WASHINGTON COUNTY
BOARD OF COMMISSIONERS
WORKSESSION

ROOM 140
PUBLIC SERVICES CENTER
JUNE 21, 2005

TENTATIVE

8:30 a.m.  1.  Board of Commissioners Communication
(15 min.)

8:45 a.m.  2.  Discussion of Formal Agenda Items
(20 min.)

9:05 a.m.  3.  Update of Highway 217 Corridor Analysis
(30 min.)
   • Bridget Wieghart, Manager of Corridor and Freight Planning, Metro
   • Richard Brandman, Deputy Director of Planning, Metro

9:35 a.m.  4.  EMS System Review & Ambulance Franchise Process
(25 min.)
   • David Shrader, CEO, The Polaris Group
   • Susan Irwin, Health and Human Services
BOARD OF COUNTY COMMISSIONERS

**Tom Brian, Chairman:** Chairman Brian was elected to the Board effective January 1999. He was raised on a farm outside of Monmouth, Oregon, and was educated at Western Oregon State College and Portland State University. His previous work experience includes: 3½ years as a Deputy Sheriff; Director of the Oregon Council on Crime and Delinquency for 6½ years; and, for the past 18 years, he has been a small business owner. Chair Brian’s previous civic involvement includes: 10 years of service to the City of Tigard as both Mayor and on the City Council; five terms in the Oregon House of Representatives where he served on the Ways and Means, Revenue, Judiciary, Transportation and Government Reorganization and Reform Committees; past president of the Tigard Chamber of Commerce; past chair and co-founder of Tigard Community Youth Services; founder and chair of Tigard’s Old Fashioned 4th of July Committee and the Tigard Arts and Gifts committee. He has been recognized as Tigard’s First Citizen and has also served on the Washington County Economic Development Task Force, the Community Action Organization Board and the County’s Transportation Coordinating Committee.

**Dick Schouten, District 1 Commissioner:** County Commissioner Dick Schouten represents the Aloha, Beaverton and Cooper Mt. area. Mr. Schouten's family migrated from the Netherlands to California when he was four. Following a childhood spent in Fresno, he completed his undergraduate work at Santa Clara University and earned his law degree from UCLA. After serving as legal counsel for California cities, Dick, his wife and two daughters moved to Washington County in 1992. In 2003 he was awarded Oregon Parks Providers’ "Legislator of the Year." Mr. Schouten serves on: the Board of Clean Water Services, Tri-County Healthcare Safety Net Enterprise, County's Aging & Veteran Services Advisory Council, Metro's Highway 217 and Greenspaces Policy Advisory Committees, Regional Emergency Managers Group (including regional anti-terrorism preparedness). Mr. Schouten's term runs through December 2008.

**John Leeper, District 2 Commissioner:** Commissioner Leeper was appointed to the Board in November 2000 and serves Washington County’s northeast corner including Cedar Mill, Cedar Hills, Raleigh Hills, Rock Creek, and other neighborhoods. A decorated, retired Army colonel and veteran of three wars, Mr. Leeper has gained substantial community leadership experience since his move to Oregon in 1991. A member of Community Participation Organization (CPO) 1 since 1993, Mr. Leeper served as the organization’s Chair from 1997 through 2000. Mr. Leeper has also served in a wide variety of advisory roles, including the Washington County Planning Commission, Metro Technical Advisory Committee, and others.

**Roy Rogers, District 3 Commissioner:** Commissioner Rogers represents District 3, which includes the cities of Tigard, Tualatin, King City and Sherwood. His current term runs through December 2008. A Certified Public Accountant, Mr. Rogers is a partner in the firm of Pauly Rogers & Company PC, one of the largest municipal auditors in the State of Oregon. Mr. Rogers’ other governmental experience includes the Washington County Clean Water Services Board; Mayor, City of Tualatin (1978-1985); President, Oregon Mayor's Association; Metro Policy Committee on Transportation Study; and, League of Oregon Cities Committees. Roy Rogers has served on the Board of Commissioners since January 1985.

**Andy Duyck, District 4 Commissioner and Vice Chairman:** As the Commissioner for District 4, Mr. Duyck represents a large portion of Washington County’s rural area including Forest Grove, Cornelius, North Plains, Banks and Gaston. His term runs from January 2003 through December 2006. Mr. Duyck has operated his own business since 1983. Duyck Machine, Inc. produces metal and plastic components that are marketed throughout the country. Prior to opening his business, Mr. Duyck was employed as a machinist/foreman for OMET and Forest Grove Iron Works. Mr. Duyck has a degree in machine technologies from Portland Community College.
COMMISSIONER DISTRICTS

OTHER COUNTY AND CWS CONTACTS

MEETINGS AND SCHEDULES

Current Meeting Schedule
Regular Business Meetings
Worksessions
Second Tuesdays of the Month
Board Meetings When There is a Fifth Tuesday in a Month
Executive Sessions
Once the Regular Business Meeting Begins
Ordinance Testimony Time Limits
Alternatives to Televised Proceedings
Assistive Listening Devices
Sign Language and Interpreters
Meeting Protocol
Meeting Calendar

1. CONSENT AGENDA

The items on the Consent Agenda are considered routine and will all be adopted in one motion unless a Board member or person in the audience requests, before the vote on the motion, to have the item considered separately. If any item is removed from the Consent Agenda, the Chairman will indicate when it will be discussed in the regular agenda. A list of Consent Agenda items is included at the end of the agenda packet.

2. ORAL COMMUNICATION

Limited to two minutes per individual; ten minutes total.

3. BOARDS AND COMMISSIONS

a. Appoint Alternate Members to the Rural Road Operations and Maintenance Advisory Committee (RROMAC)

b. Appoint Members to the Farm Review Board
c. Appoint Members to Aging and Veteran Services Advisory Council 15

4. PUBLIC HEARINGS – CLEAN WATER SERVICES
   a. Hold Public Hearing and Approve Resolution and Order Adopting the Healthy Streams Plan (All CPOs) 17
   b. Hold Public Hearing and Approve Resolution and Order Amending Clean Water Services' Board Adopted Employment Policies (All CPOs) 23

5. PUBLIC HEARINGS – LAND USE AND TRANSPORTATION
   a. Vacate Portions of Public Right-of-Way on SW Taylors Ferry Road (CPO 4M) 35
   b. Consider Measure 37 Claim by Eugena Mead (CPO 14) 43

6. PUBLIC HEARING – COUNTY ADMINISTRATIVE OFFICE
   a. Adopt Supplemental Budget No. 2 for Fiscal Year 2004-05 47

7. PUBLIC HEARING – HEALTH AND HUMAN SERVICES
   a. Consider Application for Outdoor Mass Gathering Permit for Horning’s Hideout 55

8. PUBLIC HEARING – SUPPORT SERVICES
   a. Adopt the County Fee Schedule for Fiscal Year 2005-06 57

9. PUBLIC HEARING – SERVICE DISTRICT FOR LIGHTING NO. 1
   a. Approve Changes and Establish New Maximum Annual Assessments for Fiscal Year 2005-2006 (All CPOs) 61

10. COUNTY COUNSEL
    a. Introduction and First Reading of Proposed Ordinance No. 641 – An Ordinance Amending Washington County Code Chapter 8.24 (Noise Control) 69

11. ORAL COMMUNICATION

12. BOARD ANNOUNCEMENTS

13. ADJOURNMENT
CONSENT AGENDA

APPROVAL OF MINUTES
June 7, 2005

CLEAN WATER SERVICES
a. Award the Contract for the Gaston Pump Station Upgrade Project to the Lowest Responsible Bidder
b. Authorize General Manager to Sign Fiscal Year 2006 Property and Casualty Insurance Policy
c. Award Master Agreement for the Rock Creek Facility Plan to Carollo Engineers, P.C., and Approve First Amendment

LAND USE AND TRANSPORTATION
d. Approve Bid Award and Authorize Road Closure for Timber Road Bridge at Beaver Creek Near Strassel Road (CPO 14)
e. Adopt New Procedures for the Neighborhood Streets Program (All CPOs)
f. Adopt Fiscal Year 2005-2006 Budgets for Road Maintenance Local Improvement District (MLID) (All CPOs)
g. Approve Establishment of a Road Maintenance Local Improvement District (MLID) for Premier Estates (CPO 6)

COUNTY ADMINISTRATIVE OFFICE
h. Adopt Resolution Approving Acquisition by the State of Oregon of 66 Acres in Western Washington County

COUNTY COUNSEL
i. Approve County Counsel Salary Adjustment

COMMUNITY CORRECTIONS
j. Approve the 2005-07 Community Corrections Plan and Related Agreement for State Funding

COMMUNITY DEVELOPMENT
k. Approve Agreement with City of Beaverton for HOME-Funded Housing Rehabilitation Program
1. Approve 2005-06 HOME Community Housing Development Organization Operating Agreements
2. Approve HOME Agreement for Gateway Commons Apartments Limited Partnership for Gateway Commons Apartment Project
3. Approve HOME Consortium Agreement with Cities of Beaverton and Hillsboro

**COOPERATIVE LIBRARY SERVICES**
4. Approve Public Library Services Agreement Payments for Fiscal Year 2005-06 to Cooperative Libraries (All CPOs)
5. Approve Agreement with City of Beaverton for Provision of Countywide Telephone Reference Service (All CPOs)

**HEALTH AND HUMAN SERVICES**
6. Approve Funding Recommendations for Services to Children, Youth and Their Families; Award Contracts to Service Providers
7. Grant Authorization to Execute Contract to Provide Outpatient Gambling Treatment Services
8. Approve Contract Amendment with Prison Health Services
9. Accept Agreement with the State Health Division for Funding to Provide Public Health Services in Washington County
10. Grant Waiver/Authorization to Execute Contracts to Provide Child and Family Outpatient Addiction Treatment Services
11. Approve Contracts with Community Agencies to Provide Addiction Treatment Services for Adults
12. Approve Contract Amendment with Oregon Health Sciences University for CaCoon Project which Provides Services to Children with Special Needs

**JUVENILE**
13. Approve Agreement with the State of Oregon for Juvenile Crime Prevention and Diversion of Youth from Correctional Facilities
14. Amend Agreement with Multnomah County for Detention Services
15. Approve Agreement with the Oregon Youth Authority for Individualized Services to Youth

**SHERIFF'S OFFICE**
16. Approve Contract with City of Banks for County Delivery of Law Enforcement Services
SUPPORT SERVICES

bb. Authorize Purchase Orders for Automotive and Equipment Repair, Maintenance and Parts

cc. Authorize Purchase Orders for Miscellaneous Vehicle Acquisitions

dd. Authorize Purchase Orders for Traffic Paint – Department of Land Use and Transportation, Operations Division

ee. Authorize Purchase Orders for Copier and Printer Paper

ff. Authorize Purchase Orders for Cooperative Library Circulation Materials and Annual Reference Resource Subscriptions

gg. Authorize Purchase Orders for Law Library Circulation Materials

hh. Accept Proposal/Award Contract for Remote Location Monitoring Services for the Sheriff’s Office

ii. Authorize Purchase Orders for Miscellaneous Medications for the Department of Health and Human Services

jj. Approve Amendment to Contract for Divorce Transition Services

kk. Approve Contract Amendment for Elementary - Middle School Transition Project

ll. Approve Contract Amendment for Juvenile Day Reporting Services

mm. Approve Contract Amendment for Student Resource Program

nn. Approve Amendment to Positive Youth Development/After School Program Contracts

oo. Approve Resolution and Order Adopting the Fiscal Year 2005-06 Pay Plan Incorporating Pay Adjustments for Certain Represented and Non-Represented Classifications
## COMMISSIONER DISTRICTS
(Chairman Serves Countywide)

![Map of Commissioner Districts](image)

## OTHER COUNTY AND CWS CONTACTS

<table>
<thead>
<tr>
<th>Department</th>
<th>Contact Name</th>
<th>Phone</th>
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<tbody>
<tr>
<td>Disability, Aging and Veteran Services, Mary Lou Ritter</td>
<td>640-3489</td>
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<tr>
<td>Assessment &amp; Taxation, Elections, and Animal Control, Jerry Hanson</td>
<td>846-8741</td>
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<td>Auditor, Alan Percell</td>
<td>846-8798</td>
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<td>Community Corrections, John Hartner</td>
<td>846-3400</td>
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<td>Community Development, Peggy Linden</td>
<td>846-8814</td>
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<td>Cooperative Library, Eva Calcagno</td>
<td>846-3222</td>
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<td>County Counsel, Dan Olsen</td>
<td>846-8747</td>
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<td>District Attorney, Robert Hermann</td>
<td>846-8671</td>
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<td>Health &amp; Human Services, Susan Irwin</td>
<td>846-4402</td>
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<td>Housing Services, Susan Wilson</td>
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<td>Juvenile, Joseph Christy</td>
<td>846-8861</td>
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<td>Land Use and Transportation, Kathy Lehtola, Director</td>
<td>846-4530</td>
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<td>Sheriff, Rob Gordon</td>
<td>846-2700</td>
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<td>Support Services, Robert Davis</td>
<td>846-8685</td>
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<td>Clean Water Services, William Gaffi, General Manager</td>
<td>681-3600</td>
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<tr>
<td>Clean Water Services, Robert Cruz, Deputy General Manager</td>
<td>681-3602</td>
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</tr>
</tbody>
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MEETINGS AND SCHEDULES

Current Meeting Schedule
First Tuesdays: Worksession 8:30 a.m. Regular Business Meeting 10:00 a.m.
Second Tuesdays: See “Second Tuesdays” section below.
Third Tuesdays: Worksession 8:30 a.m. Regular Business Meeting 10:00 a.m.
Fourth Tuesdays: Worksession 2:00 p.m. Regular Business Meeting 6:30 p.m.
Fifth Tuesdays: See the “Fifth Tuesday” section below.

Regular Business Meetings
Regular business meetings are the time during which the Board will consider the items published in their Board Agenda at the times noted above.

Worksessions
Prior to the Board’s regular business meetings, the Commissioners will meet for a general public worksession in Room 140 of the Public Services Center according to the schedule above. The purpose of this meeting is to provide the Board an opportunity to conduct informal communications with each other, review the agenda and identify questions they may have for staff before taking action on the agenda items in their regular business meeting. The Board typically asks our citizens observing the worksession meetings to hold their agenda comments and questions for the regular business meeting.

Second Tuesdays of the Month
The Board has designated the second Tuesday of each month as a time that may be set aside for in-depth discussion of broader, strategic policy issues. Accordingly, Board consideration/action on regularly scheduled agenda items normally set on the second Tuesday of each month will be held only if necessary to make decisions that, in the Board’s judgment, cannot be reasonably held over to a regularly scheduled meeting. If formal actions are not considered on these Tuesdays, the Board may use this time to conduct an informal worksession, retreat or similar informal meeting. Minutes will be recorded of these meetings.

Board Meetings When There is a Fifth Tuesday in a Month
Historically, the Board has not held meetings when there is a fifth Tuesday in a month. Since May of 1999, the Board has set aside these fifth Tuesdays to hold a worksession, retreat or similar informal meeting. The purpose of these meetings is to provide the Board some additional time to focus on specific issues on a more in depth basis. Unlike its regular Board meetings, these informal meetings are not recorded verbatim, but minutes will be taken as required by law. No formal actions will be taken during these meetings unless special meeting notices are provided as outlined in the Board’s Rules of Procedure. The Chairman will designate the location of these meetings 96 hours in advance.

Executive Sessions
There are times when the Board must discuss confidential matters such as lawsuits, real estate transactions (or other sales transactions) and labor relations matters. When the Board calls an executive session (posted on the worksession agenda), it is done under the guidelines allowed for by Oregon State law. Each type of executive session generally fits under one of three types of State Laws that allow such closed sessions. These statutes are indicated on the worksession
item. Although the press is allowed to remain in the room, they are not allowed to report on executive session issues. The Board recognizes the sensitivity of conducting closed sessions and only conducts them when confidentiality is required (and allowed by law) to protect the interests of Washington County and its taxpayers.

**Once the Regular Business Meeting Begins**
The Board’s formal meetings typically include the following elements:

1. **Call to Order:** At the start of the meeting, the Chairman (or Vice Chair) of the Board will call the meeting to order.

2. **Consent Agenda:** The items on the Consent Agenda are considered routine and will all be adopted in one motion unless a Board member or person in the audience requests, before the vote on the motion, to have the item considered separately. If any item is removed from the Consent Agenda, the Chairman will indicate when it will be discussed in the regular agenda. A list of Consent Agenda items is included at the end of the agenda packet.

3. **Oral Communication (for non-agenda items):** This is the time when members of the audience may step forward to address the Board. This opportunity is time-limited to 2 minutes per individual. If more time is needed, another (longer) oral communication opportunity is available at the end of the regular agenda. Speakers may select only one Oral Communication opportunity.

4. **Public Hearings:** The Board will generally conduct all public hearings before regular agenda items. Special rules regarding testimony and time limits may be established by the Board at the start of the hearing.

5. **Regular Agenda Items:** Regular agenda items are also known as “action” items and will follow the public hearings. These items are less formal than the public hearings but still provide the public the opportunity to comment on the proposed actions.

6. **Second Opportunity for Oral Communication (for non-agenda items):** As noted above, this is the second opportunity for the public to address the Board if more than two minutes are needed. This opportunity is time-limited to 5 minutes per individual and 10 minutes per topic. The maximum time for Oral Communication is 30 minutes.

7. **Board Announcements:** This is typically the time when the Board may want to provide other Board members, staff or the public with information regarding items that may or may not be on the Board’s agenda.

8. **Adjournment:** At the conclusion of the items on the Board’s agenda, the Board Chair will formally conclude the Board’s regular business meeting.

**Ordinance Testimony Time Limits**
Public testimony for ordinances may be presented within the following time limits:
First and second hearing - 3 minutes for individuals and 12 minutes for groups
Additional hearings - 2 minutes for individuals and 5 minutes for groups
Alternatives to Televised Proceedings
An alternative format to the televised proceedings of the meetings of the Washington County Board of Commissioners is available on request. Interested individuals may call the telephone number or TTY number noted below and request a verbatim transcript for this meeting.

Assistive Listening Devices
Assistive Listening Devices are available for persons with impaired hearing and can be scheduled for this meeting by calling 503-846-8611 (voice) or 503-846-4598 (TDD - Telecommunications Devices for the Deaf) no later than 5:00 p.m., on the Monday preceding the meeting.

Sign Language and Interpreters
The County will also upon request endeavor to arrange for the following services to be provided:

1. Qualified sign language interpreters for persons with speech or hearing impairments; and
2. Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead-time as possible. Please notify the County of your need by 5:00 p.m. on the Thursday preceding the meeting date (same phone numbers as listed above: 503-846-8611 or 503-846-4598).

Meeting Protocol
The Board of Commissioners welcomes public attendance and participation at its meetings. Anyone wishing to speak on an agenda item at a regular business meeting should feel free to do so. In doing so, the Board asks that the following guidelines be observed:

1. Please follow sign-in procedures located on the table by the entrance to the auditorium.
2. When your name is announced, please be seated at the table in front and state your name and home address for the record.
3. Groups or organizations wishing to make a presentation are asked to designate one spokesperson in the interest of time and to avoid repetition.
4. When more than one citizen is heard on any matter, please avoid repetition in your comments. Careful attention to the previous speaker’s remarks will be helpful in this regard.
BOARD OF COMMISSIONERS
MEETING CALENDAR

**Tuesday, June 21, 2005**
Worksession – 8:30 a.m.
Board Meeting – 10:00 a.m.

**Tuesday, June 28, 2005**
Worksession – 2:00 p.m.
Board Meeting – 6:30 p.m.

**Tuesday, July 5, 2005**
Meeting Canceled

**Tuesday, July 12, 2005**
Extended Worksession – 8:30 a.m.

**Tuesday, July 19, 2005**
Worksession – 8:30 a.m.
Board Meeting – 10:00 a.m.
AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category:  Action – County Counsel

Agenda Title:  INTRODUCTION AND FIRST READING OF PROPOSED ORDINANCE NO. 641 *

Presented by:  Elmer Dickens, Sr. Asst County Counsel

SUMMARY (Attach Supporting Documents if Necessary)

* An Ordinance Amending Washington County Code Chapter 8.24 (Noise Control) to Authorize Peace Officers to Seize and Hold For Up to Seven Days Stereos, Instruments, or other Equipment Used to Violate the Noise Ordinance and General Housekeeping and Declaring an Emergency.

On June 7, 2005, your Board directed the Office of County Counsel to draft and file an ordinance to allow deputies to seize and hold, for not more than seven days, radios, stereos, instruments, or other equipment used to violate the noise ordinance. The following summary highlights the proposed amendments.

- Revise findings by adding language that noise violations should be immediately abated.

- Adding a provision granting explicit authority to peace officers to seize and hold property used to create or amplify a noise violation in order to abate the violation, and directing the Sheriff to adopt administrative procedures.

- Providing that seized property not picked up or claimed for thirty days after written notice is sent will be destroyed or sold at public auction.

- General housekeeping; Deleting reference to citizen citation process which is no longer legally available.

DEPARTMENT’S REQUESTED ACTION:
Conduct first reading of Ordinance 641 by title only and continue to June 28th for second reading.
IN THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

ORDINANCE No. 641

( An Ordinance Amending Washington County
Code Chapter 8.24 (Noise Control) to Authorize
Peace Officers to Seize and Hold For Up to
Seven Days Stereos, Instruments, or other
Equipment Used to Violate the Noise Ordinance
and General Housekeeping and Declaring an
Emergency

The Board of County Commissioners for Washington County, Oregon, ordains:

SECTION 1.

The Board finds that County Code Chapter 8.24, relating to noise control, is in need of
revision to provide authority to seize property used to violate the noise ordinance and thereby
abate the noise violation nuisance and diminish repeat calls for service by the Sheriff.

SECTION 2.

A. County Code Chapter 8.24 is amended as set forth in Exhibit “A” attached and
   incorporated herein.

B. A determination by a court of competent jurisdiction that any section, clause, phrase, or
   word, or their application, is invalid or unenforceable for any reason shall not affect the
   validity of the remainder or its application and all portions not stricken shall remain in
   full force and effect.

C. The Office of County Counsel is authorized to make such non-substantive changes as
   are necessary to properly codify these revisions and Exhibit “A” into Chapter 8.24.

///
SECTION 3.

This Ordinance being necessary for the immediate preservation of the public health, safety, and welfare, an emergency is declared to exist and this Ordinance shall take effect immediately upon passage.

ENACTED this ______ day of ______________ , 2005, being the ______ reading and the ______ public hearing before the Board of County Commissioners of Washington County, Oregon.

BOARD OF COUNTY COMMISSIONERS FOR WASHINGTON COUNTY, OREGON

________________________________________
CHAIRMAN

________________________________________
RECORDING SECRETARY

READING PUBLIC HEARING

First ____________________________ ____________________________
Second ____________________________ ____________________________
Third ____________________________ ____________________________
Fourth ____________________________ ____________________________
Fifth ____________________________ ____________________________

VOTE: Aye: ____________________________ Nay: ____________________________

Recording Secretary: ____________________________ Date: ____________________________
Chapter 8.24

NOISE CONTROL

Sections:
8.24.010 Findings.
8.24.015 Definitions.
8.24.020 Exemptions.
8.24.025 Variances.
8.24.030 Standards generally.
8.24.040 Enumeration of acts in violation.
8.24.050 Conformity with law.
8.24.055 Administrative procedures.
8.24.060 Citation.
8.24.070 Citation—Other enforcement procedures not excluded.
8.24.080 Violation—Penalty.

8.24.010 Findings.
A. The making and creating of loud, unnecessary or unusual noises within the boundaries of the county is a condition which has existed for some time and the extent and volume of such noises is increasing.
B. The making, creation or maintenance of loud, unnecessary, unnatural or unusual noises which are prolonged, unusual and unnatural in their time, place and use, affect and are a detriment to public health, comfort, convenience, safety, welfare, and prosperity of the residents of the county and should be immediately abated; and
C. The necessity in the public interest for the provisions and prohibitions hereinafter declared contained and enacted are in pursuance of and for the purpose of securing and promoting the public health, comfort, convenience, safety, welfare and prosperity and the peace and quiet of the county and its inhabitants. (Ord. 298 § 2(Exhibit A § 1), 1984)

8.24.015 Definitions.
As used in this chapter:
“Farm use” means the current employment of land including that portion of such lands under buildings supporting accepted farming practices for the purposes of raising, harvesting and selling crops or the feeding, breeding, management and sale of, or the produce of livestock, poultry, fur-bearing animals or honeybees or for dairying and the sale of dairy products or any other agricultural or horticultural use or animal husbandry or any combination thereof. “Farm use” includes the preparation and storage of the products raised on such land for human use and animal use and disposal by marketing or otherwise. It does not include the use of land subject to the provisions of ORS Chapter 321, or the construction and use of dwellings customarily provided in conjunction with the farm use.
“Farming practice” means a mode of operation that is common to farms of a similar nature, necessary for the operation of such farms and customarily utilized in conjunction with farm use.
“Noise sensitive unit” means any building or portion thereof, vehicle, boat or other structure used as a church, day care center, hospital, nursing care center, school, or place used for overnight accommodations of persons, including, but not limited to, individual homes, individual apartments, trailers and nursing homes.
“Plainly audible” means any sound for which the information content of that sound is unambiguously communicated to the listener, such as, but not limited to, understandable spoken speech, comprehensible musical rhythms or vocal sounds.
“Vehicle” includes automobiles, motorcycles, motor-bikes, go-karts, trucks, buses and snowmobiles. (Ord. 475 § 2 (part), 1996)
8.24.020 Exemptions.

