamas County Service District #1 - Construction Fund, and

THIS BOARD being fully advised  
in the premises; therefore  
PURSUANT TO ORS 294.450,  
attachments to this Board Order as set forth in Exhibit A, documenting the aforementioned  
budget transfers are considered part of the approving resolution and are hereby approved.

Dated this 29<sup>th</sup> day of April, 2010.

**BOARD OF COUNTY COMMISSIONERS**

\_\_\_\_\_  
Chair

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