Nothing in this chapter is intended to unreasonably restrict or regulate:

A. Forestry. The normal and usual operation of equipment and machinery in connection with and on land being used for the growing and harvesting of timber and other forest products because of noise arising from such activity.

B. Farming. Farming practices because of noise arising from farm use of land.

C. Organized Athletic or Other Group Activities. Sounds caused by organized athletic or other group activities, when those activities are conducted on property generally used for those purposes, including stadiums, parks, schools, churches, airports and athletic fields. These exceptions do not prohibit the county from declaring a specific event or activity in violation of this chapter, or other laws, ordinances or regulations.

D. Sounds caused by emergency work, or by the ordinary and accepted use of emergency equipment, vehicles and apparatus, regardless of whether such work is performed by a public or private agency, or upon public or private property.

E. Sounds caused by regular vehicular traffic upon premises open to the public.

F. Sounds regulated by federal and state law, including but not limited to sounds caused by railroads and aircraft.

G. Lawn, garden or household equipment associated with the normal repair, upkeep or maintenance of property between the hours of seven a.m. and ten p.m. (Ord. 475 § 2 (part), 1996: Ord. 298 § 2(Exhibit A § 7), 1984)

8.24.025 Variances.

Any person or governmental agency planning the operation of a sound source which may violate any provision of this chapter may apply for a variance from such provision. For the purpose of this section, two types of variances have been identified: general purpose and public improvement projects.

A. General Purpose.

1. Any person planning the operation of a sound source which may violate any provision of this chapter may apply for a general purpose variance from such provision.

2. Application. The application shall state the provision from which a variance is being sought, the period of time for which the variance is to apply, the reason for which the variance is sought and any other supporting information which the county may reasonably require. Application should be made to the county administrator. A processing fee may be established by resolution and order.

3. Review Considerations.
   a. The nature and duration of the sound emitted.
   b. Whether the public health, safety or welfare is endangered.
   c. Whether previous permits have been issued and applicant's record of compliance.
   d. Approval by the sheriff's office and other county departments having jurisdiction over the sound source.

4. Time Duration of Variance. A variance may be granted for a specific consecutive time interval only, not to exceed fourteen consecutive days in a sixty-day period.

5. The county administrator shall provide a response within ten days of the applicant's submittal of a complete application and processing fee.

6. The county administrator may deny the application, approve the application or approve the application subject to conditions. The decision by the county administrator shall be in writing and include a brief summary of the relevant facts, reasoning and conclusion, together with any conditions of approval including the duration of the variance.

7. In the event of denial or approval subject to conditions, the applicant may submit the application for reconsideration. The application for reconsideration may include additional information in support of the requested variance and must be submitted within five days of the initial decision. The county administrator will issue the decision on reconsideration within seven days. The decision of the county administrator shall be the final decision of the county.
8. The decision of the county administrator shall be reviewable solely under ORS 34.010 through ORS 34.100 in the Circuit Court of Washington County.

9. The variance may at any time before or during the operation of any variance be revoked for good cause.

10. Violations.
   a. Violation of the terms and conditions of the variance shall be deemed a violation of this chapter enforceable as provided in Section 8.24.060.
   b. The fines provided for herein are in addition to, and not in lieu of, any other remedy allowed by law, including but not limited to an action for revocation, a restraining order, and injunction or abatement.

B. Public Improvement Projects.

1. Any governmental entity proposing to construct or reconstruct a public improvement using public funds may apply for a variance from the prohibitions or standards of this chapter. For purposes of this section, an entity shall include a private contractor authorized by the entity to construct the public improvement or any part thereof. Any public improvement project having a duration of less than fourteen consecutive days may apply for a general purpose variance (Section 8.24.025A).

2. Application. An entity requesting a variance must submit a complete written application in a form acceptable to the county. Any application that does not comply with the following requirements is not complete and must be resubmitted:
   a. A processing fee established by resolution and order;
   b. The name, address and telephone number of the entity requesting the variance and the signature of an authorized representative;
   c. The length of time for which the variance is requested to be granted; and
   d. An analysis of the proposal, addressing:
      i. The purpose for the creation of the noise, whether it is for public benefit, health, comfort, convenience, safety, welfare and prosperity of the county,
      ii. The nature of the public improvement and type of affected population within the geographical area affected by the noise, whether it is residential, commercial or industrial. The application need only address that portion of the project for which a variance is sought,
      iii. The physical characteristics, duration, and times of the noise and the impacts it will create on the affected population in the area,
      iv. The extent and scope of measures that the applicant has taken or will take to reduce or diminish the disturbance for the affected population such as:
         (A) Estimation of the range and maximum sound levels of the noise according to time of day, and geographical location,
         (B) Modification of operations to reduce the impact the noise will have on the affected population,
         (C) Construction of physical barriers to diminish noise levels,
         (D) Establishment of a citizen complaint process for resolving complaints and alleged violations of the variance,
         (E) Establishment of a noise monitoring program to measure sound levels at various locations and times to ensure noise levels fall within the maximum range estimated,
         (F) Any other measure that is deemed necessary and proper to minimize impacts the noise will create in the affected area.

3. Processing the Variance.
   a. The county shall issue a staff report recommending approval, approval with conditions, or denial of the variance. The report shall be available at least seven days prior to the hearing.
   b. A hearing officer appointed by the board shall conduct a public hearing on the application in accordance with the rules established by resolution and order of the board.
   c. The county shall provide notice of the hearing at least ten days prior to the hearing by publication in a newspaper of general circulation in the county and at least two conspicuously posted notices on each parcel or lot on which the noise source is or will be located. The notice shall contain the date and time for the hearing, a brief description of the noise that will be generated and the length of time for which the variance is being
requested, the name, address and phone number of the person or entity requesting the variance, and the phone number of a person at the county from whom additional information may be obtained.
d. The decision of the hearings officer shall be in writing and include a brief summary of the relevant facts, reasoning and conclusions, together with any conditions of approval including the duration of the variance. Notice of the decision shall be mailed to any person who has requested such notice in writing and provided a current mailing address.
e. The decision of the hearings officer shall be reviewable solely under ORS 34.010 through ORS 34.100 in the Circuit Court of Washington County.
4. Standards and Conditions.
a. The variance shall be granted only upon finding that:
   i. The public improvement will provide a substantial benefit to the public generally;
   ii. Denial would significantly delay, increase the cost, or impact the utility of the public improvement;
   iii. Effective measures will be implemented to mitigate, to the extent feasible, significant noise impacts.
b. The hearings officer may modify the proposal or impose conditions of approval necessary to meet the standards in this section and ensure compliance with the ordinance or the terms of the variance.
5. Extension, Modification or Revocation of Variance.
a. The county may grant one extension to a public improvement variance, not to exceed one hundred twenty days, upon a determination that it is warranted by reasonably unforeseeable and uncontrollable events. No notice or hearing shall be required.
b. The terms and conditions of the variance may be modified after notice and hearing as provided in subsection (B)(3) of this section. Modifications proposed by the applicant shall be permitted only upon findings that: the need for the modifications was not reasonably foreseeable at the time of original approval; feasible noise mitigation will be implemented and the modification is necessary to avoid significant delay, expense or operational impacts. Modifications proposed by the county shall be imposed only upon findings that they are necessary to ensure enforce-meat of the terms of the variance or that modifications are necessary because the information relied upon in the original approval is inaccurate, incomplete or misleading.
c. The variance may be revoked after notice and hearing as provided in subsection (B)(3) of this section upon finding that the applicant has repeatedly violated the terms of the variance.
6. Violations.
a. Violation of the terms and conditions of the variance shall be deemed a violation of this chapter enforceable as provided in Section 8.24.060.
b. The fines provided for herein are in addition to, and not in lieu of, any other remedy allowed by law, including but not limited to an action for revocation, a restraining order, an injunction or abatement.

8.24.030 Standards generally.
It is unlawful for any person to make, continue or cause to be made or continued, any noise which unreasonably annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of any person of normal sensitivity in a noise sensitive unit. The standard which shall be utilized in determining whether a violation of the provisions of this chapter exists shall include, but not be limited to, the following:
A. The volume of the noise;
B. The intensity of the noise;
C. Whether the nature of the noise is usual or unusual;
D. Whether the origin of the noise is natural or unnatural;
E. The volume and intensity of the background noise, if any;
F. Whether the noise is plainly audible within a noise sensitive unit;
G. The nature and zoning of the area within which the noise emanates;
H. The density of the inhabitation of the area within which the noise emanates;
I. The time of day or night the noise occurs;
J. The duration of the noise;
K. Whether the noise is recurrent, intermittent, or constant. (Ord. 475 § 2 (part), 1996; Ord. 298 § 2(Exhibit A § 2), 1984)

8.24.040 Enumeration of acts in violation.

The following acts are prima facie evidence of a violation of this chapter, but said enumeration shall not be deemed to be exclusive, namely:

A. Horns, Signaling Devices, Etc. Sounding of any horn or signaling device on any automobile, motorcycle, or other vehicle on any street or public place in the county, except as a danger warning; the creation by means of any signaling device of any unreasonably loud or harsh sound; and the sounding of any such device for an unnecessary and unreasonable period of time;

B. Radios, Phonographs, Etc. The using, operation or permitting to be used, played or operated any radio receiving set, television set, musical instrument, phonograph, compact disc player, loudspeaker or other machine or device, for the production or reproduction of sound between the hours of ten p.m. and seven a.m. in such a manner as to be plainly audible upon a public street or within a noise sensitive unit which is not the source of sound;

C. Exhaust brakes. The use of exhaust brakes except when used for an emergency stop or to slow to avoid a collision;

D. Yelling Shouting, Etc. Yelling, shouting, hooting, whistling, or singing on the public streets, between the hours of ten p.m. and seven a.m.;

E. Exhausts. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor boat, motorcycle, or motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises therefrom;

F. Construction or Repairing of Structures. The erection (including excavating), demolition, alteration or repair of any structure from seven p.m. to seven a.m. the following morning, and from seven p.m. Saturday to seven a.m. the following Monday, and on legal holidays except by variance or for reasons of emergency;

G. Piledrivers, Hammers, Etc. The operation between the hours of seven p.m. and seven a.m. of any piledriver, steam shovel, pneumatic hammer, derrick, steam or electric hoist, or other equipment, the use of which is attended by loud or unusual noise except by variance or for reasons of emergency;

H. Blowers and Motor-Driven Cycles. The operation of any blower or power fan unless the noise from such blower or fan is properly muffled and such engine is equipped with a muffler device sufficient to reduce such noise. (Od. 475 § 2 (part), 1996; Ord. 298 § 2(Exhibit A § 3), 1984)

8.24.050 Conformity with law.

This chapter shall not in any way be a substitute for, nor eliminate in any way, the necessity for conformity with any and all laws or rules of the state of Oregon or its agencies, nor any ordinance or rule or regulation of the county. (Ord. 298 § 2(Exhibit A § 4), 1984)

8.24.055 Administrative procedures.

A. The Washington County board of commissioners may adopt, by resolution and order, an administrative procedures manual. This manual may include, but is not limited to, identifying resources, processes and procedures for compliance with this ordinance and resolution of complaints.

B. Violations of this chapter may be enforced by a hearings officer, through an administrative process or citation per Section 8.24.060. (Ord. 475 § 2 (part), 1996)

8.24.060 Citation.

A county officer, as defined in the uniform citation ordinance, and a private citizen may issue a citation for violation of this chapter and the rules and regulations adopted pursuant thereto. Citations shall conform to the requirements of the uniform citation ordinance, Chapter 1.08 (Ord. 491 § 2(B) Exh. F (part), 1997.)
8.24.065 Seizure of Instruments and Equipment; Disposal.
Any peace officer who issues a citation for violation of this chapter is authorized to seize and hold for no longer than seven (7) days any radio, stereo, instrument, or equipment used to create or amplify the noise for which the citation is issued, in order to abate the noise violation, protect the public health and safety, and reduce repeat calls for service. The Sheriff shall enact administrative procedures for the seizure, storage and return of seized property to the owner, and will provide a written receipt for the property to the person from whom the property was seized that outlines the procedures for getting the property back. If property seized under this chapter is not claimed or picked up within fifteen (15) days of seizure, the Sheriff shall provide written notice to the person from whom the property was seized and anyone else that has asserted an interest in the property. If the property is not claimed or picked up within thirty (30) days from the date of which the notice is sent, the Sheriff shall consider the property abandoned and destroy the property or dispose of it by public auction.

8.24.070 Citation—Other enforcement procedures not excluded.
The provisions of this chapter are in addition to and not in lieu of any other procedures and remedies provided by law, including equitable relief and damages. (Ord. 491 § 2(B) Exh. F (part), 1997: Ord. 298 § 2(Exhibit A § 6(2)(K)), 1984)

8.24.080 Violation—Penalty.
A. Upon conviction of any person for violation of any provision of this chapter or rules or regulations adopted pursuant thereto, such person may be punished by a fine of not more than five hundred dollars.
B. Each day any person shall be in violation of this chapter or rules or regulations adopted pursuant thereto shall be deemed a separate offense.
C. Any person who has been convicted of a violation of this chapter or rules or regulations adopted pursuant thereto and who is found by a court to have been formerly convicted of any violation of this chapter or rules or regulations adopted pursuant thereto within the two years preceding the date of the alleged violation may be punished by a fine of not more than one thousand dollars. (Ord. 491 § 2(B) Exh. F (part), 1997: Ord. 298 § 2(Exhibit A § 6), 1984)
AGENDA
CLEAN WATER SERVICES
BOARD OF DIRECTORS

Agenda Category: Consent

AWARD THE CONTRACT FOR THE GASTON PUMP STATION UPGRADE PROJECT NO. 6186 TO THE LOWEST RESPONSIBLE BIDDER

Presented by: Bill Gaffi, General Manager (sk)

SUMMARY (Attach Supporting Documents if Necessary)

The Gaston Pump Station pumps wastewater from Gaston to the Forest Grove Treatment Facility. The station was constructed in the 1980’s in a dry pit/wet well configuration. Its mechanical and electrical components are nearing the end of their useful lives, and its pump capacities are less than that required to accommodate the projected flow rate increase.

The Gaston Pump Station Upgrade project includes the furnishing of labor, materials, and equipment necessary for general site work, reshaping the wet well, installation of new submersible pumps, construction of valve and meter vaults, erection of electrical and instrumentation panels and variable frequency drive units, installation of all associated piping and appurtenances, and construction of various other modifications.

The Engineer’s estimate for the project is $850,000. Bids for the construction of the project will be received and opened on June 9, 2005. Staff will report the company names, bid amounts, and the recommended award as soon as possible after the bid opening date.

The project is funded with funds from the Capital Improvement Program Fund 112.52240.6186.

FISCAL IMPACT: To be determined
Budget Information: 112.0.0.52240.0 (Project 6186)

REQUESTED ACTION: Award the contract for the Gaston Pump Station Upgrade Project No. 6186 to the lowest responsible bidder.

Agenda Item No. 1.a.
Date: 06/21/05
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Sheriff’s Office

Agenda Title: APPROVE CONTRACT WITH CITY OF BANKS FOR COUNTY DELIVERY OF LAW ENFORCEMENT SERVICES

Presented by: Rob Gordon, Sheriff

SUMMARY (Attach Supporting Documents if Necessary)

As the Board will recall, you adopted a set of policy guidelines and parameters (in July of 2002) that set forth the requirements and conditions for the county’s potential role as a law enforcement services provider for our cities. The first guideline stipulated that the county would entertain contract discussions only upon a city’s formal request. On June 14th, 2005, the Banks City Council voted unanimously to approach the county regarding contracting for county-provided law enforcement services in the city. Accordingly, this agenda provides an overview of a proposed contract with the City of Banks for the delivery of law enforcement services that has been negotiated between both parties and complies with the Board’s contract policies.

The proposed contract includes the following key features:

♦ The contract term would be from July 1, 2005 through June 30, 2007
♦ During this term, the county will provide 50 hours of law enforcement services within the city each week (the equivalent of 1.25 FTE annually)
♦ The agreement provides that the city will reimburse the County at the rate of $151,591 per year (payable monthly at a rate of about $12,632 per month)
♦ The city agrees to pay any overtime expenses incurred incidental to the assignment
♦ The deputy assigned will remain in the employ of the Sheriff and will be supervised by the Patrol Commander who will coordinate deployment and activities with the Gaston Mayor
♦ The costing formula insures full cost recovery in accordance with the county policy regarding law enforcement contracts
♦ Total cost of the contract is estimated to be $303,182 for the contract term.

DEPARTMENT’S REQUESTED ACTION:

Authorize County Administrator, upon completion of contract review, to execute intergovernmental agreement on behalf of the Board.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action. This contract is included in the fiscal 2005-06 Approved Budget.

Agenda Item No. 1aa.
Date: 06/21/05
Summary

Clean Water Services' (District) property insurance policy is currently provided by FM Global and is about to expire. The policy provides coverage for the District's facilities valued at just under $500,000,000. The policy has a self-insured retention of $250,000 per occurrence except for Earth Movement which has a one percent retention subject to the $250,000 minimum and a $500,000 retention for sewer lines. Coverage is written on an all risk basis including flood and earthquake exposures.

FM Global has proposed a rate reduction of 8.5 percent for FY2006 and has included increased sub-limits of coverage for most categories within the policy. Staff and the Agent of Record (Marsh USA, Inc.) evaluated the renewal proposal from FM Global and recommend that the District enter into a contract with FM Global for Property and Casualty Insurance for Fiscal Year 2006 since its program is the most cost effective to provide the coverage and meet the service needs of the District.

Fiscal Impact:

$354,306
Budget Information: 101.0.0.52705

Requested Action:

Award contract for property and casualty insurance coverage to FM Global for Fiscal Year 2006 in the amount of $354,306.
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Support Services

Agenda Title: AUTHORIZE PURCHASE ORDERS FOR AUTOMOTIVE AND EQUIPMENT REPAIR, MAINTENANCE AND PARTS

Presented by: Linda Baumgartner, Purchasing Supervisor
David Switzer, Fleet Manager

SUMMARY (Attach Supporting Documents if Necessary)

The Department of Support Services, Fleet Management Division, either purchases the parts and makes the necessary repairs or sends County vehicles and equipment repairs to outside repair shops for services not performed by Fleet Maintenance such as transmission repair, glass repair and auto-body repair. The estimated cost of automotive and heavy road equipment repair, maintenance and parts is $838,250 for fiscal year 2005-06.

The Purchasing Rules authorize a general exemption category for Equipment Repair and Overhaul (#20-030). This rule states that contracts for equipment repair or overhaul and the routine maintenance pursuant to maintenance agreements or warranties may be let without formal competitive bidding or quotes. In addition, if a specific repair or maintenance contract exceeds $75,000 the reasons why competitive bids or quotes were deemed to be impractical must be documented. Competitive bids may be impractical due to the unknown extent of many of these repairs until the damaged vehicle is disassembled or an engine is dismantled.

The Purchasing Rules also allow the purchase of parts without a competitive process (#20-130). This rule requires Fleet to either use an existing public agency contract or seek a minimum of three quotes if the purchase is over $5,000. Although the purchase of auto body repairs and parts is exempt from the formal bid process, due to the total annual estimated cost exceeding the $75,000 limit, your Board's approval is needed to issue all of the necessary purchase orders over the course of the fiscal year.

(Continued on Page 2)

DEPARTMENT’S REQUESTED ACTION:
That your Board authorize the Purchasing Supervisor to issue purchase orders for automotive and heavy road equipment repair, maintenance and parts through June 30, 2006 for an estimated total amount of $838,250.

COUNTY ADMINISTRATOR’S RECOMMENDATION:
I concur with the requested action.

Agenda Item No. 1.bb.
Date: 6/21/05
The process the Fleet Management Division uses to select vendors for repair and maintenance services depends on the type of services needed. If the repair work is such that specifications can be written, a quote is requested from vendors who have the capability to perform the work within the required timelines. Other repairs or maintenance that require Original Equipment Manufacturer (OEM) parts in order to maintain the warranty period (e.g. Caterpillar, John Deere) are obtained from vendors in the area who are authorized to perform these services. For repairs that can not be quoted, Fleet considers a variety of elements, including the ability of the vendor to perform the repair within the required time frame (size of facility, hours of operation, shop load, turnaround) and the ability of the vendor to perform the work within Fleet’s technical and quality expectations (e.g., skill and training of technicians, service history, reputation).
AGENDA
CLEAN WATER SERVICES
BOARD OF DIRECTORS

AGENDA CATEGORY: Consent

AWARD MASTER AGREEMENT FOR THE ROCK CREEK FACILITY PLAN TO CAROLLO ENGINEERS, P.C., AND APPROVE FIRST AMENDMENT

Presented by: Bill Gaffi, General Manager (ps)

SUMMARY (Attach Supporting Documents if Necessary)

Clean Water Services (District) is in need of a consultant to prepare a facility plan for the Rock Creek Advanced Waste Water Treatment Plant. The facility plan will update flow and load projections for the next twenty years and for the ultimate build-out scenario. It also will serve as a framework for making decisions regarding treatment processes and plant expansion over the next five to ten years. The Plan includes all of the standard facility plan elements as well as evaluation and facility planning for all of the key plant support systems including electrical, process control and instrumentation, and plant water systems. The scope also calls for joint engineering review of the Durham and Rock Creek facility plans as well as performance testing of the biological nutrient removal process to optimize and potentially increase capacity of existing units. In addition to producing the facility plan, the consultant will perform pre-design, design, and services during construction for the first phase of construction recommended by the plan.

Based on a review of the Statements of Qualifications received in response to the District’s Request for Qualifications, the District issued a Request for Proposals to Carollo Engineers, P.C. (Carollo) and HDR Engineering, Inc. After reviewing the proposals and interviewing both firms, the District selected Carollo as the most advantageous firm for performing the work. The District and Carollo have completed negotiating the initial specific scope of work to be performed and other contract details. The contract is in the form of a Master Agreement, with the First Amendment covering the facility plan.

The Rock Creek Facility Plan Master Agreement is for a term of five years. The contract price for the First Amendment is $1,354,889. The facility plan is due 18 months after the Notice to Proceed.

FISCAL IMPACT: $1,354,889
Budget Information: 112.075.8211.52240.0 (Project 6203)

REQUESTED ACTION: Award the Master Agreement for the Rock Creek Facility Plan to Carollo Engineers, P.C. and approve the First Amendment to the Master Agreement.

Agenda Item No. 1.c.
Date: 06/21/05
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Support Services

Agenda Title: AUTHORIZE PURCHASE ORDERS FOR MISCELLANEOUS VEHICLE ACQUISITIONS

Presented by: Linda Baumgartner, Purchasing Supervisor
David Switzer, Fleet Manager

SUMMARY (Attach Supporting Documents if Necessary)

This agenda item requests that your Board authorize the County Purchasing Supervisor to issue purchase orders for replacement and new vehicles for the Support Services, Fleet Management Division. The estimated amount for fiscal year 2005-06 is $1,773,495.

The Fleet Division uses various methods to purchase vehicles and equipment at the most competitive prices throughout the year. They have purchased the majority of their vehicles utilizing the State of Oregon price agreements. These contracts are the result of competitive bids based on statewide acquisition volumes. Purchases can be made directly from other government agency’s awards, as authorized by County Purchasing Rule #30-175.

In addition, the County may participate in joint bids with other local governmental units. Some smaller equipment items will be acquired utilizing the competitive quotation process, as costs will not exceed $75,000 per item. Also, per Washington County Purchasing Rule #20-060, a competitive quotation process may be utilized for the purchase of “reconditioned” or “used” personal property exceeding $75,000 in cost.

(Continued on Page 2)

DEPARTMENT’S REQUESTED ACTION:
That your Board authorize the Purchasing Supervisor to issue purchase orders for replacement vehicles and new additions to the Fleet up to the amount budgeted for the 2005-06 fiscal year. The estimated amount of such purchases is $1,773,495.

COUNTY ADMINISTRATOR’S RECOMMENDATION:
I concur with the requested action.
The Fleet Management Division collects, through monthly customer billings, funds dedicated to the replacement of County owned vehicles and equipment as they reach the end of their economic useful lives. Vehicles are also added to the County Fleet as staffing levels or program activities increase. These additional vehicles are identified and justification is provided in the annual budget process by the requesting department. After the budget is adopted, the Fleet Management Division is then responsible for properly specifying and requesting the procurement of both replacement and additional units.

In the 2005-06 fiscal year Fleet anticipates purchasing the following vehicle types (actual purchases may differ slightly based on changing conditions throughout the year):

The list of vehicles and equipment included in this budget request follow:

Replacements:

- 4 Sedans (3-SO, 1-SS)
- 17 Compact pickups (2-A&T, 14-LUT, 1-HHS)
- 2 Mid-size SUVs (LUT & SO)
- 6 Vans (1-CD, 1-JUV, 3-SO, 1-SS)
- 1 Equipment trailer (LUT)
- 1 Forklift (SS)
- 1 Semi-tractor (LUT)

Additions:

- 1 Compact extended cab pickups (LUT)
- 1 Minivan (SS)
- 1 Inmate Work Program Transport Van (SO)
- 1 Utility trailers (LUT)
- 1 Boat (used) (SO)
- 31 Patrol cars (includes 17 ESPD) (SO)
- 2 Full-size pickups (LUT)
- 3 Full-size SUVs (includes 1 ESPD) (SO)
- 1 Bucket truck (LUT)
- 2 Roadside mowers (LUT)

Signature authority is needed in order to purchase these vehicles, and any other vehicles added during the budget process. Other vehicles may also be purchased from contingency funds if accidents occur and replacement is required. The purchase of most vehicles is exempt from the County’s formal bid process due to the utilization of State price agreements, joint agency bids, other agency bid awards and competitive quote processes. The County Purchasing Supervisor is authorized to sign purchase orders up to $75,000. However, as the total cost for these materials exceeds this threshold, delegated signature authority by your Board is required.
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Land Use and Transportation (CPO 14)

Agenda Title: APPROVE BID AWARD AND AUTHORIZE ROAD CLOSURE FOR TIMBER ROAD BRIDGE AT BEAVER CREEK NEAR STRASSEL ROAD

Presented by: Dan Brown, Capital Project Management Manager

SUMMARY:

The 2003 Oregon Transportation Investment Act (OTIA 3) provided funding for local bridge replacement projects selected by the Oregon Transportation Commission (OTC). On March 3, 2004, the OTC selected seven Washington County bridge projects to be funded. Timber Road Culvert over Beaver Creek was one of the projects selected.

This project will replace the existing culvert with a one span concrete bridge.

To facilitate the construction for certain aspects of the bridge replacement project, it is necessary to close the road for approximately 60 days. The closure would occur sometime after July 18, 2005, and the road would reopen on or before September 23, 2005. Alternatives to closing the road were examined during the design stage of the project but were found unsafe and unfeasible therefore the proposed road closure was included as a part of the contract. Strassel Road will be used as a detour to Hwy 26, this detour has been reviewed by appropriate County staff. Advance notice of the detour signs will be posted 15 calendar days ahead of closure. In the event the closure extends beyond September 6, 2005, the contractor is required to provide passage to school buses.

Attachment: Vicinity Map
Detour Plan

DEPARTMENT’S REQUESTED ACTION:
Award the contract to the lowest responsive bidder and authorize the Chair to sign upon completion of the County’s contract review process. Approve and authorize the closure of Timber Road for approximately 60 days.

COUNTY ADMINISTRATOR’S RECOMMENDATION:
I concur with the requested action.

Agenda Item No. 1.d.
Date: 06/21/05
Construction bids were opened on Wednesday, June 8, 2005 at 10:00 a.m. in Training Room 1 at the County’s Walnut Street Center with the following results:

**LOW BIDDER:**

<table>
<thead>
<tr>
<th>CONTRACTOR</th>
<th>TOTAL AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 2KG Contractors, Inc.</td>
<td>$438,557.00</td>
</tr>
</tbody>
</table>

**OTHER BIDDERS:**

<table>
<thead>
<tr>
<th>CONTRACTOR</th>
<th>TOTAL AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 M.J. Hughes Construction, Inc.</td>
<td>$474,384.80</td>
</tr>
<tr>
<td>3 Mowat Construction Co.</td>
<td>$474,966.25</td>
</tr>
</tbody>
</table>

**ENGINEER’S ESTIMATE:** $395,767.00
Timber Road Bridge
Project No. 100036
Detour Plan
SUMMARY (Attach Supporting Documents if Necessary)

This agenda item seeks authority for the Purchasing Supervisor to issue purchase orders for the acquisition of traffic paint by the Department of Land Use and Transportation, Operations Division. The traffic paint is used for pavement marking on county roads. Staff is requesting the authority to issue purchase orders up to the amount budgeted for this purpose. The budgeted amount for 2005-06 is $225,000.

The traffic paint will be ordered through a Douglas County price agreement, which is a contract that has already been competitively bid and awarded by Douglas County. The County Purchasing Supervisor is authorized to issue purchase orders up to $75,000. However, because the total expenditure for these materials exceed this threshold, delegated signature authority by your Board is required.

DEPARTMENT’S REQUESTED ACTION:
That your Board authorize the Purchasing Supervisor to issue purchase orders for traffic paint on a Douglas County price agreement up to the amount approved in the County’s budget for this purpose.

COUNTY ADMINISTRATOR’S RECOMMENDATION:
I concur with the requested action.
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Land Use and Transportation (CPO All)

Agenda Title: ADOPT NEW PROCEDURES FOR THE NEIGHBORHOOD STREETS PROGRAM

Presented by: Gregory S. Miller, County Engineer

SUMMARY:

In 1989 Washington County Board of Commissioners adopted Resolution and Order 89-139, which directed staff to implement and maintain a Traffic Management Program. The program that was adopted focused more on individual requesters rather than on neighborhoods. The program had no dedicated funding or staff. As a consequence, only a few projects were ever implemented.

The plan was revised in early 1994 (R&O No. 94-231) and became the Neighborhood Streets Program (NSP). It was active until late 1999.

In June 2001, a revised NSP was approved by the Board (R&O No. 01-226). Since then, several factors necessitate an update of the program. Tualatin Valley Fire and Rescue (TVF&R) has published guidelines for traffic calming to help insure reasonable response times. The original NSP scoring systems need fine-tuning, and there is a desire for a Buy-Your-Own Program for residential speed cushions. This update of the NSP guidelines addresses those factors.

(Continued on Page 2)

Attachments: 1. Resolution and Order

DEPARTMENT’S REQUESTED ACTION:

Approve the Resolution and order implementing the new procedures for the Neighborhood Streets Program.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.
Changes include:

TVF&R highlights:
- They want to avoid delays in their primary and secondary response routes.
- Some traffic calming measures not supported on response routes. (NSP Policies, Attachment 1)
- No speed humps, instead speed cushions on secondary response routes.
- Speed cushions have cutouts that allow emergency vehicles to traverse the “bump” without their wheels going over the bump itself, but narrower cars are still slowed.
- TVF&R will review all traffic calming plans prior to installation.

Scoring changes so that scores make more sense:
- Minimum qualifications changed.
- Must have 85% speed more than 6mph over the posted speed to receive points.
- Less emphasis on volumes.
- Ranking – points adjusted
  - Schools – includes point breakdown for elementary, middle and high school.
  - Pedestrian Generators – points delineated for transit, station areas, and commercial uses.
  - Parks – point breakdown based on how developed the park space is. For instance, open space and undeveloped parks receive fewer points than regional parks.
- Volume thresholds updated to correspond to new Transportation Plan.
- Failed projects (lack of neighborhood support) not considered again for two fiscal years.

Residential Purchase of speed cushions:
- As requested by your Board
- Residents pay 100% of costs.
- Staff time - costs included in fee schedule.
- Contract for speed cushions, residents pay our price.
- Must meet minimum qualifications for NSP.
- Available to those who are not high enough on NSP list to receive funding.
- Limited to grades less than 8%.

Under the proposed plan, all neighborhood traffic calming projects, except for routine installations not on their response routes, will adhere to the Tualatin Valley Fire and Rescue (TVF&R) guidelines. County staff will continue to work with local residents to determine impact areas, evaluate alternative options, and obtain community consent. The revised program will continue to fund the construction of a variety of improvements on local and neighborhood route streets, including such items as speed cushions, bulb outs, median islands, and entrance treatments.

The major changes to the program are the adoption of the TVF&R traffic calming guidelines, restructuring of the scoring criteria, and the addition of a residential self-purchase option.
IN THE BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON


RESOLUTION AND ORDER

No. ______________________

This matter having come before the Washington County Board of Commissioners at its regular meeting of June 21, 2005; and

It appearing that Resolution and Order 94-231, relating to a neighborhood streets program, is now in need of modification; and

It appearing to the Board that the "Manual on Uniform Traffic Control Devices (MUTCD), 2003 edition, provides standards for installation and maintenance of traffic control devices; and that said Manual primarily consists of reasonably objective traffic engineering standards, and

It appearing that such standards may not adequately address all the public policy considerations relating to traffic control on local streets and neighborhood routes, and,

It appearing to the Board that it has authority to balance compliance with the technical warrants directed primarily at traffic safety against the benefits of additional traffic control measures to an impacted area and that the Neighborhood Streets Program Policy and Procedure, attached hereto as Exhibit “A”, provides a means to develop and implement appropriate traffic control and calming projects for neighborhood streets; now, therefore, it is

RESOLVED AND ORDERED that the “Manual on Uniform Traffic Control Devices (“MUTCD”), 2003 edition, is hereby adopted as the standard for such devices to be used for the Neighborhood Streets Program, subject to additional, enhanced, or modified Traffic Control Devices for such streets as provided in this Resolution and Order; and it is further
RESOLVED AND ORDERED that the Neighborhood Streets Program Policy and
Procedure, attached hereto as Exhibit “A”, is hereby adopted, and the Department of Land Use and
Transportation is directed to implement the program, consistent with budgeted resources; and it is
further
RESOLVED AND ORDERED that Resolution and Order 94-231 is hereby repealed.
DATED this 21st day of June, 2005.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

________________________________________
CHAIR

________________________________________
RECORDING SECRETARY
Traffic conditions on residential streets can greatly affect neighborhood livability. When streets are safe and pleasant, the quality of life is enhanced. When traffic problems become a daily occurrence, they threaten one’s sense of community and personal well being. Washington County's Neighborhood Streets Program is about livability in neighborhoods. It's a way for neighbors to address quality of life issues such as speeding, cut-through traffic, and parking infiltration.

Citizen involvement is an important part of all traffic calming projects. The people who live and work in the project area have the opportunity to become actively involved in the process. It takes a commitment of time and energy, and the ability to consider diverse points of view. But, hopefully, the results are worth the effort.

The **goals** of the Neighborhood Streets Program are to preserve and improve neighborhood livability by:

- Discouraging undesirable driver behavior;
- Encouraging safe pedestrian and bicycle use;
- Improving the safety of pedestrians, bicyclists, and drivers;
- Involving area residents in solving traffic problems; and
- Making efficient use of your tax dollars by prioritizing requests for improvements.

The **objectives** of the Neighborhood Streets Program are to:

- Influence driver behavior through education and design.
- Encourage citizen involvement in all phases of the Neighborhood Streets Program activities.
- Achieve lower vehicle speeds in neighborhoods with identified speed problems.
- Improve real and perceived safety for motorized and non-motorized users.
- Promote mobility by accommodating the needs of pedestrian, bicycle and transit use.
- Reduce cut-through traffic in neighborhoods.
- Increase access for all modes and preserve reasonable emergency vehicle access.
- Enhance the street environment.
- Incorporate the preferences and needs of those using the Street.

**POLICIES**

In order to ensure consistency, fairness, and safety, the following policies have been adopted for Neighborhood Streets Program (NSP) projects.

- Encourage through traffic (motor vehicles) to use Collectors and Arterial streets as defined in the Washington County Transportation Plan.

- Design local street systems to compliment planned land use and reduce dependency on major streets for local circulation.

- Traffic volumes and patterns should be consistent with their functional classification as defined in the Washington County Transportation Plan.

- Significant traffic volumes should not be rerouted from one Neighborhood Street to another.

- Traffic Calming plans will adhere to Tualatin Valley Fire and Rescue’s Traffic Calming Guidelines. (Attachment 1)
  - Emergency vehicle and school bus access will be maintained.
  - Traffic Calming will only be placed on Tualatin Valley Fire and Rescue’s primary and secondary response routes as outlined in their Traffic Calming Guidelines.
  - Additional traffic calming options, including but not limited to those listed in Tualatin Valley Fire and Rescue’s guidelines, will be given special consideration on local and neighborhood routes not classified as an emergency response route.
  - Tualatin Valley Fire and Rescue will review all traffic calming plans before installation of traffic calming devices.
- Traffic Calming plans using Tualatin Valley Fire and Rescue’s non-preferred measures on response routes (Attachment 1) will be brought before the County Board of Commissioners for approval.

- Requests for residential self-purchase of speed cushions may be honored under special circumstances (Attachment 2).

- Reasonable pedestrian, bicycle, transit, service, and motor vehicle access to neighborhood destinations must be maintained.

- Traffic control devices are approved by the County Traffic Engineer and must adhere to sound traffic engineering and planning practices.

- Traffic management devices are planned and designed under the direction of the County Engineer, and must adhere to the Washington County Road Standards where applicable and sound engineering and planning practices.

- Speed hump and/or speed cushion applications will follow the Institute of Traffic Engineers publication (June, 1997), “Guidelines for the Design and Application of Speed Humps”.

- The street grade for speed humps and/or speed cushions must have a grade less than 8%. Grades >5% to 8% may be installed only on the approval from the County Engineer or his designee.

- Except in rare instances, a "least-cost, least restrictive" approach will be required before a commitment to more costly, more restrictive methods is made.

- NSP projects may not be in direct conflict with or in violation of the Washington County Transportation Plan, the Washington County Community Development Code, or any other adopted ordinance, law or regulation.

- NSP projects are limited to the urban, unincorporated areas of Washington County, and are funded by the Urban Road Maintenance District on local and neighborhood routes.

**PROCESS 1ST PHASE**

*Changing Driver Behavior*

**Step 1** Neighborhood residents submit a Citizen Action Request form describing their traffic concerns.
Step 2  NSP staff initiates a Neighborhood Safety Campaign and collect speed and volume data.

Step 3  Traffic Engineering sends a letter with a schedule for safety campaign materials. Note: All requests to alleviate speeding concerns will be required to participate in the “speed watch” program before considering further mitigation.

Step 4  If there has not been any improvement to the initial concern, the request moves to the second phase of the program. The use of physical treatments is considered, if minimum qualifications are met.

Step 5  Annually a list is compiled for inclusion in the second year process. All streets are evaluated for inclusion in the second phase and are ranked for funding of traffic calming devices. Results are mailed to residents.

Step 6  Additional Safety Campaign materials may be deployed as needed or requested by the neighborhood.

POSSIBLE SOLUTIONS: 1st Phase

Brush trims: The trimming and removal of brush by homeowners or County crews to allow better sight distance.

Neighborhood Speed Watch Program: This program allows citizens the opportunity to check out a radar unit and record the speeds of vehicles traveling in their neighborhood. The registered owners are identified (through the Department of Motor Vehicles) and sent a warning letter asking them to reduce their speeds. The letters are not violations, but reminders about the posted speed and the community’s concern for safety.

Rumble strips: The installation of 4" raised buttons placed in a design sequence across the roadway, causes a vehicle to vibrate, alerting the motorist to an upcoming situation. These may be used in conjunction with curves, crosswalks, pavement legends, and speed signs. (Must have adjacent residents written approval).

Speed radar trailer board: A portable trailer equipped with a radar unit, which detects the speed of passing vehicles and displays it on a digital reader board. This device shows drivers their "actual" speed versus the posted speed and encourages their compliance.
**Pavement Markings:** The painting of legends upon the pavement. These may include centerlines, fog lines, crosswalks, and school crossings.

**Signing:** Posting of appropriate traffic control signs. These may include speed limit, parking, dead-end, school signs, etc.

**Neighborhood Traffic Safety Campaign:** This program involves a personalized newsletter mailed to your community. The newsletter explains volumes and speeds in your area, recommended traffic calming measures, traffic laws, pedestrian safety, etc.

**Neighborhood Signing:** In most cases, speeding results from habit, not from an intentional decision to break the law. Short-term reminders to slow down are effective in getting people to change their driving behaviors. Lawn signs alert drivers to check their driving speeds. Neighborhood Associations are loaned the lawn signs to distribute amongst the residents. The group also receives bumper stickers and door hangers with a "Slow Down" message to distribute throughout the neighborhood.

**Target Enforcement:** Increased enforcement by the Washington County Sheriff’s Office, Traffic section.

**PROCESS 2ND PHASE**
*(Implementing Physical Devices to Change the Roadway Environment)*

**Step 1** Eligibility Determination. Traffic Engineering staff gather and analyze the traffic data for the subject street. Using the eligibility criteria for the installation of traffic calming devices the County Engineer or his designee determines whether the subject street has met the minimum qualifications to proceed.

**Step 2** Once the minimum qualifications are met; NSP staff prioritizes the street for funding using the Project Ranking Criteria and Scoring Process. Ranking and Scoring are completed annually each fall.

**Step 3** NSP staff meets with the neighborhood residents.

**Step 4** NSP staff employs the neighborhood to conduct a survey regarding overall traffic concern. The survey area is generally defined as all properties within one block of proposed traffic calming devices. 51% of all the identified property owners, households and business owners within the study area must sign a project request form to proceed. For each tax lot, one person may sign the petition as a representative of the property owners. If the residential unit or business is occupied by a
tenant not the property owner, one person may sign the petition as a representative of the tenant(s) of the unit.

**Step 5** Residents may be asked if they would be interested in serving on a Committee to develop a Traffic Calming Plan.

**Step 6** The Traffic Calming Plan is presented to the neighborhood.

**Step 7** A survey to measure support for the plan is conducted. The survey area will be determined by the County Traffic Engineer and will generally include all properties within one block of each traffic calming device. In the survey each household, business owner and each property owner in the survey area is entitled to one vote. Two-thirds (67%) of the property owners and business owners in the identified area must support the project for it to be considered for final design and installation of devices. For each tax lot, one person may sign the petition as a representative of the property owners. If the residential unit or business is occupied by a tenant not the property owner, a ballot will be mailed to the registered property owner. 67% of the property owners and business owners in the identified area must support the project for it to be considered for final design and installation. (Essentially, a non-returned vote is considered a “no” vote.) The neighborhood has four weeks for ballots to be received from the date of mailing.

If the area residents do not get 67% of the property owners to respond, the plan fails. A neighborhood will not be eligible again for ranking for a minimum of two fiscal years.

Requests to extend the voting shall be at the sole discretion of the County Engineer or the Director of Land Use & Transportation.

**Step 8** If there is two-thirds support; a final design will be presented to the neighborhood in the form of a flyer or at a Community Open House.

**Step 9** Installation of temporary devices. When installation of temporary devices is not appropriate or possible this step may be skipped, except for operational safety problems. Temporary devices will remain in place for a minimum three-month, maximum six-month period. Data will be collected before and after installation of the temporary devices. Traffic calming devices that shift the traffic to another street shall not be used, unless the traffic is diverted to a major collector or arterial street. If the strategy is expected to cause an increase in traffic volume on another local street or neighborhood route, the affected area will be considered for further mitigation measures.
An impact threshold curve is generally used to identify acceptable levels of diversion from local streets. Generally, it establishes the following limitations:

- **Local Streets**
  - An increase of up to 150 vehicles per day is acceptable on any adjacent local street.
  - The total traffic volume on another local street (existing volume plus increased volume) should not exceed 2,000 vehicles per day.

- **Neighborhood Routes**
  - A maximum of 150 vehicles per day diverted to an adjacent local street is acceptable.
  - The maximum amount of traffic diverted to an adjacent neighborhood route is 400 vehicles per day.
  - The total traffic volume on another neighborhood route (existing volume plus increased volume) should not exceed 5,000 vehicles per day.

**Step 10** The *Traffic Calming Plan* is constructed.

**Step 11** After construction is complete and traffic has had an opportunity to adjust to the changes, County staff conducts a post-construction review. The review may include data collection and/or opinion surveys; periodic reports summarizing the program results are prepared.

**Step 12** Should a neighborhood request removal of a traffic calming device, 67% of those in the project area as defined in Step 7 must sign a petition to that effect. The petition will be presented to the Board of County Commissioners for authorization of their removal.

**PROJECT SELECTION: Minimum Criteria & Eligibility Determination**

The following criteria must be met before proceeding to speed/volume criteria;

1) Street must be a local street or neighborhood route.
2) Posted speed \( \leq 35 \text{mph} \).
3) Street cannot be more than 2 lanes.
4) Participation in Phase 1 complete. (Safety Campaign)
5) Participation in Neighborhood Speed Watch (Lender Board)

NSP collects and analyzes data about existing conditions on all street segments referred to the program. Each street segment is assigned a numerical score, based on the two-phase scoring procedure shown below.
### Qualification Scoring

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Points</th>
<th>Basis for Point Assignment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Speed</td>
<td>0 to 50</td>
<td>Traffic speeds more than 6 mph above the posted limit. (5 points assigned for every mph over the posted speed.)</td>
</tr>
<tr>
<td>Volume</td>
<td>0 to 50</td>
<td>Average daily traffic volumes. (1 point assigned for every 100 vehicles.)</td>
</tr>
<tr>
<td>Total Points Possible</td>
<td>100</td>
<td></td>
</tr>
</tbody>
</table>

Street segments with a qualification score under 40 are not considered further for a project, but may be considered and scored again the following year. Segments with a score of 40 or over advance to the selection scoring procedure.

### PROJECT RANKING CRITERIA: Scoring Process

Projects are selected from among those that received the highest ranking. In identifying projects, other considerations include the projects’ size and complexity, compatibility with other transportation projects, and budget availability. The number of projects constructed in a year will depend on available funding.

The top 50% of unfunded projects in the first year will be carried over to the next year’s program. If they are not funded within that two-year timeframe, they will be re-evaluated to determine whether the problem still exists. **Projects that are initiated, but fail due to a lack of neighborhood support will not be reconsidered for traffic calming devices and ranking for two fiscal years.**

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Points</th>
<th>Basis of Assignment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Speed</td>
<td>0 - 30</td>
<td>Extent by which traffic speeds exceed posted speed. 2 points for every mile 85th percentile speed is over posted speed.</td>
</tr>
<tr>
<td>Volume</td>
<td>0 - 25</td>
<td>Average daily volumes. 2 points for each 10% increase over threshold.</td>
</tr>
<tr>
<td>Residential Access</td>
<td>0 - 20</td>
<td>4 points assigned for every 50 access points per mile.</td>
</tr>
<tr>
<td>Side Walk/Pedestrian Path</td>
<td>0 - 10</td>
<td>5 points assigned if there is not a continuous sidewalk on at least one side of the street. 10 points assigned if there are no sidewalks.</td>
</tr>
<tr>
<td>Elementary School</td>
<td>0 - 5</td>
<td>5 points if an Elementary school is adjacent to subject street. 3 points if on an established designated safe walk route to school or within ½ mile of elementary and ¾ mile of middle school. 1 point if within ½ miles of high school or within 1 mile of elementary or middle school.</td>
</tr>
</tbody>
</table>
Pedestrian Generators | 0 - 5 | 5 points assigned if pedestrian generators present (retail, commercial uses or institutional uses occur within 1,000 feet of the street)
| | | 3 points if within station area planning district.
| | | 1 point for bus stop or within one-quarter mile of a bus stop located on collector or arterial street.

Parks | 0-5 | 5 points if regional park, recreation facility, aquatic center or community park in impact area.
| | | 3 points if play equipment, tennis or basketball courts, benches, picnic facilities, or BBQ facilties present.
| | | 1 point if space within impact area is designated as natural area, open space, or undeveloped park and has parking and restrooms.

**Total Points Possible**: 100

**Speed** is given the most importance, since high speed usually affects safety and livability the most. It is also the condition that can be most improved by traffic calming devices.

**Volume** is considered because it contributes to the general traffic conditions on the street. For example, conditions on a street with both high volumes and speeds will be worse than on a street with high speeds but lower volumes.

<table>
<thead>
<tr>
<th>Street Classification</th>
<th>Typical Volumes</th>
<th>Threshold</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Street</td>
<td>100-2000</td>
<td>1000</td>
</tr>
<tr>
<td>Neighborhood Route</td>
<td>5000</td>
<td>2500</td>
</tr>
</tbody>
</table>

**PROJECT IMPLEMENTATION**

Selected projects are implemented as soon as practical, with some caveats.

- **FUNDING** - The County works on a July/June fiscal year; projects may have to wait for the next budget cycle for implementation.

- **SEASONAL WORK** - Much construction work requires certain environmental conditions such as minimum temperatures or dry pavement.

- **COST** - To fund as many projects as possible, it is important to minimize the cost of each one. This can often be accomplished by doing the work as part of a larger project (i.e., the County’s annual overlay contract, a major utility rehabilitation project). In most instances, the waiting period should not exceed one year.
**EQUIPMENT AND STAFF AVAILABILITY** - Work performed by County crews must be scheduled along with their other responsibilities.

**SCHOOL RELATED IMPROVEMENTS** - Whenever possible, school zone improvements should be completed during the summer months so that children can be taught the new routine at the start of the new school year.

**LIMITATIONS**

In order to implement as many projects as possible, the Neighborhood Streets Program funds basic improvements. Any additional improvements or amenities are paid for by the neighborhood. For example:

- Construction of a new pathway might include putting concrete pipe in a ditch and covering it with compacted rock. If project participants want an asphalt surface, they pay the extra cost.

- To reduce neighborhood infiltration and speeding, the Neighborhood Streets Program might fund construction of a concrete "traffic circle". If the neighborhood wants a landscaped structure, they pay for the landscaping and assume responsibility for its maintenance.

- County staff and the neighborhood traffic committee might recommend installing three speed cushions, but the neighborhood would like five. Provided the County Traffic Engineer approves the two additional speed humps, the neighborhood would pay for their installation.

The Neighborhood Streets Program does not fund sidewalks, streetlights or storm sewer installations. County staff can provide information on alternative funding schemes for these improvements.

The Neighborhood Streets Program does not fund traffic signals, or any other capital improvements.

In most instances, the State of Oregon determines speed zones, not Washington County. County staff can provide information on how speed zones are determined and the procedures for changing them.

**Note:** The original policy and procedures for the Neighborhood Streets Program were developed with a great deal of citizen involvement. While the original procedures have been modified, care was given to research similar programs across the nation, particularly in the Pacific Northwest. With much respect to the originating agencies, many of the policies and procedures and the project selection and ranking were modeled after the City of Bellevue, City of Salem, City of Portland and City of Beaverton programs.
POLICY OBJECTIVE
The intent of this policy is to identify the concerns TVF&R has related to traffic calming measures, and to recommend guidelines for implementation of the devices supported by TVF&R on primary and secondary emergency routes, and local streets used for neighborhood access. It is not the intent of this policy to prescribe design and implementation standards for traffic calming devices. State Statute provides authority to the local municipal or county planning jurisdiction for the design and engineering of public streets. TVF&R recognizes this and works closely with the jurisdictions it serves regarding these issues.

GOALS AND POLICIES

Goal 1: Maintain acceptable TVF&R emergency response times.

Policy 1: TVF&R adoption of recommended practices for traffic calming measures based on emergency route classification and recommended design standards for traffic calming measures.

Action - TVF&R will adopt the traffic calming toolbox (Table 1) showing which measures are compatible with emergency response needs. TVF&R will provide a ranking of preferred traffic calming measures in order of preference, and will provide guidance on preferred configuration of traffic calming measures (Appendix B) and acceptable agency design standards.

Note: Some traffic calming measures do not currently have local agency standards.

Policy 2: TVF&R adoption of emergency response maps that prioritize the types of traffic calming measures appropriate for various street classifications.

Action - TVF&R will update existing emergency route maps based on most current input from the Fire Marshal. TVF&R Board will adopt a map that denotes the most current data regarding TVF&R fire stations, primary emergency routes, and secondary emergency routes (see Appendix C).

Goal 2: Establish interagency coordination.

Policy 1: Work with local agencies within the TVF&R jurisdiction to recognize/adopt current TVF&R primary/secondary route classification map.

Action - TVF&R will coordinate with local agencies to reference the current TVF&R primary/secondary route classification map as adopted by the TVF&R Board (see Goal
Policy 2: Request TVF&R review for use of non-standard traffic calming measures in concept planning and design.

**Action** - TVF&R will work with local agencies to establish a review process of non-standard traffic calming measures (within neighborhood traffic management plans, design standards, or appropriate code). Neighbors involved in the traffic calming selection process need to be educated regarding the impacts to fire apparatus of non-standard measures.

Policy 3: TVF&R and local agencies work together to verify (field test) that the construction of traffic calming measures are to standard.

**Action** - TVF&R has conducted surveys of speed humps throughout the District and found variations in hump construction. A process where agencies can verify that hump construction meets the preferred configuration and design standard for TVF&R is desired. Test runs can be conducted with emergency vehicles within five working days of construction to assess if standard designs have been properly implemented for reduced impact to fire apparatus.

Policy 4: Maintain GIS records of traffic calming measures.

**Action** - Local agencies will provide TVF&R with existing traffic calming measure inventory maps (see Appendix D). As additional traffic calming projects are constructed, local agencies will provide TVF&R with updated inventories. TVF&R will maintain traffic calming inventory data and periodically provide Metro with traffic calming GIS data to be accessible in RLIS to local jurisdictions in the TVF&R service area.

Policy 5: TVF&R to designate liaison for coordinating with local agencies regarding all traffic calming projects.

**Action** - TVF&R will designate a transportation system manager to assist local agencies with traffic calming projects.

**Goal 3:** Plan for future response routes.

**Policy 1:** Plan for multiple access points.

**Action** - TVF&R will not support traffic calming measures in areas without multiple access points. Having multiple access points speeds emergency response and reduces motor vehicle impacts on local streets by balancing demand. Local agencies are encouraged to provide multiple accesses to neighborhoods by implementing local street connectivity as adopted in Transportation System Plans and comprehensive plans.
Spacing standards set forth in Neighborhood Street Design Guidelines\(^1\) should be incorporated in local agency plans and code. Traffic calming should not be utilized in lieu of connectivity.

**Policy 2:** Select local street widths that are appropriate for both emergency response and standard residential vehicle speeds.

**Action** - Encourage Local Agencies to provide minimum cross sections consistent with the Neighborhood Street Design Guidelines.\(^2\)

### Table 1: TVFR Traffic Calming Measure Toolbox Recommended Applications based on Preference Ranking and Emergency Response Classification.

<table>
<thead>
<tr>
<th>Rank</th>
<th>Traffic Calming Measure</th>
<th>Route Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Primary Emergency Route</td>
</tr>
<tr>
<td>1</td>
<td>Street Trees</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Painted Lines</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Curb Extensions (see appendix B sample 1)</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>On Street Parking</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Medians (see appendix B sample 2)</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Pavement Texture (see appendix B sample 3)</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Choker(^3)</td>
<td>Not Supported</td>
</tr>
<tr>
<td>8</td>
<td>Speed Cushion without median (Sorrento road design; see appendix B sample 4a)</td>
<td>Not Supported</td>
</tr>
<tr>
<td>9</td>
<td>Speed Cushion with median (see appendix B sample 4b)</td>
<td>Not Supported</td>
</tr>
<tr>
<td>10</td>
<td>22 foot Speed Hump (see appendix B sample 5)</td>
<td>Not Supported</td>
</tr>
<tr>
<td>11</td>
<td>Roundabout (modern)</td>
<td>Special Consideration</td>
</tr>
<tr>
<td>12</td>
<td>14 foot Speed Hump (see appendix B sample 5)</td>
<td>Not Supported</td>
</tr>
<tr>
<td>13</td>
<td>Traffic Circle (see appendix B sample 6)</td>
<td>Not Supported</td>
</tr>
</tbody>
</table>

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\(^1\) Neighborhood Street Design Guidelines, Neighborhood Streets Project Stakeholders, November 2000, page 13, Connected Street System.


\(^3\) Chokers are not supported when there is no shadow parking. If parking is shadowed, see curb extensions.
<table>
<thead>
<tr>
<th></th>
<th>Raised Crosswalk (see appendix B sample 3)</th>
<th>Not Supported</th>
<th>Not Supported</th>
<th>Special Consideration</th>
</tr>
</thead>
<tbody>
<tr>
<td>14</td>
<td>Diverter with emergency vehicle pass through (see appendix B sample 7)</td>
<td>Not Supported</td>
<td>Not Supported</td>
<td>Special Consideration</td>
</tr>
<tr>
<td>15</td>
<td>All Other Measures</td>
<td>Special Consideration</td>
<td>Special Consideration</td>
<td>Special Consideration</td>
</tr>
</tbody>
</table>

**Special Consideration:** The Fire Marshal will review the design and offer an opinion of support or non-support for the measure and its proposed location.

All traffic calming measures should meet TVF&R guidelines, including minimum street width, emergency vehicle turning radius, and accessibility/connectivity.
Residential
SPEED CUSHION PURCHASE PROGRAM

The Residential Speed Cushion Purchase Program gives residents the option of purchasing speed cushions if their street has not scored high enough for the Neighborhood Streets Program (hereafter referred to as NSP) to fund the project where speeding is the only issue. In this way, residents do not need to wait until their street is ranked at the top of the project list.

WHAT PROJECTS ARE ELIGIBLE

- The project must have completed Phase I (Education) of the Neighborhood Streets Program and meet minimum qualifications.
- Only speed cushion projects are eligible.

PROCEDURES FOR PURCHASE

1. PROJECT REQUESTER NOTIFICATION
The Washington County NSP staff notifies the project requesters or contact person(s) that the street does not rank high enough for the County to fund the project, but that the project does meet minimum qualifications and therefore is eligible for the Residential Speed Cushion Purchase Program.

If the project requesters decide to pursue the purchase of speed cushions, staff member will mail out information on the Program and will answer questions.

2. PRELIMINARY DESIGN
Following a request, Washington County NSP staff members review the street to make sure it meets the residential speed cushion purchase criteria. The preliminary review includes the identification of an “impact area”. The impact area is the area used to ensure that public involvement is focussed on the most directly affected residents. For public notification purposes generally the impact area includes all properties on the Project Street, on the cross streets, cul-de-sacs connecting to the Project Street, and up to the next parallel local street.

Staff will prepare a preliminary project design and calculate estimated project cost. A review of speeds and volumes, recommended speed cushion placement, and an analysis of other traffic issues that may result from the project will be considered.
3. **NEIGHBORHOOD MEETING**
A neighborhood meeting is held. All residents in the impact area are notified including Neighborhood Associations and the area Citizen Participation Organization. NSP staff members present project information, such as the impact area, number and placement of speed bumps, estimated project costs, and property owners’ financial responsibilities if they choose to proceed with the project. Property owners will have an opportunity to discuss opportunities to improve the project and address general concerns about the project. At the meeting, a Neighborhood Project Coordinator will be chosen or designated.

4. **PAYMENT**
A deposit on cost is required before County staff may proceed on the project. The deposit is for County staff administrative time to include inspection during construction of the speed cushions. Note: Any point of contact with County staff will be a chargeable cost. The County must also receive the money for the construction of the speed cushions once a 67% approval is achieved. Money must be received before final design and construction can take place.

The property owners determine how to collect the money; however all property owners are not required to contribute. The County will also need a breakdown of those who contributed to the deposit and speed cushion purchase, including full names, address, and amount of contribution should a refund be necessary.

5. **BALLOTING**
Before the project can go forward, NSP staff must receive a vote of support for the project. At least two-thirds (67%) of the property owners on the Project Street (not impact area) must sign and mail in their ballots in support of the project. Generally, the Project Street is defined as properties abutting the street to be traffic calmed. The Project Street also includes any cul-de-sacs that enter onto the Project Street. Each property is entitled to one ballot (vote).

The Neighborhood Project Coordinator will mail or pass out ballots to property owners. The Neighborhood Project Coordinator will also be responsible for encouraging property owners to return completed ballots. The property owners have 6 weeks to return their ballots upon delivery of the ballots to the Neighborhood Project Coordinator.

If less than two-thirds (67%) of the ballots are returned and less than two-thirds (67%) of the property owners on the Project Street vote for the project, the project ends at this point. NSP staff verifies the balloting and that enough ballots have been cast for the project. If the project fails, a refund will be processed less any staff time and materials associated with the project.

6. **FINAL DESIGN**
NSP staff does the final design. Staff will work with neighborhood residents to address their concerns about speed cushion placement. An additional neighborhood meeting may be held as needed, pending resident concerns and questions about the project.
7. PROJECT CONSTRUCTION
NSP notifies property owners of the approximate construction date, and the contractor constructs the speed cushions.

8. PROJECT EVALUATION
Six months after construction is completed, NSP evaluates the effects of the project (i.e., traffic speeds and amount of traffic diversion onto other local streets). If any unacceptable impacts are identified, corrective measures are taken.

An impact threshold curve is generally used to identify acceptable levels of diversion from local streets. Generally, it establishes the following limitations:

- Local Streets
  - An increase of up to 150 vehicles per day is acceptable on any adjacent local street.
  - The total traffic volume on another local street (existing volume plus increased volume) should not exceed 2,000 vehicles per day.

- Neighborhood Routes
  - An increase of 150 vehicles per day diverted to an adjacent local street is acceptable.
  - The maximum amount of traffic diverted to an adjacent neighborhood route is 400 vehicles per day.
  - The total traffic volume on another neighborhood route (existing volume plus increased volume) should not exceed 5,000 vehicles per day.

9. SPEED CUSHION REMOVAL
Speed cushions can be removed if the County Engineer and/or Principal Engineer, Traffic Section, determine that they are ineffective or unsafe, or if they have created a negative impact that cannot be corrected. In this instance, the neighborhood will receive a refund of contracted costs associated with the original installation if the removal is completed within two years of installation.

PROJECT RESPONSIBILITIES

NSP STAFF
- Does preliminary design.
- Facilitates neighborhood meetings.
- Determines “Impact Area”.
- Provides ballots, mailing labels.
- Tabulates ballots.
- Does final design.
- Determines total cost.
- Does project evaluation.
- Construction inspection.
NEIGHBORHOOD PROJECT COORDINATOR

• Mails or hand delivers ballots.
• Persuades neighbors to send in ballots.
• Collects monies for project.
• Serves as liaison with NSP staff.

ESTIMATE OF NSP STAFF HOURS

• Neighborhood meeting 3 hours
• Preliminary design 3 hours
• Determining impact area & mapping 2 hours
• Write up ballots & tabulating 4 hours
• Discussion with citizens 4 hours
• Inspection 8 hours

Estimated total staff time: 24 hours

Deposit on cost is set by the County fee schedule and will be evaluated annually. A deposit on cost is required for all neighborhood purchase projects. Staff will charge actual time against the deposit. Any point of contact with County staff will be chargeable to the deposit. Additional deposit money may be collected as needed. Residents are also responsible for the purchase of the speed cushions. They will be purchased at the county’s contracted cost to include all labor and materials for construction of the cushions.

Note: With respect to the City of Portland, Oregon, much of this document was modeled after their program, “Streamlined Speed Bump Purchase Projects”.

AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Support Services
Agenda Title: AUTHORIZE PURCHASE ORDERS FOR COPIER AND PRINTER PAPER
Presented by: Linda Baumgartner, Purchasing Supervisor
Wayne Lowry, Chief Finance Officer

SUMMARY (Attach Supporting Documents if Necessary)

This agenda item requests that your Board authorize the County Purchasing Supervisor to issue purchase orders for copier and printer paper. Staff is requesting the authority to issue purchase orders up to the amount budgeted for this purpose. The budget for fiscal year 2005-06 includes $188,500 for such purchases.

Acquisition of copier and printer paper is exempt from the competitive bidding process per County Rule #20-110. This rule states that the County may purchase copier and printer paper without a competitive process subject to the following conditions: (1) must seek a minimum of three competitive quotes if the purchase is over $5,000; or (2) use an existing State or other public agency contract. The County Purchasing Supervisor is authorized to issue purchase orders up to $75,000. However, because the total expenditure for paper exceeds this threshold, delegated signature authority by your Board is required.

DEPARTMENT’S REQUESTED ACTION:
That your Board authorize the Purchasing Supervisor to issue purchase orders for copier and printer paper up to the amount approved in the County’s budget for this purpose.

COUNTY ADMINISTRATOR’S RECOMMENDATION:
I concur with the requested action.
AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Land Use and Transportation (ALL CPOs)

Agenda Title: ADOPT FISCAL YEAR 2005-2006 BUDGETS FOR ROAD MAINTENANCE LOCAL IMPROVEMENT DISTRICT (MLID)

Presented By: David L. Schamp, Operations and Maintenance Division Manager

SUMMARY (Attach supporting documents if necessary)

Road Maintenance Local Improvement Districts (MLIDs) have been established for inspection, repair, ditch cleaning, vegetation control and surface maintenance of local roads primarily in the urban areas. Since 1987, the Board has annually adopted budgets and levied assessments for MLIDs in accordance with the Washington County Code.

Budgets and assessments for MLIDs are proposed for adoption for Fiscal Year 2005-2006 as summarized below:

| MLIDs that are inside the URMD assessed for enhanced vegetation maintenance only | No. of MLIDs | No. of Lots | Total Assessments |
| MLIDs that are within the URMD but are zero assessed | 511 | 17,717 | $0 |
| Rural MLIDs that are outside the URMD and are assessed | 5 | 175 | $18,708 |

Attachment: 1. Resolution and Order

DEPARTMENT’S REQUESTED ACTION:

Approve the Resolution and Order adopting budgets for MLIDs for Fiscal Year 2005-2006.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No. 1.f.
Date: 06/21/05
MLIDs and their assessments will continue to be established for administrative purposes only. There will be no assessments during the life of the Urban Road Maintenance District unless otherwise ordered by the Board, except for one MLID for common area landscaping maintenance.

Budgets for all existing MLIDs formed prior to January 1, 2005, are proposed for adoption for FY 2005-2006. Copies of the MLID budgets and exhibits are available at the Clerk's desk for review.
IN THE BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

In the Matter of Adopting Budgets and Levying Assessments for Certain Road Maintenance Local Improvement Districts for Fiscal Year 2005-06. ) RESOLUTION AND ORDER
NO. ____________________

This matter having come before the Board at its meeting of June 21, 2005; and

It appearing to the Board that the Board previously adopted a budget for Organizational Unit 212-6075 (MLID) as provided for by Oregon Local Budget Law and that WCC 3.20.060 further requires adoption of a budget for each MLID for internal County use, and

It appearing to the Board that the Board has determined that, due to the permanent ad valorem property tax rate established for the Urban Road Maintenance District, road maintenance assessments within said district should not be levied, with one exception as set forth in Exhibit A; and

It appearing to the Board that assessments should be levied for road maintenance local improvement districts outside of the boundary of the Urban Road Maintenance District, that the Department of Land Use and Transportation has recommended assessments based on the benefit to property assessed and that those assessments are equal to or less than the maximum annual assessments previously authorized by the property owners and established by the Board and should be certified to the tax roll to be collected with ad valorem real property taxes; now, therefore, it is

RESOLVED AND ORDERED that the annual assessments set forth in the document entitled "Washington County Road Maintenance Local Improvement Districts - Fiscal Year 2005-06 Assessment Summary" are hereby adopted and levied as the road maintenance local improvement district assessments for Fiscal Year 2005-06 in the manner and amounts set forth therein; and it is further

RESOLVED AND ORDERED that the budgets are hereby adopted as the budgets for the road maintenance local improvement districts for the Fiscal Year 2005-06 for purposes of WCC 3.20.160; and it is further

RESOLVED AND ORDERED that, for purposes of Section 11b, Article XI of the Oregon Constitution, said annual assessment amounts hereby are classified as “taxes levied or imposed for the purpose of funding government operations” subject to the limit of $5.00 per $1,000 of real market value, and it is further
RESOLVED AND ORDERED that the assessments levied are certified to the Director of Assessment and Taxation who shall add them to the tax roll and collect them for the road maintenance districts as provided by law, and that, if extension of the levy by the Director discloses material changes in those lots, the assessments affected thereby may be amended by the Board prior to the time that the assessment and tax roll become final and, further, that the Director shall enter in the lien docket a statement of the amounts assessed on each lot or parcel or portion thereof, together with a description of the improvement, the name of the owners or reputed owners and the date of this order.

Dated this 21st day of June 2005.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

____________________________________
Chairman

____________________________________
Recording Secretary

Approved as to Form
/s/ Dan R. Olsen
Chief Assistant County Counsel
Date: 07/09/03

Page 2
R & O No._____________________
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Support Services
Agenda Title: AUTHORIZE PURCHASE ORDERS FOR COOPERATIVE LIBRARY CIRCULATION MATERIALS AND ANNUAL REFERENCE RESOURCE SUBSCRIPTIONS
Presented by: Linda Baumgartner, Purchasing Supervisor
Eva Calcagno, Cooperative Library Services Manager

SUMMARY (Attach Supporting Documents if Necessary)

This agenda item requests that your Board authorize the Purchasing Supervisor to issue purchase orders for library circulation materials and annual online reference resource subscriptions. The Cooperative Library Service purchases various circulation materials (books, magazines, videos, compact discs, cassettes, etc.) and subscriptions for its users. This includes online references that replace the need for large volumes of print format reference books. Staff is requesting the authority to issue purchase orders up to the amount budgeted for this purpose. The budget for fiscal year 2005-06 includes $125,000 for such purchases.

Acquisition of library circulation materials (books, reference materials, etc.) is exempt from the competitive bidding process per County Rule #20-050. This rule states that the County is exempt from all bidding and quote requirements for the acquisition of library circulation materials due to the sole source nature of these materials. The County Purchasing Supervisor is authorized to issue purchase orders up to $75,000. However, because the total expenditure for these materials exceed this threshold, delegated signature authority by your Board is required.

DEPARTMENT’S REQUESTED ACTION:
That your Board authorize the Purchasing Supervisor to issue purchase orders for library circulation materials up to the amount approved in the County’s budget for this purpose.

COUNTY ADMINISTRATOR’S RECOMMENDATION:
I concur with the requested action.

Agenda Item No. 1.ff.
Date: 6/21/05
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – LUT/Maintenance Local Improvement District (CPO 6)

Agenda Title: APPROVE ESTABLISHMENT OF A ROAD MAINTENANCE LOCAL IMPROVEMENT DISTRICT (MLID) FOR PREMIER ESTATES

Presented by: David L. Schamp, Operations and Maintenance Division Manager

SUMMARY (Attach Supporting Documents if Necessary)

The Board, by Resolution and Order No. 87-108, required that as a condition of development approval, a road Maintenance Local Improvement District (MLID) be formed with the final platting of any subdivisions initiated after May 19, 1987.

A petition and waiver of the right to remonstrate (oppose) the formation of an MLID has been received for the following subdivision, in accordance with Resolution and Order 87-108. Proposed assessments are as follows:

<table>
<thead>
<tr>
<th>No. Lots</th>
<th>Per Lot</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>PREMIER ESTATES</td>
<td>5</td>
<td>$141.10</td>
</tr>
</tbody>
</table>

Attachments:
1. Resolution and Order
2. Assessment Maps-Exhibit A
3. Petition-Exhibit B
4. Waiver-Exhibit C
5. Feasibility Report-Exhibit D
6. Assessment Roll-Exhibit E

DEPARTMENT’S REQUESTED ACTION:

Approve the attached Resolution and Order (1) initiating and establishing the MLID, (2) approving the feasibility report, and (3) imposing, but not levying, a maximum annual assessment.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.
As the Board is aware, MLIDs and their assessments will continue to be established for administrative purposes only. There will be no assessments during the life of the Urban Road Maintenance District unless otherwise ordered by the Board.
IN THE BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

In the Matter of Receiving a Petition, Approving a Feasibility Report, Establishing a Road Maintenance Local Improvement District (MLID) and Authorizing the Proposed Work, Imposing a Maximum Annual Assessment, Receiving an Assessment Roll for, but not Limited to, Maintenance and Repair of Local Public Streets Serving PREMIER ESTATES sub-division.

This matter having come before the Board at its meeting of June 21, 2005: and

It appearing to the Board that a petition, a waiver of the right to remonstrate (oppose) the formation of a road Maintenance Local Improvement District (MLID), together with the proposed work and assessment of costs, a feasibility report, and an assessment roll for an MLID for, but not limited to, the maintenance and repair of local public streets serving PREMIER ESTATES subdivision have been filed as set forth in the Washington County Code (WCC) Chapter 3.20; and

It appearing to the Board that the location of the proposed MLID is shown on the Assessment Map, attached hereto and marked Exhibit A; and

It appearing to the Board that 100% of the property owner(s) signed said petition, attached hereto and marked Exhibit B, as shown on the affidavit on file; and

It appearing to the Board that a waiver of the right to notice, hearing, and remonstrance (opposition) regarding the formation of the MLID together with the proposed work and assessment of costs was signed by 100% of the property owner(s) within the proposed MLID at
the time of MLID formation, and that this waiver was recorded and runs with the land such that all present and subsequent owners are on notice and bound thereby; and

It appearing to the Board that the feasibility report, attached hereto and marked Exhibit D, confirms the feasibility of the petitioned for work, to wit: to, among other functions, maintain and repair local public streets serving **PREMIER ESTATES** subdivision; and it appearing that such report should be approved as submitted and adopted; and

It appearing to the Board that a program of, but not limited to, maintenance and repair of the local public streets is necessary and that a maximum annual assessment of **$141.10** per lot should be imposed as the amount considered the maximum necessary for the annual work thereof; and

It appearing to the Board that, pursuant to WCC Section 3.20.160 the proposed assessment roll, attached hereto and marked Exhibit E, has been filed with the Board; and

It appearing to the Board that all property owners received notification of the time and place that the Board would consider establishment of the said MLID and impositioned maximum annual assessments, as shown on the notification letter on file; and

It appearing to the Board that it is appropriate to establish the MLID, in conformance with WCC Chapter 3.20; now, therefore, it is hereby

RESOLVED AND ORDERED that the petition is hereby received and that the feasibility report is hereby approved, accepted and adopted; and it is further

RESOLVED AND ORDERED that the proposed MLID as described in the feasibility report is hereby established; and it is further
RESOLVED AND ORDERED that the maximum annual assessment for all functions proposed in this MLID shall be $\textbf{141.10}$ for each lot, that the assessment roll described in Exhibit D is approved and the assessment imposed but not levied; and it is further RESOLVED AND ORDERED that the Board may levy annual assessments within the maximum at such point in the future as it deems necessary.

Dated this 21st day of June, 2005.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

____________________________________
Chairman

____________________________________
Recording Secretary
VICINITY MAP
PREMIER ESTATES
WASHINGTON COUNTY
ROAD MAINTENANCE LOCAL IMPROVEMENT DISTRICT

The Thomas Guide® Page 624, Block D3

NORTH
Not To Scale

Washington County
Road Maintenance
Local Improvement District

EXHIBIT A
PAGE 2 OF 2
PETITION

STREET MAINTENANCE LOCAL IMPROVEMENT DISTRICT

IN THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

In the Matter of the Establishment of a Washington County Code Chapter 3.20 Local Improvement District for, but not limited to, the Maintenance and Repair of Streets including Roadway Drainage Facilities which lie inside of Public Road Right-of-Ways Serving Premier Estates)

Premier Estates

(Name of Improvement)

Washington County Local Improvement District

Come now the undersigned persons who are the record owners or record contract purchasers of benefited property (hereinafter referred to as petitioners) located within the boundaries of the proposed Local Improvement District to petition the Board of County Commissioners of Washington County pursuant to the Washington County Code (WCC, Chapter 3.20) and allege and request as follows:

I. That the Board of County Commissioners establish a Local Improvement District serving Premier Estates.

II. That the Board of County Commissioners establish the Local Improvement District to accomplish the following purpose: Among other functions, maintenance and repair of streets including roadway drainage facilities which lie inside of public road rights-of-way serving the above-referenced subdivision.

III. That all properties contained within the boundaries of the Local Improvement District will be specially benefited by the proposed maintenance work.

IV. That the above-described local improvement be maintained to a standard acceptable to Washington County.

V. That a report on the proposed maintenance work be prepared and be filed with the Board. The report shall provide the following information:

1. A map or plat showing the general nature, location and extent of the improvements to be maintained and of the proposed Local Improvement District; and

2. A description of the maintenance work to be done; and

3. An estimate of the cost of the proposed maintenance work, including any legal, administrative and engineering costs attributable thereto. The report shall include an estimated assessment for maintenance or operation and include an estimated budget for the first fiscal year or portion thereof, and projected budgets for subsequent years so far as is reasonably possible; and

EXHIBIT B
Page 1 of 2
4. A recommendation as to the method or methods of assessment to be used to arrive at a fair apportionment of the whole or any portion of the cost of the improvement to the properties specially benefited; and

5. The description of each lot, parcel of land, or portion thereof to be specially benefited by the maintenance work, with the names of the owners or reputed owners thereof and the estimated assessment or assessments against each such lot or parcel.

VII.

That the Board, upon receipt of the report, enact an order creating and describing the Local Improvement District and directing that it be processed in accordance with provisions of WCC Chapter 3.20, unless provisions thereof have been waived.

VIII.

That said district be continued for the purpose of providing maintenance and assessment for such maintenance pursuant to WCC Sections 3.20.040 - 3.20.080.

WHEREFORE, the undersigned petitioners request WCC Chapter 3.20 be used to facilitate the above-requested maintenance work.

NOTE: Both print and sign your name. If signing on behalf of a corporation, also give corporation name and your title.

<table>
<thead>
<tr>
<th>DATE</th>
<th>PETITIONER NAME</th>
<th>ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>5-15-05</td>
<td>Robert Hansen</td>
<td>24175 Old Linder Rd</td>
</tr>
<tr>
<td>5-15-05</td>
<td>Rod Strauss</td>
<td>1407 Cornell Ave 97103</td>
</tr>
<tr>
<td>5-15-05</td>
<td>Deanna Strauss</td>
<td>Same</td>
</tr>
</tbody>
</table>

EXHIBIT B
Page 2 of 5
After recording please return to:
Land Development Services
150 North First Avenue, Suite 350-13
Hillsboro, OR 97124

TO BE RECORDED IN DEED RECORDS
NOTE: Resolution and Order No. 87-108
requires the seller to inform the purchasers,
of all lots, prior to sale of the requirements
of R&B 87-108 and the existence of this waiver.

Bill Ayer
Principal Planner

EXHIBIT C
Page 1 of 3
The undersigned, referred to herein as "owner", are all of the owners of certain lots in the Premier Estates subdivision, said property being more particularly described on the attached legal description.

In accordance with County Policy, this consent and waiver is given in consideration of Development Approval Action No. 03-244-S/V and to fulfill the conditions therein imposed, the owner has caused to be executed and recorded this restrictive covenant. The owner, therefore, agrees and covenants as follows:

1. In the event that a local improvement district is formed at any time within twenty years of the date of this restrictive covenant, for, but not limited to, the maintenance and repair of streets including roadway drainage facilities which benefit the subdivision and lie inside of public road rights-of-way, the owner will consent to said local improvement district, will not remonstrate against it, and expressly waives any right to notice and hearing. This consent and waiver of remonstrance and hearing extends to the assessment of costs of all such work on the streets and roadway drainage facilities during the existence of the district.

2. These covenants are binding upon and shall constitute a covenant running with the land described above to the benefit of adjacent properties and the Washington County. They shall be binding upon the owner, his heirs, successors and assigns.

3. This agreement may be amended only with the mutual consent of the grantor(s) and the Washington County and County Commissioners or its delegate.

IN WITNESS WHEREOF, the Grantor(s) below named, by and through its [Signature] has caused this instrument to be duly signed hereeto.

Dated this 18th day of May, 2005.

Pacific Premier Investments LLC

Name

STATE OF OREGON
County of Washington

BE IT REMEMBERED that on this 18th day of May, 2005 personally appeared [Signature], who, being duly sworn, did each say the he is the [Name], and [Name], respectively, of [Company Name], and that the foregoing instrument was signed in behalf of said corporation by authority of its board of directors, and said person(s) acknowledged said instrument to be its voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

[Seal]

Cathy L. Poper
Notary Public in Oregon

My commission expires Oct. 11, 2005

EXHIBIT C
Page 2 of 3
Legal Description For "Premier Estates"

A TRACT OF LAND, LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT, A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "TETSUKA ASSOC. INC." AT NORTHEAST CORNER OF LOT 66 OF "SOUTHVIEW PLAT NO. 3", WASHINGTON COUNTY PLAT RECORDS;

THENCE N0°47'00"E, ALONG THE EAST LINE OF THAT TRACT OF LAND DESCRIBED IN DEED DOCUMENT NUMBER 2003-120711, WASHINGTON COUNTY DEED RECORDS, A DISTANCE OF 307.40 FEET TO A 5/8" IRON PIPE ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SW KIMMANN ROAD;

THENCE S88°41'57"E, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 13.51 TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "TETSUKA ASSOC. INC., PLG 1856" ON THE WEST LINE OF THAT TRACT OF LAND DESCRIBED IN DEED DOCUMENT NUMBER 90-040825, WASHINGTON COUNTY DEED RECORDS;

THENCE S00°47'00"W, ALONG THE WEST LINE OF SAID TRACT AND THE WEST LINE OF THAT TRACT OF LAND DESCRIBED IN DEED DOCUMENT NUMBER 2003-118658, WASHINGTON COUNTY DEED RECORDS, A DISTANCE OF 320.68 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "TETSUKA ASSOC. INC." ON THE NORTH LINE OF THAT TRACT OF LAND DESCRIBED IN DEED DOCUMENT NUMBER 65006034, WASHINGTON COUNTY DEED RECORDS;

THENCE N88°26'03"W, ALONG SAID NORTH LINE, A DISTANCE OF 129.74 FEET TO THE INITIAL POINT.

CONTAINS 44,635 SQUARE FEET (1.02 ACRES), MORE OR LESS.
PROJECT DESCRIPTION

The road maintenance local improvement district (MLID) provides for ongoing maintenance and repair of local streets serving the **PREMIER ESTATES** subdivision. Road maintenance may include but is not limited to the following activities: patching, fog seals, crack seals, sweeping/flushing, and traffic control.

ASSESSMENT MAP

An assessment map (Exhibit A) has been prepared showing the location of the local streets to be maintained and showing the boundary of the proposed MLID. All parcels within this boundary are specially benefited from the maintenance of these streets.

ASSESSMENT METHOD

The equal parcel method of assessment is recommended for this MLID.

ASSESSMENTS

<table>
<thead>
<tr>
<th>Maximum Annual Assessment</th>
<th>Total Cost</th>
<th>Total Assessment</th>
<th>Per Lot Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>$705.50</td>
<td>$705.50</td>
<td>$705.50</td>
<td>$141.10 (5 lots)</td>
</tr>
</tbody>
</table>

The maximum annual assessment allows for unanticipated maintenance conditions in future years.

ASSESSMENT ROLL

An assessment roll (Exhibit E) has been prepared containing a description of each parcel to be assessed by the MLID, the names of owners or reputed owners thereof, and a maximum annual assessment.

RECOMMENDATION

The MLID as described above is found to be feasible and should be established.
## ASSESSMENT ROLL
### PREMIER ESTATES
#### ROAD MAINTENANCE LOCAL IMPROVEMENT DISTRICT

<table>
<thead>
<tr>
<th>TAX LOT</th>
<th>OWNER NAME/ADDRESS</th>
<th>LEGAL DESCRIPTION</th>
<th>MAXIMUM ANNUAL ASSESSMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1S213AB-00800</td>
<td>Pacific Premier Investments</td>
<td>PREMIER ESTATES</td>
<td>$141.10</td>
</tr>
<tr>
<td></td>
<td>24175 SW Davis Street</td>
<td></td>
<td>$705.50</td>
</tr>
<tr>
<td></td>
<td>Hillsboro, OR 97123</td>
<td>*5 lots</td>
<td></td>
</tr>
</tbody>
</table>

* Map and Tax Lot Numbers will be established by the Department of Assessment and Taxation/Cartography Division after plat is filed.

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EXHIBIT E
Page 1 of 1
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Support Services
Agenda Title: AUTHORIZE PURCHASE ORDERS FOR LAW LIBRARY CIRCULATION MATERIALS
Presented by: Linda Baumgartner, Purchasing Supervisor
Laura Orr, Law Librarian

SUMMARY (Attach Supporting Documents if Necessary)

This agenda item requests that your Board authorize the County Purchasing Supervisor to issue purchase orders for legal circulation materials. The Law Library purchases legal materials for its users from several different sources. The majority of the materials are copyrighted and thus not available from other publishers. Staff is requesting the authority to issue purchase orders up to the amount budgeted for this purpose. The budget for fiscal year 2005-06 includes $125,000 for such purchases.

Acquisition of legal circulation materials (books, reference materials, etc.) is exempt from the competitive bidding process per County Rule #20-050. This rule states that the County is exempt from all bidding and quote requirements for the acquisition of library circulation materials due to the sole source nature of these materials. The County Purchasing Supervisor is authorized to issue purchase orders up to $75,000. However, because the total expenditure for these materials exceed this threshold, delegated signature authority by your Board is required.

DEPARTMENT’S REQUESTED ACTION:
That your Board authorize the Purchasing Supervisor to issue purchase orders for legal circulation materials up to the amount approved in the County’s budget for this purpose

COUNTY ADMINISTRATOR’S RECOMMENDATION:
I concur with the requested action.

Agenda Item No. 1.gg.
Date: 6/21/05
SUMMARY (Attach Supporting Documents if Necessary)

Through this agenda item your Board is asked to adopt a resolution approving the State of Oregon’s acquisition of 66 acres in western Washington County. The acreage is surrounded by the Tillamook State Forest and once acquired will become County Forest Trust Land and be added to the State Forest. Oregon statute (ORS 530.010) authorizes the Oregon Board of Forestry to acquire lands, but requires prior approval by the Board of County Commissioners of the county in which the lands are situated. The Board of Forestry gave approval to initiate the acquisition process at its October 2004 meeting. The acquisition acreage and surrounding area are depicted on Exhibit A.

The acreage is in the form of 6.2 miles of road and associated right of way, much of which is forested. It totals 77 acres, with the other 11 acres located in Tillamook County. The State was offered the opportunity to purchase the acreage by its current owner, Wilson River Timberlands, LLC, a subsidiary of John Hancock Insurance Co. The required appraisals and public hearings have been completed, as has the 30-day written comment period. Public hearings were conducted on May 10, 2005, in Washington and Tillamook Counties. No testimony was given at either hearing. Approval by your Board is the last step prior to approval by the Board of Forestry, which is anticipated at its September 2005 meeting.

Generally, this land purchase furthers State goals of consolidating forestland ownership and deriving a full range of economic, environmental and social benefits from State Forests. In terms of the Tillamook State Forest, the acquisition will result in more effective and efficient landscape management, as well as increased recreation potential.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

Adopt the resolution approving the State of Oregon’s acquisition of 66 acres in western Washington County.
With the transfer of the acreage into public ownership, the County will forego annual property tax revenue of approximately $278 per acre ($18,300 total), along with annual three percent increases. The Oregon Department of Forestry indicates that the parcel is likely 40 years away from producing timber harvests. At that point, the acreage will have a projected total standing value of approximately $400,000 at today’s timber prices.
IN THE BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

In the Matter of Approving the Purchase ) RESOLUTION AND ORDER
By the State of Oregon Board of Forestry ) No. ____________________
Of Certain Lands for State Forest Purposes. )

This matter came before the BOARD OF COUNTY COMMISSIONERS of
WASHINGTON COUNTY, Oregon, at its regular meeting of June 21, 2005; and

It appearing that the STATE OF OREGON, acting by and through its Board of Forestry,
hereinafter referred to as "STATE", desires to purchase 66 acres of property as shown on the
attached Exhibit “A” from WILSON RIVER TIMBERLAND, LLC, hereinafter referred to as
"WILSON RIVER", for State forest purposes; and

It appearing that it would be in the best interest of WASHINGTON COUNTY that such
transfer of title be approved; now, therefore, it is hereby

RESOLVED AND ORDERED that pursuant to ORS 530.010, the transfer of the following
described lands, to-wit:

That portion of Section 3, Township 2 North, Range 6 West, W.M., as described in
instruments recorded June 9, 1954 in Book 345, Page 638, October 15, 1956 in Book 387,
Page 169 and October 13, 2004 as 2004-118414, EXCEPTING THEREFROM that portion
lying in the Northwest quarter of the Northwest quarter.

///
///
///
That portion of Sections 32 and 33, Township 3 North, Range 6 West, W.M., as described in instruments recorded June 9, 1954 in Book 345, Page 638, October 15, 1956 in Book 387, Page 169 and October 13, 2004 as 2004-118414.

to STATE, from WILSON RIVER, is hereby approved.

DATED this ____ day of ____________, 2005____.

________________________________________
BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

________________________________________
CHAIR

________________________________________
RECORDING SECRETARY
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Support Services

Agenda Title: ACCEPT PROPOSAL/AWARD CONTRACT FOR REMOTE LOCATION MONITORING SERVICES FOR THE SHERIFF’S OFFICE

Presented by: Linda Baumgartner, Purchasing Supervisor
John Gilman, Business Services Manager, Sheriff’s Office

SUMMARY (Attach Supporting Documents if Necessary)

This agenda requests that your Board accept the proposal and award a contract to Sentinel Offender Services LLC to provide remote location monitoring services through June 30, 2008, with an option to renew for one additional two-year period.

The Sheriff’s Office has a requirement for continuous “passive” land line (non-real-time) and “active” wireless (near-real-time) remote location monitoring services. These services must utilize global positioning satellite system (GPS), wireless, land line, radio frequency (RF) and internet technologies. This system will be used to monitor the recent movements of offenders and defendants under community supervision in the County on a periodic or minute-to-minute basis. It is anticipated that approximately 35 inmates will utilize this service per day. The contractor will provide equipment and services.

This program is an offender-funded program with no expenditure cost to the County. The County will see some revenue from this program with a referral fee for each inmate on the program. The fee may generate $1,000 per month depending on the number of inmates on the program and the level of supervision selected.

The required legal advertisement and Request for Proposal (RFP) was issued March 21, 2005. A total of six Request for Proposal documents were issued prior to the opening time and date of 3:00 PM, April 14, 2005; three proposals were received. See Attachment A for the Scoring Summary.

DEPARTMENT’S REQUESTED ACTION:
That your Board accept the proposal and award a contract to Sentinel Offender Services LLC to provide electronic home detention services through June 30, 2008, with an option to renew for one additional two-year period.

COUNTY ADMINISTRATOR’S RECOMMENDATION:
I concur with the requested action.
### ATTACHMENT A  
**SCORING SUMMARY**

<table>
<thead>
<tr>
<th>EVALUATION CRITERIA</th>
<th>BI INCORPORATED</th>
<th>SENTINEL OFFENDER SERVICES*</th>
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<td>93.06</td>
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*Recommend Award

Though all three proposals were very competitive, Sentinel Offender Services is the unanimous evaluation committee selection due to their superior experience and references.
AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Board of Commissioners

Agenda Title: APPROVE COUNTY COUNSEL SALARY ADJUSTMENT

Presented by: Commissioners Andy Duyck and John Leeper

SUMMARY (Attach Supporting Documents if Necessary)

This action will authorize a 5% increase in the base salary for County Counsel, effective for the first pay period in the 2005/06 fiscal year (approximately July 1). This is based on the recent performance evaluation as well as a market assessment. County Counsel will continue to receive any COLA granted regular employees for 2005/06.

DEPARTMENT’S REQUESTED ACTION:

Approve the salary adjustment and authorize the Chairman to execute an amendment to County Counsel’s contract reflecting the new base salary.
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Support Services

Agenda Title: AUTHORIZE PURCHASE ORDERS FOR MISCELLANEOUS MEDICATIONS FOR THE DEPARTMENT OF HEALTH AND HUMAN SERVICES

Presented by: Linda Baumgartner, Purchasing Supervisor
Roberta Hellman, Health and Human Services

SUMMARY (Attach Supporting Documents if Necessary)

The Department of Health and Human Services (HHS) is requesting that the Purchasing Supervisor be authorized to issue purchase orders for the acquisition of miscellaneous medications. Assorted drugs (flu vaccine, Norplant kits, etc.) need to be purchased annually for the Hillsboro and Beaverton Clinics. Purchases for the 2005-06 fiscal year are tied to the budgeted amount of $250,270.

A majority of the drugs are available through a multi-state buying agreement in which the State of Oregon participates, or are available from Multnomah County. Based on an annual intergovernmental agreement with the State of Oregon, the County can issue purchase orders directly to vendors for State price agreement purchases. These contracts have been competitively bid and awarded by the State based on their statewide order volumes. Purchases from these State contracts or from Multnomah County are exempt from any further competitive bidding requirements by the County. However, County Purchasing Rules state that your Board must authorize the acquisition of all materials and services exceeding $75,000.

DEPARTMENT’S REQUESTED ACTION:
That your Board authorize the Purchasing Supervisor to issue purchase orders for miscellaneous medications on State contract or available from Multnomah County, for a total of $250,270 for the 2005-06 fiscal year.

COUNTY ADMINISTRATOR’S RECOMMENDATION:
I concur with the requested action.

Agenda Item No. 1.ii.
Date: 6/21/05
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Community Corrections

Agenda Title: APPROVE THE 2005-07 COMMUNITY CORRECTIONS PLAN AND RELATED AGREEMENT FOR STATE FUNDING

Presented by: John Hartner, Director, Community Corrections

SUMMARY:

The purpose of this agenda is to request the Board’s consideration and approval of the 2005-07 Community Corrections Plan and related funding agreement with the Oregon Department of Community Corrections. The plan outlines services that will be provided by the Community Corrections Department and covers the state biennium period July 1, 2005 through June 30, 2007. The related funding agreement covers the same time period and provides the state funding needed for the delivery of services.

As required by Oregon law, the Public Safety Coordinating Council (PSCC) has endorsed the plan and recommends its approval. The plan (to be submitted to the state) essentially continues the same services outlined in the previous biennial plan (2003-05) and modifies funding in some service areas.

The total estimated budget for the July 1, 2005 through June 30, 2007 period is $26,598,905; $22,727,025 is allocated for the Community Corrections Department and $3,871,880 is allocated for use by the Sheriff’s Office for SB1145 offenders.

Continued on next page.

DEPARTMENT’S REQUESTED ACTION:

Approve the 2005-07 Washington County Community Corrections Plan and related Intergovernmental Agreement providing funding for the same time period. Copies of both documents are available at the clerk’s desk for review.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.
Per the proposed funding agreement, the County’s 2005-07 allocation from the State Department of Corrections is estimated to total $14,234,218. This represents a $724,664 reduction below the previous biennium (2003-05). The detailed budget impacts associated with the plan’s implementation (for the current County fiscal year) are fully described in the County’s FY 2005-06 Adopted Budget document for Community Corrections. It is important to note that these are not final figures, it is anticipated we will be receiving additional funding that will likely reduce or eliminate the current reduction in the State allocation.
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Support Services

Agenda Title: APPROVE AMENDMENT TO CONTRACT FOR DIVORCE TRANSITION SERVICES

Presented by: Linda Baumgartner, Purchasing Supervisor
Joe Christy, Juvenile Services Director

SUMMARY (Attach Supporting Documents if Necessary)

It is recommended that your Board approve an amendment to the contract with Youth Contact, Inc. for divorce transition services to allow a contract expenditure of $264,969 from July 1, 2005 through June 30, 2008.

A Request for Proposal was completed in February, 2003 and your Board approved the award of a contract (Minute Order 03-151, May 27, 2003) for this service. The agenda item specified that a subsequent contract amendment would be executed contingent on the availability of funds, continued need for services, and utilization and performance of the contractor. The expenditures approved for this last year were $84,050. Staff recommends extending the contract for an additional three years with an increase of 2.5% each year.

Conciliation Services in the Juvenile Department provides oversight for the divorce transition services program. Between 1,000 and 1,200 families are referred annually for participation in education workshops to help families respond to the needs of their children during separation or divorce. This program is mandated by the court. Participants pay a fee to the program, which is supplemented by funds from court filing fees (no County general fund money is involved).

DEPARTMENT’S REQUESTED ACTION:
That your Board approve a contract amendment to Youth Contact, Inc. for divorce transition services to allow a contract expenditure of $264,969 from July 1, 2005 through June 30, 2008.

COUNTY ADMINISTRATOR’S RECOMMENDATION:
I concur with the requested action.

Agenda Item No. 1.jj.
Date: 6/21/05
SUMMARY (Attach Supporting Documents if Necessary)

The purpose of this agenda item is to request that the Board approve an intergovernmental agreement with the City of Beaverton for Housing Rehabilitation activities to be funded with $163,326 in HOME Investment Partnership funds.

Under a HOME Consortium Cooperation Agreement for program years 2003-2005, the City may designate its portion of the HOME allocation to projects within its jurisdiction, independent of the County’s Project Review Committee. The city has opted to use a portion of its 2002 and 2004 HOME allocation to fund its Housing Rehabilitation Program, which serves low-income Beaverton residents. It is anticipated that the City will be able to assist ten low-income families with repairs to their homes.

DEPARTMENT’S REQUESTED ACTION:
Authorize execution of the Intergovernmental Agreement with the City of Beaverton upon completion of the County’s contract review process.

COUNTY ADMINISTRATOR’S RECOMMENDATION:
I concur with the requested action.
### Agenda

**WASHINGTON COUNTY BOARD OF COMMISSIONERS**

<table>
<thead>
<tr>
<th>Agenda Category:</th>
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<tbody>
<tr>
<td>Agenda Title:</td>
<td>APPROVE CONTRACT AMENDMENT FOR ELEMENTARY-MIDDLE SCHOOL TRANSITION PROJECT</td>
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| Presented by:    | Linda Baumgartner, Purchasing Supervisor  
Joe Christy, Juvenile Services Director |

**SUMMARY** (Attach Supporting Documents if Necessary)

It is recommended that your Board approve an amendment to Lifeworks NW (formerly Tualatin Valley Centers) contract for the elementary-middle school transition project to allow a contract expenditure of $60,706 from July 1, 2005 through June 30, 2006.

A Request for Proposal was completed in February, 2003 and your Board approved the award of a contract (Minute Order 03-250) on July 15, 2003. The agenda item specified that subsequent to the end of each fiscal year a contract amendment would be executed contingent on the availability of funds, continued need for services, and utilization and performance of the contractor. The expenditure approved for this last year was $59,225. Staff recommends extending the contract for an additional year with a new contract amount of $60,706.

These funds are to provide specialized intensive intervention and case management services to high-risk youth and their families. Services are intended to be both school and home based. The focus will be on youth in transition from elementary to middle school. Participation by youth and their families will be on a voluntary basis. Eligible youth will have been identified through the Oregon Juvenile Crime Prevention Screen and Assessment.

### DEPARTMENT’S REQUESTED ACTION:

That your Board approve a contract amendment to Lifeworks NW to allow a contract expenditure of $60,706 for the elementary-middle school transition project from July 1, 2005 through June 30, 2006.

### COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

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**Agenda Item No. 1.kk.**

**Date:** 6/21/05
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Office of Community Development

Agenda Title: APPROVE 2005-06 HOME COMMUNITY HOUSING DEVELOPMENT ORGANIZATION OPERATING AGREEMENTS

Presented by: Peggy A. Linden, Program Manager

SUMMARY (Attach Supporting Documents if Necessary)

The purpose of this agenda item is to request that the Board approve four HOME Community Housing Development Organization (CHDO) operating grant agreements. A CHDO is a private nonprofit, community-based service organization whose primary purpose is to provide and develop decent, affordable housing for the community it serves. Certified CHDOs receive certification from Washington County indicating that they meet certain HOME Program requirements and therefore are eligible for HOME funding. CHDOs provide for capacity building under the HOME Program. The HOME program authorizes the use of up to five percent of the annual HOME allocation to support non-profit organizations designated by the County as CHDO organizations. Five percent of the 2005/06 HOME allocation ($1,752,874) is $87,643.

Your Board previously authorized this award when it approved Washington County’s PY 2005 Action Plan on May 3, 2005 by MO #05-147.

HOME funds will be used to pay a portion of the operating costs for the following four agencies to support the development, ownership, sponsorship and/or management of affordable housing:

- Community Partners for Affordable Housing, #7706 – $21,715
- Housing Development Corporation, #7709 – $22,606
- Tualatin Valley Housing Partners, #7704 – $21,002
- Willamette West Habitat for Humanity, #7701 – $22,320

DEPARTMENT’S REQUESTED ACTION:
Authorize execution of agreements for the above-named projects upon completion of the County’s contract review process.

COUNTY ADMINISTRATOR’S RECOMMENDATION:
I concur with the requested action.

Agenda Item No. 1.l.
Date: 6/21/05
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Support Services

Agenda Title: APPROVE CONTRACT AMENDMENT FOR JUVENILE DAY REPORTING SERVICES

Presented by: Linda Baumgartner, Purchasing Supervisor
Joe Christy, Juvenile Services Director

SUMMARY (Attach Supporting Documents if Necessary)

It is recommended that your Board approve an amendment to Lifeworks NW (formerly Tualatin Valley Centers) contract to allow a contract expenditure of $190,000 from July 1, 2005 through June 30, 2006 for the purpose of providing juvenile day reporting services.

A Request for Proposal was completed in February, 2003 and your Board approved the award of a contract (Minute Order 03-209) on June 24, 2003. The agenda item specified that subsequent to the end of each fiscal year a contract amendment would be executed contingent on the availability of funds, continued need for services, and utilization and performance of the contractor. The expenditure approved for this last year was $305,000. Staff recommends extending the contract for an additional year with contract expenditures of $190,000, due to reductions in available funding.

Day reporting consists of community intensive daily supervision of juvenile offenders on probation or parole. This community-based initiative will target serious and/or chronic juvenile offenders, both male and female, who are currently in the juvenile justice system and are at high risk of institutionalization or are in transition from institutions to the community. The total number of youth to be served is estimated at 80 per year, with an average daily population of 12. Average length of program stay is estimated at 60 days. Program operation is intended for after school hours, including one weekend day.

DEPARTMENT’S REQUESTED ACTION:
That your Board approve a contract amendment to Lifeworks NW to allow a contract expenditure of $190,000 from July 1, 2005 through June 30, 2006 for juvenile day reporting services.

COUNTY ADMINISTRATOR’S RECOMMENDATION:
I concur with the requested action.

Agenda Item No. 1.ll.
Date: 6/21/05
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Office of Community Development

Agenda Title: APPROVE HOME AGREEMENT FOR GATEWAY COMMONS APARTMENTS LIMITED PARTNERSHIP FOR GATEWAY COMMONS APARTMENT PROJECT

Presented by: Peggy A. Linden, Program Manager

SUMMARY (Attach Supporting Documents if Necessary)

The purpose of this agenda item is to request the Board’s consideration and approval of the HOME Investment Partnerships (HOME) project agreement for Gateway Commons Apartments. This agreement awards funding for retrofitting ten units to meet the accessibility requirements of the HOME program. Seven units shall be made accessible to persons with mobility impairments, and three units shall be made accessible to persons with sensory impairments.

This award of funds was endorsed by the Housing Programs Advisory Subcommittee at its meeting on April 6, 2005 and approved by the Policy Advisory Board at its meeting on April 14, 2005.

The general partner of Gateway Commons Apartments Limited Partnership is Cascade Housing Group, LLC.

HOME Project # 7501—Gateway Commons Apartments Limited Partnership, Gateway Commons Apartments. Gateway Commons Apartments Limited Partnership will use HOME funds to make seven housing units accessible to persons with mobility impairments and three units accessible to persons with sensory impairments at Gateway Commons Apartments. HOME funds: $56,248.

DEPARTMENT’S REQUESTED ACTION:

Approve the HOME project agreement with Gateway Commons Apartments Limited Partnership subject to the county’s contract review process and authorize the County Administrator to execute subsequent documents, as needed, to secure this award.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No. 1.m.
Date: 6/21/05
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Support Services
Agenda Title: APPROVE CONTRACT AMENDMENT FOR STUDENT RESOURCE PROGRAM
Presented by: Linda Baumgartner, Purchasing Supervisor
Joe Christy, Juvenile Services Director

SUMMARY (Attach Supporting Documents if Necessary)

It is recommended that your Board approve a contract amendment to the Youth Contact, Inc. to allow a contract expenditure of $415,561 from July 1, 2005 through June 30, 2006 for the purpose of providing a student resource program.

A Request for Proposal was completed in February, 2003 and your Board approved the award of a contract (Minute Order 03-248) on July 15, 2003. The agenda item specified that subsequent to the end of each fiscal year a contract amendment would be executed contingent on the availability of funds, continued need for services, and utilization and performance of the contractor. The expenditure approved for this last year was $405,425. Staff recommends extending the contract for an additional year with a contract expenditure of $415,561.

Youth ages 10 to 17 who are at high risk of involvement with the Juvenile department are targeted by this program. The primary goals are to keep juvenile arrest rates below the Oregon benchmark of 45.6 per 1000 youth, to reduce recidivism of youth referred for new or repeat criminal offenses, and to maintain discretionary use of correctional facilities in accord with the County allocation of beds.

DEPARTMENT’S REQUESTED ACTION:
That your Board approve a contract amendment to Youth Contact, Inc. to allow a contract expenditure of $415,561 from July 1, 2005 through June 30, 2006 for a student resource program.

COUNTY ADMINISTRATOR’S RECOMMENDATION:
I concur with the requested action.
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Office of Community Development

Agenda Title: APPROVE HOME CONSORTIUM AGREEMENT WITH CITIES OF BEAVERTON AND HILLSBORO

Presented by: Peggy A. Linden, Program Manager

SUMMARY (Attach Supporting Documents if Necessary)

The U.S. Department of Housing and Urban Development (HUD) provides participating jurisdictions with HOME Program funds that allow jurisdictions to undertake housing assistance activities. Geographically contiguous units of general local government consolidate to form a single unit of general government for HOME Program purposes. The proposed agreement between Washington County, Beaverton and Hillsboro will continue the cooperative efforts of local governments to use HOME Program funds to preserve and increase the supply of affordable housing through public-private partnerships.

The County and the City of Beaverton began participating as a HOME Consortium in 1993 and have received HOME resources for affordable housing since federal FY 1994. The City of Hillsboro joined the Consortium in 1999. The Consortium is known as the Washington County Consortium.

The County is the authorized representative of the Washington County HOME Consortium, and will continue to have the overall responsibility of ensuring that the Consortium’s HOME program is carried out in compliance with all federal requirements, including those of the Consolidated Plan. The Washington County Consortium must renew its current Consortium Agreement, to continue to receive HOME Program funds of Fiscal Years 2006-2008.

(Continued on Page 2)

DEPARTMENT’S REQUESTED ACTION:

That your Board approve the proposed cooperation agreement with the cities of Beaverton and Hillsboro and authorize the Chair or designee to sign the agreement on behalf of Washington County, subject to the County’s contract review process.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No. 1.n.  
Date: 6/21/05
The agreement allows participating members to choose one of two options for participation:

- Option One allows the Representative Member (Washington County) to administer all HOME funds on behalf of the City Member including the selection of projects with participation of the City Member.

- Option Two allows a City Member to specifically designate its portion of HOME funds to projects independent of the County’s selection process. As with Option One, project implementation and administration remain with the Representative Member (Washington County).
SUMMARY (Attach Supporting Documents if Necessary)

It is recommended that your Board approve an amendment to the contracts for positive youth development and after school programs to allow a contract expenditure of $108,650 from July 1, 2005 through June 30, 2006.

A Request for Proposal was completed in July, 2003 and your Board approved the award of contracts (Minute Order 03-271, August 5, 2003) for these services. The agenda item specified that subsequent to the end of each fiscal year a contract amendment would be executed contingent on the availability of funds, continued need for services, and utilization and performance of the contractor. The expenditures approved for this last year were Tigard-Tualatin School District ($32,389), Hillsboro Boy’s and Girl’s Club ($40,765) and CREATE ($32,846). Staff recommends extending the contracts for an additional year with an increase of 2.5% to each program.

After school programs were developed to aid high-risk youth identified through the use of the Oregon Juvenile Crime Prevention Screen and Assessment. These high risk youth have demonstrated risk behaviors that have come to the attention of schools, community agencies, or law enforcement; or have demonstrated risk behaviors and have violated court ordered probation. The primary goals are to keep juvenile arrest rates below the Oregon benchmark of 46.5 per 1000 youth, to reduce recidivism of youth referred for new or repeat criminal offenses, and to maintain discretionary use of correctional facilities.

DEPARTMENT’S REQUESTED ACTION:

That your Board approve a contract amendment to Tigard-Tualatin School District, Hillsboro Boy’s and Girl’s Club and CREATE for juvenile after school programs to allow a contract expenditure of $108,650 from July 1, 2005 through June 30, 2006.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.
SUMMARY (Attach Supporting Documents if Necessary)

On January 20, 2004 your Board approved a five-year Public Library Services Agreement (MO#04-20). This agreement defined the rights and responsibilities of the Cooperative Library Services (WCCLS) and the eight cities and two non-profit organizations that provide public library service to county residents.

The agreement includes a payment schedule that is updated annually and is typically brought back to your Board each year for approval. As identified in the agreement, the FY05-06 total funding allocation of $9,883,665 is an increase of 2.5%, and each contractor will receive at least a 2% increase in payment from its FY04-05 distribution. This is the first increase in funding for member libraries in the past two years.

Proposed FY05-06 distributions are as follows:

- Banks: $74,305
- Cedar Mill: $1,485,683
- Forest Grove: $424,814
- Hillsboro: $2,578,732
- Tigard: $1,100,965
- West Slope*: $329,334
- Beaverton: $2,646,253
- Cornelius: $100,755
- Garden Home: $207,906
- Sherwood: $307,392
- Tualatin: $627,527

* Because the County administers West Slope Library, it is not a signatory to the agreement, but is included in the Cooperative's budget as a separate program. The amount of funding distributed to West Slope is determined by the same reimbursement formula as used for the contractors, and is included in the total distribution amount specified above.

DEPARTMENT’S REQUESTED ACTION:

Approve the Public Library Services Agreement payments for FY05-06 as noted above.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Support Services

Agenda Title: APPROVE RESOLUTION AND ORDER ADOPTING THE FISCAL YEAR 2005-06 PAY PLAN INCORPORATING PAY ADJUSTMENTS FOR CERTAIN REPRESENTED AND NON-REPRESENTED CLASSIFICATIONS

Presented by: Robert Davis, Assistant County Administrator

SUMMARY (Attach Supporting Documents if Necessary)

This agenda item recommends that your Board approve the attached Resolution & Order adopting the fiscal year 2005-06 Pay Plan. The Pay Plan reflects a 3.3% cost of living adjustment (COLA) for non-represented employees; a 3.3% adjustment for employees represented by the Washington County Police Officers’ Association (WCPOA); and a 3.3% cost of living adjustment and a 1.0% market adjustment for employees represented by the Federation of Oregon Parole and Probation Officers.

Approximately 68% of the County’s employees are non-represented, while five different collective bargaining units represent approximately 32% of the workforce. The five unions are the Oregon Nurses Association (ONA), the Teamsters, the Washington County Police Officer’s Association (WCPOA), the Federation of Parole and Probation Officers (FOPPO), and the American Federation of State, County and Municipal Employees (AFSCME).

(Continued on Page 2)

DEPARTMENT’S REQUESTED ACTION:
That your Board approve the attached Resolution and Order adopting the fiscal year 2004-05 Pay Plan incorporating adjustments for certain represented and non-represented classifications as described above. The Pay Plan will be available for review at the Clerk’s desk.

COUNTY ADMINISTRATOR’S RECOMMENDATION:
I concur with the requested action.

Agenda Item No. 1.00.
Date: 6/21/05
Non-represented Employees

As noted, non-represented employees comprise approximately 68% of the County’s workforce. All non-represented employees participate in the $250 deductible for the Providence health plan. The recommended cost of living adjustment for non-represented employees for fiscal year 2005-06 is 3.3%. This recommendation takes into consideration a variety of factors including the change in the cost of living indices, the relationship of the County’s wages to those of our comparative labor market jurisdictions and the pay adjustments they are making that will affect this relationship, and the adjustments that are being made to the wages of our union employees through their respective collective bargaining agreements.

Represented Employees

Washington County Police Officers Association
- Represents approximately 300 employees in the Sheriff’s Office.
- WCPOA employees participate in the $250 deductible for the Providence health plan.
- The current agreement provides for wages to be adjusted for fiscal year 2005 by a percentage equal to the percentage change in the CPI-W, West Coast (December to December), by a minimum of 2.0% and a maximum of 5.5%.
- The adjustment for WCPOA for 2005-06 will be 3.3%.

Federation of Parole and Probation Officers
- Represents approximately 40 employees in the Department of Community Corrections.
- FOPPO employees participate in the $250 deductible for the Providence health plan.
- The current agreement calls for a cost of living adjustment for 2005-06 equal to the percentage increase granted to non-represented employees, plus a 1% market adjustment.

Oregon Nurses Association
- Represents approximately 28 employees in the Department of Health and Human Services.
- Currently in negotiations -- contract expires June 30, 2005.
- ONA employees do not currently participate in the $250 deductible for the Providence health plan.

Teamsters
- Represents approximately 130 employees in the Department of Land Use and Transportation and in the Fleet Management Division of the Department of Support Services.
- Currently in negotiations -- the current contract runs until 6/30/06 but there is a wage and benefit “re-opener” for fiscal year 2005-06.
- Teamsters employees do not currently participate in the $250 deductible for the Providence health plan.

American Federation of State, County and Municipal Employees
- Represents approximately 28 employees in the Department of Community Corrections.
- Currently negotiating first contract -- AFSCME is new to Washington County for fiscal year 2005-06.
BOARD OF COUNTY COMMISSIONERS

FOR THE COUNTY OF WASHINGTON

IN THE MATTER OF ADOPTING THE ) RESOLUTION AND ORDER
WASHINGTON COUNTY FY 2005-06 ) NO._____________________
PAY PLAN )

The above-entitled matter came before the Board at its regular meeting of
June 21, 2005; and

It appearing to the Board that Washington County Code Chapter 2.32, Appendix I,
known as the Washington County Civil Service Act at Section 15, directs that the Board of
County Commissioners shall fix the compensation of all civil service positions in the County;
and

It appearing to the Board that Washington County Charter, Chapter VII, at Section 72,
directs that the Board of County Commissioners shall fix the compensation of non-civil service
positions in the County; and

It appearing to the Board that the Washington County Position and Salary Report sets
forth all positions in the County, including compensation for such positions; and

It appearing that the existing bargaining agreement between the County and the
Federation of Oregon Parole and Probation Officers provides for pay to be adjusted by a
percentage equal to the general cost of living increase given to the County’s non-represented
employees (which is 3.3 percent), plus 1% additional for a market adjustment, effective the first
full pay period in July 2005; and

It appearing that the existing bargaining agreement between the County and the
Washington County Police Officer’s Association provides a 3.3 percent cost of living adjustment
to bargaining unit members effective the first full pay period in July 2005; and

///
It appearing to the Board that the County Administrator has recommended a cost of living increase for non-represented employees of 3.3 percent effective with the first payroll period in July 2005; now therefore, it is

RESOLVED AND ORDERED that those County employees represented by the Federation of Oregon Parole and Probation Officers shall receive a 3.3 cost of living salary adjustment, plus 1% market adjustment, effective the first full pay period in July 2005; it is

RESOLVED AND ORDERED that those County employees represented by Washington County Police Officer’s Association and eligible non-represented employees shall receive a 3.3 percent cost of living adjustment, effective the first full pay period in July 2005; it is

RESOLVED AND ORDERED that the Washington County Pay Plan, effective July 2, 2005, is adopted; it is

RESOLVED AND ORDERED that the Washington County Administrator take all the steps necessary to implement this Resolution and Order.

DATED this 21st day of June 2005.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

____________________________
CHAIRMAN

____________________________
RECORDING SECRETARY

APPROVED AS TO FORM:
____________________________
Sheryl Hayashida
Senior Assistant County Counsel

Date of Approval
SUMMARY (Attach Supporting Documents if Necessary)

Since 1994, the Beaverton City Library has provided telephone reference service to all county residents under an intergovernmental agreement with the Cooperative Library Services (WCCLS). As the largest single public library in the County, Beaverton has assumed this leadership role within the WCCLS. The current agreement expires on 6/30/05 (BCC04-0590).

Under this agreement, Beaverton City Library agrees to answer library reference questions from callers throughout the County via telephone during all library open hours, and maintains separate telephone lines, staff and ready-reference materials in order to provide quick response to the approximately 30,000 calls received per year. Approximately half of the calls received by the Telephone Reference Service come from non-Beaverton patrons. The revenue Beaverton receives from the Cooperative through this agreement covers approximately half of the personnel costs for the service.

The Cooperative is requesting a one-year agreement through 6/30/06. The Cooperative will pay Beaverton $6,666.66 per month, or a total of $80,000. There is no change in cost from FY04-05.

DEPARTMENT’S REQUESTED ACTION:

That your Board approve a one-year agreement with the City of Beaverton in an amount not to exceed $80,000.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.
SUMMARY (Attach Supporting Documents if Necessary)

In March, 2005 the Commission on Children and Families finalized targeted strategies and funding levels based on anticipated revenue for 2005-2007 and the County’s Community Comprehensive Plan for Children and Families approved by your Board in January, 2002. The targeted strategies and funding levels provide the basis for funding for the next three year funding cycle for 2005-08. Subsequently, the Department of Health and Human Service released a Request for Proposals (25-014P) to provide services to children and families for the period of July 1, 2005 through June 30, 2008.

The Department requests your Board award contracts with community agencies to provide services to children and families for the period of July 1, 2005 through June 30, 2006. Attachment A lists the contracts totaling $839,523.

DEPARTMENT’S REQUESTED ACTION:

Award contracts in the amount of $839,523 to provide services to children and families in the 2005-06 fiscal year.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No. 1.q.
Date: 6/21/05
ATTACHMENT A  
RFP 25-014P  
FUNDING RECOMMENDATIONS

Panel I – School Readiness

Funding Available:  $56,876

**Panel Members:**  Patty Carr, DHS  
Sia Lindstrom, VAN  
Mairi Scott-Aguirre, CCF  
Rebecca Severeide, ECE Consultant  
Anne Stone, United Way

**Staff:**  Diana Stotz

<table>
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<tr>
<th>Agency/Program</th>
<th>Avg. Score</th>
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<th>Recommended Funding</th>
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<td>Oregon Child Devel. Coalition/Even Start</td>
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<td>$28,000</td>
<td>$28,000</td>
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<td>Community Action Literacy Circle II</td>
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<td>Cedar Mill Library Literacy Development</td>
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<td>72.8</td>
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Panel II – Prenatal Outreach  
Funding Available:  $67,729

**Child Care Stabilization**  
Funding Available:  $115,400

**Panel:**  Patty Carr, DHS  
Alice Galloway, CCF  
Rebecca Severeide, ECE Consultant  
Anne Stone, United Way

**Staff:**  Diana Stotz

**PRENATAL OUTREACH**

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<td>Community Action/Opening Doors</td>
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<td>$47,729</td>
<td>$47,729</td>
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<tr>
<td>Virginia Garcia</td>
<td>109</td>
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**CHILD CARE STABILIZATION**

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<tr>
<td>Community Action/Child Care Resource &amp; Referral</td>
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<td>102.5</td>
<td>$20,516</td>
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Panel III – Youth Development for Special Populations

Funding Available: $35,000

**Panel:** Andy Cartmill, HHS
Lesa Hill, CCF
Katie Riley, CCF
Teri Martin, CCF

**Staff:** Diana Stotz

<table>
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<td>104</td>
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<td>Cascadia/Pride Project</td>
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<td>101</td>
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<td>CampFire</td>
<td>98.67</td>
<td>99</td>
<td>$10,000</td>
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<tr>
<td>Five Oaks Middle School</td>
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<td>96</td>
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<td>Big Brothers/Big Sisters</td>
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<td>Boys/Girls Club-Poynter</td>
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<td>Oregon Partnership</td>
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<td>City of Tualatin</td>
<td>63</td>
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Panel IV – Alcohol and Drug Prevention

Funding Available: $196,400

Panel: Rey Agullana, OMHAS
Angela Day, DHS
Stevan Kirkpatrick, CCF
Christine Murray, CCF

<table>
<thead>
<tr>
<th>Agency/Program</th>
<th>Initial Score</th>
<th>Final Avg. Score</th>
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<th>Requested Funding</th>
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<td>LifeWorks NW/FAST</td>
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<td>102</td>
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<td>CREATE</td>
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<td>CASCADIA</td>
<td>90.5</td>
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<td>Tigard-Tualatin Schools</td>
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<td>Conestoga Middle School</td>
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<td>City of Tualatin</td>
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<td>PREVENTION COALITIONS</td>
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<tr>
<td>Tualatin Together</td>
<td>89.5</td>
<td>101.75</td>
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<tr>
<td>Beaverton Together</td>
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<td>100</td>
<td>$12,304</td>
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<td>COURT APPOINTED SPECIAL ADVOCATES</td>
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<td>CASA for Children</td>
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<td>PARENT SKILL BUILDING CLASSES</td>
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<tr>
<td>LifeWorks NW</td>
<td></td>
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<td>$50,000</td>
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</tbody>
</table>
FAMILY COACHING

LifeWorks NW $162,142

SERVICES FOR CHILD WITNESSES OF DOMESTIC VIOLENCE

Domestic Violence Resource Center (DVRC) $ 83,200

NOTE: For Youth Development and Alcohol and Drug Prevention, due to funding limitations and number of proposals received, only the top applicants were interviewed. In Alcohol and Drug Prevention, the county is required to dedicate a minimum of $20,000 to support at least two alcohol and drug prevention coalitions.
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category:  Consent – Health and Human Services

Agenda Title:  GRANT AUTHORIZATION TO EXECUTE CONTRACT TO PROVIDE OUTPATIENT GAMBLING TREATMENT SERVICES (25043P)

Presented by:  Susan Irwin, Director

SUMMARY (Attach Supporting Documents if Necessary)

Funding through an Intergovernmental Agreement between Washington County and the State Office of Mental Health and Addiction Services (OMHAS) provides support through state gambling revenue to provide gambling treatment services for individuals who reside in Washington County.

An RFP (#25043P) for outpatient gambling treatment services was released on April 18, 2005. LifeWorks NW was selected by the review panel to be the gambling treatment provider. The term of the agreement resulting from the RFP process will be for a 12-month period beginning July 1, 2005 to June 30, 2006. Contracts maybe renewed annually based on availability of funds; quality of services provided and contract compliance. The maximum term of this agreement shall not exceed 4 years with the next RFP cycle slated for the spring of 2009.

DEPARTMENT’S REQUESTED ACTION:

Approve a contract with LifeWorks NW in the amount of $203,893 for outpatient gambling treatment services for the period of July 1, 2005 through June 30, 2006.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No. 1.r.
Date: 6/21/05
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Health and Human Services

Agenda Title: APPROVE CONTRACT AMENDMENT WITH PRISON HEALTH SERVICES

Presented by: Susan Irwin, Director

SUMMARY (Attach Supporting Documents if Necessary)

On June 18, 2002, your Board awarded a contract with Prison Health Services (PHS) to provide inmate health care services for the Washington County Jail. The original term of the contract was two years with an option to renew for up to three additional years. Your Board previously approved a one year extension through June 30, 2005 (MO#04-238).

Staff and PHS have reached agreement on an amendment that would extend the contract for an additional year through June 30, 2006. The amendment increases the contract amount approximately 3 percent over the current year to $2,506,711.

The Department requests your Board approve an amendment to the Prison Health Services contract adding $2,506,711 to provide services from July 1, 2005 through June 30, 2006.

DEPARTMENT’S REQUESTED ACTION:

Approve an amendment to the Prison Health Services contract increasing the amount and extending the expiration date to June 30, 2006.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No. 1.s.
Date: 6/21/05
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Health and Human Services

Agenda Title: ACCEPT INTERGOVERNMENTAL AGREEMENT WITH THE STATE HEALTH DIVISION FOR FUNDING TO PROVIDE PUBLIC HEALTH SERVICES IN WASHINGTON COUNTY

Presented by: Susan Irwin, Director

SUMMARY (Attach Supporting Documents if Necessary)
A Financial Assistance Contract between the State Department of Human Services and Washington County will provide funding for public health services in the County during fiscal year 2005-2006. ORS 431.416 states that the County shall assure activities necessary for the preservation of health or prevention of disease—encompassing epidemiology and control of preventable diseases and disorders, parent and child health services including family planning clinics, collection and reporting of health statistics, health information and referral services and environmental health services.

The 2005-2006 grant designates funds for the following services:

- State Support for Public Health $ 288,318
- TB-Case Management 18,445
- HIV Prevention & Intervention Block Grant 172,563
- Breast & Cervical Cancer Services 269,900
- Komen Breast Screening Services 33,658
- West Nile Virus Surveillance 4,500
- Bioterrorism Preparedness & Response 444,233
- Family Health Program Services 2,321,911
- Students Today Aren’t Ready for Sex Program 71,697

TOTAL $3,625,225

DEPARTMENT’S REQUESTED ACTION:
Approve the 2005-2006 Financial Assistance Contract with the State Department of Human Services.

COUNTY ADMINISTRATOR’S RECOMMENDATION:
I concur with the requested action.
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Health and Human Services

Agenda Title: GRANT WAIVER/AUTHORIZATION TO EXECUTE CONTRACTS TO PROVIDE CHILD AND FAMILY OUTPATIENT ADDICTION TREATMENT SERVICES (25076W)

Presented by: Susan Irwin, Director

SUMMARY (Attach Supporting Documents if Necessary)

Funding through an Intergovernmental Agreement between Washington County and the State of Oregon supports chemical dependency treatment services for children and their families who reside in Washington County. Funding was awarded through a Request for Proposals process for the three year funding cycle for 2002-05, approved by your board in August 2002 (MO#02-304). LifeWorks NW (formerly Tualatin Valley Centers), and Youth Contact were awarded contracts.

On July 1, 2004, the responsibility for management of child and family chemical dependency outpatient treatment services was transferred from the Department’s Commission on Children and Families Unit to the Human Services Division. The State Commission of Children and Families requires a RFP process every three years and the State Office of Mental Health and Addiction Services requires a RFP process every four years. The Human Services Division adheres to the State Office of Mental Health and Addiction Services’ requirement of a four-year RFP cycle. The Department will undertake the RFP process in the Spring of 2006.

The Department is requesting your Board grant a waiver from the RFP process to continue contracts with LifeWorks NW and Youth Contact for the period of July 1, 2005 to June 30, 2006. Details on contract amounts are displayed on Attachment A.

DEPARTMENT’S REQUESTED ACTION:
Grant a waiver from the RFP process to continue contracts with LifeWorks NW and Youth Contact to provide child and family addiction treatment services for the period of July 1, 2005 through June 30, 2006.

COUNTY ADMINISTRATOR’S RECOMMENDATION:
I concur with the requested action.

Agenda Item No. 1.u.
Date: 6/21/05
ADDITIONAL INFORMATION REQUIRED TO GRANT WAIVER

Per Rule #10-130, the request for waiver shall contain the following:

a) **The nature of the agreement:**

   On July 1, 2004, the responsibility for management of child and family chemical dependency outpatient treatment services was transferred the Department’s Commission on Children and Families Unit to the Human Services Division. The State Commission of Children and Families requires a RFP process every three years and the State Office of Mental Health and Addiction Services requires a RFP process every four years.

b) **The cost of the project:**

   There is no additional cost in regards to this project, just a one year delay in the RFP process that would be undertaken in the Spring of 2006.

c) **A narrative description of the cost savings anticipated by the waiver from competitive bidding and the reasons competitive bidding would be inappropriate:**

   The cost savings would consist of staff time and resources in preparing a RFP since the requirement for a competitive bidding process by the State Office of Mental Health and Addiction Services is every four years. The postponement of the RFP process until the Spring of 2006 would allow our Department to adhere to the four year funding cycle requirement.

d) **Proposed alternative contracting and purchasing practices to be employed:**

   Waive the RFP process until the Spring of 2006 and continue contracts with LifeWorks NW and Youth Contact.
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<thead>
<tr>
<th>AGENCY/PROGRAM</th>
<th>MAXIMUM FUNDING LEVEL</th>
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<td>Outpatient Chemical Dependency Treatment</td>
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<td>Youth Contact</td>
<td>$118,993</td>
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<td>Outpatient Chemical Dependency Treatment</td>
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AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Health and Human Services

Agenda Title: APPROVE CONTRACTS WITH COMMUNITY AGENCIES TO PROVIDE ADDICTION TREATMENT SERVICES FOR ADULTS

Presented by: Susan Irwin, Director

SUMMARY (Attach Supporting Documents if Necessary)

Funding through an Intergovernmental Agreement between Washington County and the State Department of Human Services supports alcohol and drug treatment services for adults who reside in Washington County. These services were involved in a Letter of Intent for Adult Detoxification and Residential Treatment Services (#24010L) and a Request for Proposals process (#24030P) for Adult Outpatient Treatment and Drug-Free Housing for the four-year period of July 2004 through June 2008 with contracts to be reviewed and negotiated annually. On June 15, 2004 (MO#04-210) your Board awarded contracts with six community agencies for fiscal year 2004-2005.

The Department requests your Board approve contracts with the six community agencies to continue detoxification, residential, outpatient, and rent subsidies for drug-free housing services for the period of July 1, 2005 through June 30, 2006. Attachment A lists the contracts totaling $2,402,443.

DEPARTMENT’S REQUESTED ACTION:

Approve contracts with local agencies to continue to provide detoxification, residential, outpatient and rent subsidies for drug-free housing to adults with substance abuse problems for the amounts as indicated on Attachment A.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No. 1.v.
Date: 6/21/05
## ATTACHMENT A

### Adult A&D Treatment Services and Drug-Free Housing

#### 2005-2006

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<th>Service Type</th>
<th>Provider</th>
<th>Contract Amount</th>
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<td>LifeWorks NW</td>
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<td>DePaul Treatment Centers</td>
<td>$328,500</td>
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<td></td>
<td>CODA, Inc.</td>
<td>$438,000</td>
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<td>Detoxification Treatment</td>
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<td>$109,487</td>
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<td>Outpatient, Intensive Outpatient and Case Management</td>
<td>LifeWorks NW</td>
<td>$219,278</td>
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<td>DePaul Treatment Centers</td>
<td>$195,000</td>
<td>165 annually</td>
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<td>CODA, Inc.</td>
<td>$164,000</td>
<td>195 annually</td>
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<td></td>
<td>ChangePoint, Inc</td>
<td>$131,420</td>
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<td>Hispanic Outpatient, Intensive Outpatient and Case Management</td>
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<td>$142,087</td>
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<td></td>
<td>Treatment Services NW</td>
<td>$45,000</td>
<td>82 annually</td>
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<tr>
<td>Women’s Intensive Outpatient Treatment</td>
<td>LifeWorks NW</td>
<td>$136,134</td>
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<td>Drug-Free Transitional Housing with Rent Subsidy</td>
<td>LifeWorks NW</td>
<td>$58,512</td>
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<td></td>
<td>CODA, Inc</td>
<td>$14,400</td>
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<td></td>
<td>CASL, Inc</td>
<td>$27,625</td>
<td>5 beds</td>
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AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Health and Human Services

Agenda Title: APPROVE CONTRACT AMENDMENT WITH OREGON HEALTH SCIENCES UNIVERSITY FOR CACOON PROJECT WHICH PROVIDES SERVICES TO CHILDREN WITH SPECIAL NEEDS

Presented by: Susan Irwin, Director

SUMMARY (Attach Supporting Documents if Necessary)

On July 20, 2004 your Board approved an Intergovernmental Agreement with Oregon Health Sciences University, Child Development and Rehabilitation Center (CDRC) to provide funding for the CaCoon (Care COordinationON) Project which serves families with children and young adults who have complex conditions which result in special medical, educational, vocational, and social needs (MO# 04-282).

This agenda item seeks approval to extend the Intergovernmental Agreement with OHSU through September 30, 2005 in the amount of $17,788. The new agreement total is $88,940.

DEPARTMENT’S REQUESTED ACTION:

Approve an amendment to the Intergovernmental Agreement with Oregon Health Sciences University, Child Development and Rehabilitation Center to extend services for the CaCoon Project through September 30, 2005.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No. 1.w.
Date: 6/21/05
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Juvenile Department
Agenda Title: APPROVE AGREEMENT WITH THE STATE OF OREGON FOR JUVENILE CRIME PREVENTION AND DIVERSION OF YOUTH FROM CORRECTIONAL FACILITIES
Presented by: Joseph T. Christy, Director

SUMMARY (Attach Supporting Documents if Necessary)

The State of Oregon provides funding to counties for juvenile crime prevention and diversion-of-youth from state correctional facilities through the Oregon Criminal Justice Commission and the Oregon Youth Authority. The proposed agreement renews funding for the next two county fiscal years beginning July 1, 2005 through June 30, 2007. Estimated amounts are based on the Governor’s proposed budget for the 2005-07 biennium and are subject to change pending the action of the 2005 Oregon Legislature.

Accordingly, estimated funding to Washington County for the above-mentioned time period for juvenile crime prevention is $1,901,428. The fiscal 2005-06 portion of this amount is included in the FY2005-06 adopted budget. These funds support a range of services: expanded shelter care capacity, day reporting, substance abuse intervention, and school-based prevention services.

Funding for diversion of youth from state correctional facilities for the same period totals $1,022,858, and also, the fiscal 2005-06 portion is included in the FY2005-06 adopted budget. These funds support the Juvenile Department Diversion Team, which works with up to 50 youth per year identified as at high risk of commitment to a correctional facility. Funding supports program staff and the purchase of services from community agencies. The agreement sets a maximum number of state correctional beds that may be used by Washington County. As of July 1, 2005, Washington County’s allocation is 40 beds.

DEPARTMENT’S REQUESTED ACTION:
Approve the agreement with the State of Oregon for juvenile crime prevention and diversion for the period July 1, 2005 through June 30, 2007.

COUNTY ADMINISTRATOR’S RECOMMENDATION:
I concur with the requested action.

Agenda Item No. 1.x.
Date: 6/21/05
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

| Agenda Category: | Consent – Juvenile Department |
| Agenda Title: | AMENDMENT TO AGREEMENT WITH MULTNOMAH COUNTY FOR DETENTION SERVICES |
| Presented by: | Joseph T. Christy, Director |

**SUMMARY** (Attach Supporting Documents if Necessary)

As the Board knows, Washington County contracts with Multnomah County for juvenile detention services at the Donald E. Long Detention Center.

The proposed FY2005-06 amendment to the intergovernmental agreement guarantees program services for fourteen (14) secure detention beds to Washington County at a cost of $774,519 for the period of July 1, 2005 through June 30, 2006.

Additionally, the agreement also permits Washington County to utilize bed space exceeding the fourteen guaranteed beds at the rate of $183.65 per day. This amendment provides for the use up to 300 additional bed days at a maximum total cost of $55,095 for FY2005-06. This amendment also extends the capacity for Washington County youth to be placed in residential treatment programs operated by Multnomah County at the Donald E. Long Center at no cost to Washington County.

The total amount of the amendment to the intergovernmental agreement for 2005-06 is $829,614, which represents the same rates as in the FY2004-05 agreement. Funding for this service is included in the FY2005-06 budget.

**DEPARTMENT’S REQUESTED ACTION:**

Approve the 2005-06 amendment to the intergovernmental agreement with Multnomah County for juvenile detention and residential treatment services.

**COUNTY ADMINISTRATOR’S RECOMMENDATION:**

I concur with the requested action.

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| Agenda Item No. | 1.y. |
| Date: | 6/21/05 |
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Juvenile Department

Agenda Title: APPROVE AGREEMENT WITH THE OREGON YOUTH AUTHORITY FOR INDIVIDUALIZED SERVICES TO YOUTH

Presented by: Joseph T. Christy, Director

SUMMARY (Attach Supporting Documents if Necessary)

The Oregon Youth Authority provides funding to counties for individualized services to youth on probation. An intergovernmental agreement between Washington County and the Oregon Youth Authority provides $97,266 for the period July 1, 2005 through June 30, 2007 and governs the expenditure of these funds. Provisions for those funds are included in the FY2005-06 budget.

This funding supports a range of services that cannot be accessed through other sources and relates directly to achieving the goals of probation and case management. Examples of the appropriate use of the funding include specialized counseling, individualized educational programs, transportation to specialized services, and food, clothing and essential supplies that contribute to family stability.

DEPARTMENT’S REQUESTED ACTION:

Approve the agreement with the Oregon Youth Authority, providing $97,266 for youth services for the period July 1, 2005 through June 30, 2007.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No. 1.z.  
Date: 06/21/05
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Boards and Commissions (All CPOs)
Agenda Title: APPOINT ALTERNATE MEMBERS TO THE RURAL ROAD OPERATIONS AND MAINTENANCE ADVISORY COMMITTEE (RROMAC)
Presented by: David L. Schamp, Operations and Maintenance Division Manager

SUMMARY (Attach Supporting Documents if Necessary)

The Rural Road Operations and Maintenance Advisory Committee (RROMAC) currently has ten regular positions and two alternate positions. The two alternate positions are vacant.

On September 21, 2004, the Board directed the County Administrative Office to announce the vacancies and invite applications for appointment to the Rural Road Operations and Maintenance Advisory Committee. An application deadline of November 1, 2004 was established. An announcement of the vacancies was sent to Chambers of Commerce, area newspapers, TV and radio stations, and to the CPO coordinator for inclusion in the CPO newsletter. As was reported in the staff briefing provided the Board in the November 23, 2004 work session, three applications were received for the regular positions. We did not receive any applications for the alternate positions, so the recruitment continued. We have recently received applications for both of the alternate positions. A staff briefing was provided to the Board on June 7, 2005.

Attachment: RROMAC Membership Matrix

DEPARTMENT’S REQUESTED ACTION:
Appoint Dave Vanasche and Lars Wahlstrom as alternate members on the Rural Road Operations and Maintenance Advisory Committee, for terms to expire December 1, 2006.

COUNTY ADMINISTRATOR’S RECOMMENDATION:
I concur with the requested action.
Rural Road Operation & Maintenance Advisory Committee (RROMAC)

**Description**
RROMAC advises staff and the Board on operations and maintenance of County roads in the rural portion of Washington County.

**Members**
10 regular members plus 2 alternate members

**Length of Term**
2 years

**Current Vacancies** 2  
**Applicants** 2

<table>
<thead>
<tr>
<th>Candidates for Appointment</th>
<th>District*</th>
<th>Term Expires</th>
<th>First Appointed</th>
<th>Position Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dave Vanasche</td>
<td>4</td>
<td>12/1/04</td>
<td>11/5/96</td>
<td>Alternate</td>
</tr>
<tr>
<td>Lars Wahlstrom</td>
<td>4</td>
<td></td>
<td></td>
<td>Alternate</td>
</tr>
</tbody>
</table>

**Continuing Members**

<table>
<thead>
<tr>
<th>Continuing Member</th>
<th>District</th>
<th>Term Expires</th>
<th>First Appointed</th>
<th>Position Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mark Bauer</td>
<td>3</td>
<td>12/1/05</td>
<td>12/18/01</td>
<td></td>
</tr>
<tr>
<td>James Burns</td>
<td>4</td>
<td>12/1/05</td>
<td>12/17/02</td>
<td></td>
</tr>
<tr>
<td>Bill Ewers</td>
<td>4</td>
<td>12/1/05</td>
<td>1/25/00</td>
<td></td>
</tr>
<tr>
<td>Keith Fishback</td>
<td>4</td>
<td>12/1/06</td>
<td>12/5/00</td>
<td></td>
</tr>
<tr>
<td>Eldon Jossi</td>
<td>4</td>
<td>12/1/06</td>
<td>12/1/98</td>
<td></td>
</tr>
<tr>
<td>Donald Logan</td>
<td>4</td>
<td>12/1/05</td>
<td>12/16/03</td>
<td></td>
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<tr>
<td>Adam Mayer</td>
<td>3</td>
<td>12/1/05</td>
<td>12/17/02</td>
<td></td>
</tr>
<tr>
<td>Wendy Mortensen</td>
<td>4</td>
<td>12/1/06</td>
<td>9/24/96</td>
<td></td>
</tr>
<tr>
<td>Joe Rutledge</td>
<td>4</td>
<td>12/1/05</td>
<td>1/25/00</td>
<td></td>
</tr>
<tr>
<td>Gary Virgin</td>
<td>4</td>
<td>12/1/05</td>
<td>12/17/02</td>
<td></td>
</tr>
</tbody>
</table>

* For information purposes only; members are not appointed by Commissioner district.
SUMMARY (Attach Supporting Documents if Necessary)

The Farm Review Board is provided for in ORS 308A.095 and consists of five (5) members. Two of these members are appointed by the Board of Commissioners and two by the County Assessor. Their terms are alternate two-year appointments. The other member is appointed by these four members. There is usually one meeting annually for discussion and advice regarding farmland rentals and value information used to determine farmland values.

We have two applicants for this Board, Mr. Melvin Finegan and Mr. Dave Eischen. Both have served on this Board previously, and have extensive farm experience. Knowledge of farm rents and farming practices are important criteria for appointment to the Farm Review Board.

DEPARTMENT’S REQUESTED ACTION:

That your Board appoint Melvin Finegan to the Farm Review Board for the term ending June 30, 2007 and Dave Eischen for the term ending June 30, 2006.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.
**Description**  
The Farm Board of Review is an advisory panel to the County assessor. The Board meets once each year to inform the Assessor regarding farmland rents and other information pertaining to the valuation of farmland for property taxation as provided by Oregon law.

**Members**  
Five – two appointed by the Board of Commissioners, two by the County Assessor, and one by the other four Farm Board members themselves

**Length of Term**  
2 years

**Current Vacancies** - 2  
**Applicants** - 2

<table>
<thead>
<tr>
<th><strong>Recommended Candidate(s)</strong></th>
<th><strong>District</strong></th>
<th><strong>Term Expires</strong></th>
<th><strong>First Appointed</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Current Members applying for reappointment</em></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Melvin Finegan</td>
<td>4</td>
<td>6/05</td>
<td>1994</td>
</tr>
<tr>
<td>Dave Eischen</td>
<td>4</td>
<td>6/04</td>
<td>1986</td>
</tr>
</tbody>
</table>

* For information purposes only; members are not appointed by Commissioner district.
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Boards and Commissions (All CPOs)

Agenda Title: APPOINTMENTS TO WASHINGTON COUNTY DISABILITY, AGING AND VETERAN SERVICES’ AGING AND VETERAN SERVICES ADVISORY COUNCIL

Presented by: Mary Lou Ritter, Director, Disability, Aging and Veteran Services

SUMMARY (Attach Supporting Documents if Necessary)

The Washington County Disability, Aging and Veteran Services’ (DAVS) Aging and Veteran Services Advisory Council (AVSAC) consists of 15 members, each representing a specific category/area of representation. Each member is appointed to a two-year term and can be re-appointed to three further two-year terms.

By Minute Order 05-36, dated February 15, 2005, the Board of County Commissioners approved public announcement of vacant positions within the AVSAC and recruitment through March 28, 2005 or until all vacancies are filled.

On April 4, 2005, DAVS staff and AVSAC Executive Committee members reviewed the applications received and identified all possible representative categories for which each applicant qualify. Leadership experience, experience in service to the aging, veteran and/or disabled communities, experience with issues affecting these communities, county residency and availability to attend Council meeting were all criteria used to evaluate the candidates.

DEPARTMENT’S REQUESTED ACTION:


3. Direct staff to continue recruitment for any vacancies now or which may occur in FY 2005-2006.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No. 3.c.
Date: 6/21/05
Aging and Veteran Services Advisory Committee (AVSAC)

Description
Planning for future services and reviewing current programs are two key roles for these 15 volunteers. Their community ties and personal or professional familiarity with issues facing seniors and veterans make them an invaluable resource for Washington County Disability, Aging & Veteran Services and the Board of Commissioners. The Council advises the department on policy, programs, and actions affecting the delivery of services and generally serves as an advocate for veterans and the elderly.

Members
15

Length of Term
2 years

Current Vacancies - 9  Applicants - 13

<table>
<thead>
<tr>
<th>Recommended candidates for appointment</th>
<th>District*</th>
<th>Term Expires</th>
<th>First Appointed</th>
<th>Position Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Members Seeking Reappointment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Raymond Rowe</td>
<td>1</td>
<td>6/30/05</td>
<td>3/21/00</td>
<td>60+ District 1</td>
</tr>
<tr>
<td>Ross Matthews</td>
<td>4</td>
<td>6/30/05</td>
<td>6/15/99</td>
<td>60+ District 4</td>
</tr>
<tr>
<td>Betty Pomeroy</td>
<td>4</td>
<td>6/30/05</td>
<td>6/19/01</td>
<td>60+ DAVS Client</td>
</tr>
<tr>
<td>Dennis Doyle</td>
<td>1</td>
<td>6/30/05</td>
<td>6/03/03</td>
<td>Support Service Provider</td>
</tr>
<tr>
<td>David Nardone</td>
<td>4</td>
<td>6/30/05</td>
<td>6/03/03</td>
<td>Long-term Health Care Provider</td>
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<tr>
<td>Kurt Carlsen</td>
<td>4</td>
<td>6/30/05</td>
<td>10/5/04</td>
<td>Veterans Provider</td>
</tr>
<tr>
<td>Jean Faszholz</td>
<td>4</td>
<td></td>
<td></td>
<td>60+ At-Large</td>
</tr>
<tr>
<td>Joseph Salmonese</td>
<td>3</td>
<td></td>
<td></td>
<td>60+ District 3</td>
</tr>
</tbody>
</table>

| Continuing Members                    |           |             |                 |                  |
| Dick Schouten                         | 1         | 6/30/06     | 2/19/02         | Elected Official |
| Patricia Michael                      | 1         | 6/30/06     | 3/23/04         | Private Sector Leader |
| Gail Miller                           | 2         | 6/30/06     | 6/16/98         | Volunteer Sector Leader |
| Xavier Azavedo                        | 2         | 6/30/06     | 8/24/04         | 60+ Minority     |
| William Gleason                       | 3         | 6/30/06     | 3/23/04         | Veterans At-Large 60+/- |
| John Zuidema                          | 3         | 6/30/06     | 6/15/99         | 60+ Veterans At-Large |

| Retiring Members                      |           |             |                 |                  |
| Marlene Rogers                        | 2         | 6/30/05     | 6/15/99         | 60+ District 2   |

| Other Applicants                      |           |             |                 |                  |
| Jack Crawford                         | 3         |             |                 |                  |
| Gary Davidson                         | 1         |             |                 |                  |
| Dixie Lee Harrison                    | 4         |             |                 |                  |
| Roberta Holbrook                      | 4         | 6/30/05     | 7/06/99         | 60+ At-Large     |
| Gerry McReynolds                      | 3         | 6/30/05     | 6/03/03         | 60+ District 3   |

* Members are appointed by Commissioner district
SUMMARY (Attach Supporting Documents if Necessary)

In January 1994, Clean Water Services (District) Board of Directors approved Resolution and Order No. 94-02, adopting the Surface Water Management (SWM) Master Plan and Plan of Capital Improvements. The SWM Master Plan suggested that as Subbasin Strategy/Watershed Plans were developed, they be adopted as part of the Master Plan.

In January 2000, Clean Water Services began to develop a watershed planning process to update the seven previously adopted subbasin/watershed plans and complete the required analysis for unstudied areas. The vision was to use advanced geographic information systems (GIS), modeling, methods and analysis that would allow the District to build upon its information over time and streamline future planning. The effort needed to support the goals of the Clean Water Act and Endangered Species Act (per Minute Order No. 99-53), as well as provide relevant scientific information to member cities and Metro as they were pursuing Statewide Planning Goal 5 compliance. The Board approved the Healthy Streams Plan (Plan) model planning process and implementation in October 2000 by Minute Order No. 00-122.

FISCAL IMPACT: The Healthy Streams Plan identifies a planning level cost estimate of approximately $95 million (2005) dollars in improvements over 20 years if all elements are fully implemented. Funding would come from SWM Fees, SWM System Develop Charges, and other cost share sources. Projects, priorities, and available funding are reviewed annually as part of the District and City budgeting processes. A modest SWM fee increase will likely be requested in the future to address inflation and capital project implementation.

REQUESTED ACTION: Hold a public hearing and approve the Resolution and Order to adopt the Healthy Streams Plan.
While the scientific data collection and modeling proceeded, the District negotiated Intergovernmental Agreements (IGAs) with its member cities, Washington County, Metro, Tualatin Hills Parks and Recreation District, and the Federal Emergency Management Agency to participate in the planning effort. In late 2001 the Board approved the IGAs, which outlined cost shares, product deliverables, and approval processes (District Minute Order No. 01-106) (Washington County Minute Order No. 02-71).

In March 2002, the Board approved the formation and membership of the Healthy Streams Advisory Committee (Minute Order No. 02-27), which guided the development of the Plan for nearly three years. The District also collaborated with its partners via the Goal 5 Steering Committee, the City Technical Committee, the Natural Resources Coordinating Committee, the County Managers meetings, and one-on-one meetings with partner staff. Clean Water Services Advisory Commission (CWAC) received periodic updates and provided input on the projects, policy and programmatic options as they were developed. Each group provided valuable feedback regarding various elements and agreed the Plan should advance towards approval.

In February 2005, the Healthy Streams Advisory Committee recommended that the Plan be forwarded to CWAC for review. The Tualatin Basin Goal 5 Program incorporated the Plan into its substantial compliance package to Metro from March through April, 2005. CWAC began review of the Plan in April, 2005, and at its May, 2005 meeting recommended it be forwarded to the Board for action.

The District is requesting that the Board adopt the Healthy Streams Plan into the SWM Master Plan as set forth in the attached Resolution and Order. Such action will allow the District and Cities to incorporate the Plan’s projects into their capital budgets and access SWM System Development Charges (SDCs) to fund certain projects. The District and its partners will also begin evaluating and implementing the policy and programmatic options as funding and staff are available. A selection process developed in the Plan is available to assist the District and partners in prioritizing future SWM capital projects.

The final draft version of the Plan dated May 2005 will be revised per the errata sheet and any Board requests for changes. The final document will be printed following Board action. (A copy of the final draft Plan and errata sheet are available at the Clerk’s desk for review).
BEFORE THE BOARD OF DIRECTORS OF CLEAN WATER SERVICES

In the Matter of Adopting the Healthy Streams Plan. 

RESOLUTION AND ORDER NO. ____________________________

The above-entitled matter came before the Board of Directors (Board) of Clean Water Services (District) at its regular meeting of June 21, 2005; and

It appearing to the Board that the Healthy Streams Plan, as recommended by its Advisory Committee and the Clean Water Services Advisory Commission (CWAC), contains a list of capital projects, an adaptive process for future capital project selection, and policy and programmatic options that will advance watershed health by improving water quality, managing water quantity and conserving aquatic habitats; and

It appearing that this Board has authority to adopt or modify Master Plans and Plans of Capital Improvements for the District’s Storm and Surface Water Management System pursuant to ORS 223.309, 451.120, and 451.485 and Ordinance 28; and

It appearing that this Board adopted Resolution and Order No. 94-2 (the Surface Water Management (SWM) Master Plan and Plan of Capital Improvements), which allows for amendment via adoption of Subbasin Strategy / Watershed Plans into Section 3.2 of the SWM Master Plan, and via adoption of City Master Plans or Projects into section 3.4 of the SWM Master Plan; and

It appearing that this Board adopted Resolution and Order Nos. 94-32 (Butternut Creek Subbasin Strategy Plan), 95-24 (Miscellaneous City SWM Projects) 96-1 (Hedges Creek Subbasin Strategy Projects), 96-42 (Upper Rock, Bronson and Willow Subbasin Strategy Plans), 97-63 (Fanno Creek Watershed Management Plan), and 99-40 (Beaverton Creek Watershed Management Plan), which incorporated such Plans and Projects into the SWM Master Plan; and

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Page 1 of 3 – RESOLUTION AND ORDER
CLEAN WATER SERVICES
2550 S.W. Hillsboro Highway
Hillsboro, Oregon 97123-9379
Telephone (503) 681-3600 Fax (503) 681-3603
It appearing to the Board that the Healthy Streams Plan, which contains updated and regionally consistent hydrology/hydraulic models, scientific data, and project evaluation methods across all watershed areas previously studied, effectively replaces the surface water system capital project lists identified in former Subbasin and Watershed Plans previously adopted; and

It appearing to the Board that the District and its member cities may incorporate other storm system related projects into the SWM Master Plan as they are identified and prioritized; and

It appearing that the Board this day held a public hearing to receive comment and testimony regarding Adoption of the Healthy Streams Plan, and the Board being fully advised; now, therefore, it is

RESOLVED AND ORDERED that the Healthy Streams Plan is hereby adopted, to be implemented as set forth below and as the Board may provide further order; and it is further

RESOLVED AND ORDERED that the SWM Master Plans and Plan of Capital Improvements of the District shall consist of projects set forth in the Healthy Streams Plan and future, yet-to-be identified projects that utilize the adaptive process outlined in the Plan. The capital projects will be implemented by the District and its member cities. Funding of the projects contained therein shall be subject to the District’s annual budgeting process and Capital Improvements Program revision; and it is further

RESOLVED AND ORDERED that the General Manager is hereby authorized and directed to proceed with further evaluation of the policy and programmatic options identified in the Plan, consistent with the approved budget, and return to the Board as needed with recommendations for implementation; and it is further

/ / /
RESOLVED AND ORDERED that any expenditures of System Development Charge (SDC) funds for capital improvement projects shall be subject to all applicable provisions of the law, including, but not limited to, Ordinance No. 28.

DATED this 21st day of June 2005.

CLEAN WATER SERVICES
By its Board of Directors

________________________________
Chairman

________________________________
Recording Secretary
HOLD PUBLIC HEARING AND APPROVE RESOLUTION AND ORDER AMENDING CLEAN WATER SERVICES' BOARD ADOPTED EMPLOYMENT POLICIES

Presented by: Bill Gaffi, General Manager (rr)

SUMMARY (Attach Supporting Documents if Necessary)

Pursuant to Clean Water Services’ (District) Ordinance No. 37A Engrossed, the District requests its Board of Directors (Board) consider any testimony and then amend the Board Approved Policies.

In July of 2003, the District revised its employment policies, and minor revisions are now necessary in order to provide clarity and simplify administration. In addition, the District requests the Board formalize the Administrative Leave benefit for certain exempt classifications. This benefit has been in use for many years and has been an effective method of compensating certain executive and professional employees for working additional hours such as evening meetings. The policy reflects no change in benefit levels or budget.

The Board opened the Public Hearing to adopt the attached Employment Policies on June 7, 2005 to take testimony and then continued the hearing to June 21, 2005.

FISCAL IMPACT: None

REQUESTED ACTION: Hold a public hearing, and after considering the testimony received, adopt the attached amendments to the Board-Adopted Employment Policies.
Attached for your review and consideration are the following:

EXHIBIT A – Sick Leave Accruals and EXHIBIT B – Vacation Accruals: The proposed changes clarify that an employee shall receive sick leave and vacation accruals in proportion to their regularly scheduled number of hours rather than in proportion to their budgeted position. This change is being recommended due to the fact that, on occasion, employees may receive approval to work fewer hours than are budgeted for their assigned position.

EXHIBIT C – Holidays: The proposed changes include clarification that part-time employees will receive holiday pay in proportion to their regularly scheduled number of hours rather than in proportion to their budgeted position. This change is being recommended due to the fact that, on occasion, employees may receive approval to work fewer hours than are budgeted for their assigned position.

Additionally, the proposed changes include a statement memorializing the District’s practice of requiring that floating holidays be used within the fiscal year they are awarded. Floating holidays not used within the fiscal year are forfeited. Also proposed is further clarification that an employee leaving District employment during their initial probationary period will not be paid for any unused floating holidays at the time of separation.

EXHIBIT D – Administrative Leave: This policy was omitted during the 2003 policy revisions. Administrative Leave has been a benefit within the District for many years and was previously documented within the District’s Personnel Rules. The District would like this policy to remain documented within the formal Board Adopted Policies. The policy reflects no change in benefit levels.
BEFORE THE BOARD OF DIRECTORS OF CLEAN WATER SERVICES

In the Matter of Approving Board Adopted Employment Policies under Section 4 of Ordinance 37A Engrossed. ) RESOLUTION AND ORDER NO. ____________________

The above-entitled matter came before the Board of Directors (Board) for Clean Water Services (District) at its regular meeting of June 21, 2005; and

It appearing to the Board that Clean Water Services Ordinance No. 37A Engrossed (the “Human Resources Ordinance”) provides a method for adopting human resources policies for the administration of Clean Water Services’ (District) human resources system; and

It appearing to the Board that the District’s current personnel rules and regulations need minor revisions as set forth in Exhibits A, B, and C, attached hereto and incorporated herein to provide clarity and simplify administration; and

It appearing to the Board that the Administrative Leave policy set forth in Exhibit D has been a benefit within the District for many years and was previously documented within the District's Personnel Rules but was omitted during the 2003 policy revisions; and

It appearing to the Board that pursuant to District Ordinance No. 37A Engrossed, a public hearing was set for June 7, 2005 to hear testimony on the revisions to the human resources policies set forth in Exhibits A, B, and C and the new policy for Administrative Leave set forth in Exhibit D, and that the notice of the hearing was duly posted as required by District Ordinance No. 37A Engrossed, section 4.B, and the public hearing was opened to take testimony and then continued to June 21, 2005; and

It appearing to the Board that the hearing continued to June 21, 2005 has been held and the Board being fully advised, it is therefore,

RESOLVED AND ORDERED that the human resources policies set forth in Exhibits A, B, C, and D are adopted with respect to all District employees ten (10) days from this date or upon signature by the Presiding Officer, whichever is sooner; and it is further
RESOLVED AND ORDERED that the General Manager is directed to make the revised policies contained in Exhibits A, B and C and the new policy contained in Exhibit D available to District employees in all District offices and plants.

DATED this 21st day of June, 2005.

CLEAN WATER SERVICES
By its Board of Directors

________________________________
Chairman

________________________________
Recording Secretary
EXHIBIT A

Board Adopted Policy

**Sick Leave Accrual:**
Employees who are scheduled to work eighty (80) hours in a pay period and who complete a *full-accruals payroll period* will be credited with 3.69 hours of sick leave. Employees working less than full-time and who complete a *full-accruals payroll period* will accrue sick leave in a proportionate amount to their regularly scheduled number of hours.

Employees who are members of the armed forces reserves and who are called up to active duty or annual training will continue to accrue sick leave during their military leave; however, the use of sick leave during military leave will not be allowed.

_Probationary and regular employees_ may accrue sick leave without limit. Sick leave accruals are not payable to any employee upon separation from the District. Temporary employees are not eligible to accrue sick leave.

**Employees Covered by Policy:**
All non-represented *regular* and *probationary* employees.
EXHIBIT B

Board Adopted Policy

Vacation Accruals
Employees will accrue vacation at the rates shown below, unless otherwise designated by the General Manager at the time of hire.

<table>
<thead>
<tr>
<th>No. of Full Accrual Pay Periods</th>
<th>Hours Credited Per Payroll Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>12 to 130</td>
<td>3.69 hours</td>
</tr>
<tr>
<td>131 to 260</td>
<td>4.61 hours</td>
</tr>
<tr>
<td>261 to 390</td>
<td>5.54 hours</td>
</tr>
<tr>
<td>391 to 520</td>
<td>6.46 hours</td>
</tr>
<tr>
<td>521 and over</td>
<td>7.38 hours</td>
</tr>
</tbody>
</table>

Employees working less than full-time will accrue vacation in a proportionate amount to their regularly scheduled number of hours. The maximum amount of vacation any employee may accrue will be 360 hours. The General Manager will have the authority to temporarily allow an employee to exceed 360 hours of vacation accruals in cases where the District’s interest do not permit the employee to take vacation time off. As soon as practical, the employee will be required to reduce their vacation accruals to at or below the maximum level.

New employees will not be eligible to access accrued vacation or receive payment for vacation at time of termination until the employee has completed 13 full-accrual payroll periods, unless otherwise designated by the General Manager at the time of hire.

The General Manager will have the authority at time of hire, to assign a vacation accrual rate higher than the standard beginning rate, but it will not exceed the
maximum accrual rate shown. The assignment of higher vacation accrual rate will not affect any other accruals such as seniority.

Employees who are members of the armed forces reserves and who are called up to active duty or to annual training will continue to accrue vacation leave during the military leave of absence.

Employees whose employment is terminated after 13 full-accrual payroll periods will be paid for accrued vacation, except when the employee is transferring to Washington County. In that event, the vacation balance will transfer with the employee if the County agrees. If the County does not agree, the employee will be paid for accrued vacation. In the event of employee death, vacation will be paid as provided above and in the same manner as salary owed to the employee.

**Employees Covered By Policy:**
All non-represented *regular* and *probationary* employees.
Holidays
The District will observe the following ten (10), eight (8) hour days as paid holidays for all non-represented probationary and regular employees:

- New Year’s Day (January 1)
- Martin Luther King Day
- Memorial Day (Last Monday in May)
- Independence Day (July 4)
- Labor Day (1st Monday in September)
- Thanksgiving Day (4th Thursday in November)
- Christmas Day (December 25)
- Floating Holidays (3)

When a holiday falls on a Sunday, the following Monday will be observed as the holiday. When a holiday falls on a Saturday, the preceding Friday will be observed as the holiday. All other holidays will be observed on the day upon which they fall; however, if an employee is assigned to work on the holiday, the employee will be required to take another day off in the same work week. In no case, will the employee receive an additional day’s pay, unless directed by their supervisor to work the additional day. Part-time employees will receive holiday pay proportionate to their regularly scheduled number of hours.

Employees whose normal work schedule is more than eight hours, or more than the proportionate part-time holiday hours, may:

a) use accrued time to make up the difference between their paid holiday and their regular work hours; or
b) with the approval of their supervisor, elect to make up the time in the same work-week; or

c) elect to take *regular leave without pay* for the difference between their paid holiday and regular work hours.

An employee covered under the *overtime* provisions of the Fair Labor Standards Act, state law, or otherwise designated by the District will be eligible to receive holiday pay when the employee has been in a paid status the workday both prior to and after the holiday. When an employee begins their employment with the District the day following the holiday, they will receive holiday pay, as long as they work the remainder of the scheduled work *days* in the pay period.

Employees covered under the *overtime* provisions of the Fair Labor Standards Act, state law or who are otherwise designated by the District and who are required to work on a holiday will receive, in addition to the holiday pay, either pay at the rate of one and one-half times their normal rate of pay, or if agreed upon with their supervisor, they may accrue compensatory time equal to one and one-half time the hours worked.

Temporary employees who are employed directly through the District are not eligible to receive holiday pay, but they will be paid one and one-half times their normal rate of pay for actual hours worked on the holiday.

Floating holidays that are not used within the fiscal year may not be carried over to the next fiscal year. Employees who leave District employment during their initial probationary period will not be paid for any unused floating holidays.

**Employees Covered By Policy:**

All non-represented *regular* and *probationary* employees.

Original Issue: 6-17-03
Revision Date: 7-1-05
Administrative Leave will be granted for employees who are exempt under the Fair Labor Standards Act or state law. Employees designated as “executive” within the provisions of the Fair Labor Standards Act and/or state law will be credited with five (5) administrative leave days (40 hours) at the beginning of each fiscal year. Employees designated as “professional” or “administrative” within the provisions of the Fair Labor Standards Act or and/or state law will be credited with three (3) administrative leave days (24 hours) at the beginning of each fiscal year. During the first year of employment or the first year of promotion from a non-exempt position into a position with an exempt status under this policy, the employee’s administrative leave will be prorated commensurate with the number of full months served in the new position.

Any administrative leave which has not been used within the fiscal year, or at the time employment ends, will not be paid and will be forfeited by the employee.

Employees Covered By Policy:
All non-represented employees who are exempt under the Fair Labor Standards Act and/or state law.
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing – Land Use and Transportation CPO 4M

Agenda Title: VACATE PORTIONS OF PUBLIC RIGHT-OF-WAY (SW TAYLORS FERRY ROAD), VACATION NO. 444

Presented by: Gregory S. Miller, County Engineer

SUMMARY: (Attach Supporting Documents if Necessary)

The Board initiated the vacation of portions of Public Right-of-Way (SW Taylors Ferry Road) situated in Section 26, T1S, R1W, W.M., Washington County, Oregon. The Board, by Minute Order No. 05-146, set June 21, 2005, as the date for the public hearing. The abutting property owners were notified of the public hearing by certified mail. Similar public hearing notices were posted in public locations and also published in the Beaverton Valley Times on May 26, and June 16, 2005. County Divisions’ staff have been notified of the vacation and no objections were received. County Utility providers in the area were notified of the County’s intention to vacate portions of Public Right-of-Way (SW Taylors Ferry Road) as proposed herein.

The purpose of the vacation is to allow the Casa Terra, LLC to consolidate the area to be vacated into their property in order to be used in the development of “Glenn Oaks” Subdivision.

Staff finds that vacating the proposed right-of-way will not have any adverse affect on the abutting properties.

(Continued on Page 2)

Attachment: 1. Vacation Report

DEPARTMENT’S REQUESTED ACTION:

Vacate portions of a Public Right-of-Way (SW Taylors Ferry Road) in Section 26, T1S, R1W, W.M., Washington County, Oregon.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.
Through the development of Glenn Oaks, Casa Terra, LLC (Developer) will construct a significant portion of the SW Taylors Ferry Road extension. This extension is shown on the 2020 Transportation Plan, and vacating the excess right-of-way southwesterly of the new alignment will not violate the width requirements identified in the Washington County Uniform Road Improvement Design Standards. Staff has determined that the proposed vacation is in the public interest and recommends the Board’s approval.
IN THE BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

In the Matter of the Vacation of Portions of
The Public Right-of-Way [SW Taylors Ferry Road]
In Section 26, T1S, R1W, W.M., Washington
County, Oregon, VACATION NO. 444

RESOLUTION AND ORDER

The above-entitled matter having come on regularly before the Board at its meeting of June 21, 2005; and

It appearing to the Board that the Board did initiate the vacation of portions of Public Right-of-Way (SW Taylors Ferry Road), situated in Section 26, T1S, R1W, W.M., Washington County, Oregon, meeting the requirements of ORS 368.341; therefore the matter requires a Public Hearing, pursuant to ORS 368.346; and

It appearing to the Board that Minute Order No. 05-146 did describe the public rights-of-way proposed to be vacated, the names of the parties to be particularly affected thereby, and set forth the particular circumstances of the case; and

It appearing to the Board that the public rights-of-way proposed to be vacated, are not necessary for future vehicular access as stated in the attached Vacation Report; and

It appearing to the Board that the County Road Official did examine the public rights-of-way proposed to be vacated and filed a report with this Board upon completion thereof, in accordance with ORS 368.346(1); and

It appearing to the Board that notice was given to affected persons as required in ORS 368.346(3), that the Board conducted a public hearing, and that the Board considered the Vacation Report and all matters presented; it is therefore

RESOLVED AND ORDERED that the portions of Public Right-of-Way (SW Taylors Ferry Road) as described in the attached Vacation Report is hereby vacated as it is in the public interest; and it is further

RESOLVED AND ORDERED that the County Surveyor of Washington County, Oregon, be and hereby is authorized and directed to mark that portions of Public Right-of-Way (SW Taylors Ferry Road), as vacated, on the plats and records of Washington County Oregon, all in accordance with ORS 368.356(2); and it is further
RESOLVED AND ORDERED that the County Surveyor of Washington County, Oregon, is hereby authorized and directed to have this Order of Vacation recorded in the records of Washington County, Oregon, and cause copies of this order to be filed with the Director of Assessment and Taxation and the County Surveyor’s office in accordance with ORS 368.356(3).

Dated this 21st day of June, 2005.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

______________________________________
Chairperson

______________________________________
Recording Secretary

Approved as to form:

______________________________________
Loretta Skurdahl
Senior Assistant County Counsel
for Washington County, Oregon
Date: __________________________

Page 2 – R&O No.
Vacation No. 444
DEPARTMENT OF LAND USE AND TRANSPORTATION
REPORT ON VACATION NO. 444

May 3, 2005

County Engineer requests that the Board initiate the vacation of portions of public right of way lying in Section 26, Township 1 South, Range 1 West of the Willamette Meridian, Washington County, Oregon, being described in Exhibit “A” and shown on Exhibit “B”:

Area of Vacation
Described in Exhibit “A” and shown on Exhibit ”B”, Attached hereto and made a part hereof.

The owners of the property abutting said roadways are:

1S1 26 DA, TL 3517 1S1 26 AC, TL 3000
Miles, Ralph J. and Becky L. R. O. II Development, LLC
8855 SW Bomar Ct. 9055 SW 91st, #7
Portland, OR  97223 Portland, OR  97223

1S1 26 DA, TL 3518 1S1 26 DB, TL 704
Klau, Alan L. and Katherine S. Oleson Woods Ltd. Partnership
3581 NW Hollywood Ct. PO Box 23206
Portland, OR  97212 Tigard, OR  97281

1S1 26 AD, TL 2600 1S1 26 AD, TL 2500
Casa Terra LLC Washington County
By Palmer & Associates, Member Attn. Teresa Wilson, Prop. Mgr.
9600 SW Oak, #230 169 N. First Avenue, MS 42
Portland, OR  97223 Hillsboro, OR  97124

CRITERIA FOR EVALUATION OF ROAD VACATION REQUEST

1) Conformance with the County’s Comprehensive Plan

Both portions of the right-of-way of SW Taylor’s Ferry Road, proposed to be vacated lies outside the new alignment. They are not shown on Figure 10 (Countywide Road System) of the Washington County Transportation Plan.

2) Use of the Right-of-Way

The right-of-way proposed to be vacated is unimproved and has not been used for access.

The purpose of the vacation request is to allow the adjacent property owner to consolidate this right-of-way (when vacated), with its property to make better use of it.
3) **Impact on Utilities and Emergency Services**

All utility providers have been notified of the County’s intention to vacate the area proposed herein.

4) **Limits of Vacation and Evaluation of “County Road” Status**

The limits of the right-of-way proposed to be vacated are logical and justifiable. The area proposed for vacation will not have any adverse impact on the abutting properties.

Based on the above statements, it is recommended that the Board of Commissioners grant the vacation of the area proposed herein, as it would be in the public interest.

______________________________
Gregory S. Miller, P.E.
Washington County Engineer

Attachments: Exhibit “A” & “B”
LEGAL DESCRIPTION
VACATION TRACT
WASHINGTON COUNTY, OREGON

A TRACT OF LAND LOCATED IN THE NORTHEAST ONE-QUARTER OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 1 WEST, OF THE WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE PROPERTY DESCRIBED IN DEED DOCUMENT NO. 2003-000772, WASHINGTON COUNTY DEED RECORDS SAID POINT ALSO BEING A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE UNDEVELOPED PORTION OF S.W. TAYLORS FERRY ROAD; THENCE ALONG SAID LINE SOUTH 88°19’22” WEST, 322.95 FEET TO THE SOUTHEAST CORNER OF SAID PROPERTY; THENCE ALONG THE EASTERLY BOUNDARY OF SAID PROPERTY AND THE WESTERLY BOUNDARY OF THE PROPERTY DESCRIBED AS PARCEL III OF DEED DOCUMENT NO. 96004495 NORTH 30°19’25” WEST, 230.56 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF PARCEL I OF SAID DEED DOCUMENT; THENCE ALONG THE ARC OF A 667.00 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE NORTHEAST 218.03 FEET SAID CURVE HAVING A CENTRAL ANGLE OF 18°43’45” AND A LONG CHORD BEARING SOUTH 45°54’02” WEST, 217.06 FEET; THENCE SOUTH 36°37’30” WEST, 24.14 FEET; THENCE SOUTH 00°00’00” WEST, 54.93 FEET TO THE QUARTER-SECTION LINE; THENCE ALONG SAID QUARTER-SECTION LINE BEING THE SOUTH LINE OF THE SAID 250.00 FOOT UNDEVELOPED PORTION OF S.W. TAYLOR’S FERRY ROAD NORTH 88°19’22” WEST, 348.41 FEET TO THE WEST LINE OF LOT 1 OF THE PLAT OF “GOODVIEW ACRES”; THENCE ALONG SAID LINE, NORTH 03°52’30” EAST, 25.00 FEET TO THE POINT OF BEGINNING.

CONTAINING APPROXIMATELY 14,541 SQUARE FEET.

THE BASIS OF BEARINGS IS THE CENTERLINE OF S.W. OILESON ROAD [COUNTY ROAD 2056] PER THE PLAT OF COUNTY ROAD 2056 TAKEN AS NORTH 55°47’30” EAST, WASHINGTON COUNTY SURVEY RECORDS.
Ordinance No. 636 (adopted March 15, 2005) sets out the County’s procedure and standards for processing Measure 37 claims. Claim Nos. 37CL0053 requires a public hearing because the claimant is proposing to divide the property into 22 parcels (one would be nonbuildable). The site already supports one dwelling, so if regulations are “waived” this claim could result in 20 additional dwellings. Claim Nos. 37CL0054 requires a public hearing because the claimant is proposing to divide the property into 6 parcels (one would be nonbuildable). The site already supports two dwellings, so if regulations are “waived” this claim could result in 3 additional dwellings. The site is currently designated EFC; at the time the claimant acquired the properties (03/15/55) there was no zoning. The total site is approximately 243.37 acres and the current minimum lot size for new lots is 80.0 acres. The claimant estimates the loss in value resulting from land use regulations as $7,800,000 (37CL0053) & $1,300,000 (37CL0054).

The Director has determined the claim meets the minimum requirements and is an eligible claim. The choices for the Board are: 1) approve compensation or 2) remove, modify, or not apply certain land use regulations.

If this claim is approved, the claimants will need to submit a land division application to Land Development Services to create the lots. Since there was no zoning, the claimants will be able to obtain building permits on the new lots without additional land use applications (other than the land division application).

DEPARTMENT’S REQUESTED ACTION:
Approve Claim Nos. 37CL0053 & 37CL0054 by modifying Community Development Code Sections 342 (Exclusive Forest and Conservation), 424 (Creation of Parcels in the EFU, EFC and AF-20 Districts) and 430-37.2 (Dwellings) only to the extent necessary to allow development of the property consistent with the development request. A development request for additional lots or dwellings will require a separate decision by the Board.

COUNTY ADMINISTRATOR’S RECOMMENDATION:
I concur with the requested action.
SUMMARY (Attach Supporting Documents if Necessary)

As your Board is aware, Oregon local budget law authorizes the County to adopt a supplemental budget in response to conditions not fully anticipated at the time of formal budget adoption. The purpose of this proposed supplemental budget is to recognize resources that were not included in the 2004-05 adopted budget, and make transfers in excess of 15% from contingency. Proposed changes to the 2004-05 adopted budget include:

1. An increase of $370,053 in appropriations for organization unit 100-7030 Public Health to reflect additional revenues received during the fiscal year that were not anticipated at the time the budget was adopted. The additional revenues are for WIC, Family Planning, Bioterrorism, Immunization and Breast and Cervical Cancer programs.

2. An increase of $4,525,103 in appropriations for organization unit 192-7060 Human Services to reflect revenues received during the fiscal year that were not anticipated at the time the budget was adopted. This includes approximately $3.7 million in state funds for county mental health programs and $775,000 in revenues for the Oregon Health Plan (OHP) program.

3. An increase of $4,448,250 in appropriations for organization unit 193-7080 OHP Mental Health to reflect revenues received during the fiscal year that were not anticipated at the time the budget was adopted. This includes an increase in the transfer from organization unit 192-7060 Human Services, and additional state funding. The increases are in response to additional clients being served by the County program due primarily to other local providers discontinuing their programs.

Attachments: Resolution and Order
Exhibit “A” – Summary of Supplemental Budget

COUNTY ADMINISTRATOR’S RECOMMENDATION:

Hold a public hearing and receive testimony regarding the supplemental budget. Approve the Resolution and Order adopting the supplemental budget.
4. A transfer of $400,000 in appropriations from the contingency of organization unit 357-3580 Parks and Open Spaces Opportunity Fund for the costs associated with the County’s contribution to the Mt. Williams property. This expenditure was approved by the Board on March 29, 2005, R&O 05-105.

5. An increase of $250,000 in appropriations for organization unit 355-3580 Facilities Park SDC to reflect revenues received during the fiscal year. This organization unit was established by the Board during the fiscal year (R&O 04-149) but did not create appropriations. The supplemental budget establishes appropriations for the 2004-05 fiscal year.

6. An increase of $6,000 in appropriations for organization unit 352-3580 Criminal Justice Facility to reflect additional interest earnings that were not anticipated at the time the budget was adopted. The increased appropriations will allow for transfer of the resources to organization unit 356-3580 Facilities Capital Projects and organization unit 354-3580 ITS Capital Projects where specific criminal justice facility projects are planned.

7. An increase of $2,224 in appropriations for organization unit 204-1640 Strategic Investment Program to reflect a higher beginning fund balance and additional revenues that were not anticipated at the time the budget was adopted. The increase will allow for the payment of resources to third parties.

8. An increase of $6,012,830 in appropriations for organization unit 206-1650 1999 Strategic Investment Program to reflect a beginning fund balance and additional revenues that were not anticipated at the time the budget was adopted. The adjustment will provide for the distribution of resources to the general fund.

Public notice of this hearing was published in the Hillsboro Argus on June 14, 2005
IN THE BOARD OF COUNTY COMMISSIONERS
FOR THE COUNTY OF WASHINGTON

In the Matter of Adopting a ) RESOLUTION AND ORDER
Supplemental Budget for 2004-05 ) No. _______________________
and Making Appropriations )

The above-entitled matter came before the Board at its public hearing of June 21, 2005

and

It appearing to the Board that, due to conditions which had not been ascertained at the
time of adoption of the 2004-05 budget, there is a need to make a change in the financial
planning of the County for the 2004-05 fiscal year; and

It appearing to the Board that ORS 294.480 allows for the adoption of a supplemental
budget under such circumstances, provided that the process set forth in ORS 294.480 is used;

and

It appearing to the Board that, in accordance with ORS 294.480, the appropriate notices
and budget summary were published in a newspaper of general circulation within Washington
County; and

It appearing to the Board that this Board held a public hearing on June 21, 2005, and at
said public hearing heard testimony from those desiring to be heard; and

It appearing to the Board that it is appropriate at this time to adopt the supplemental
budget, as proposed with modifications made by this Board at the public hearing held this date
and attached hereto as Exhibit “A” and
It appearing to the Board that this supplemental budget, as provided by ORS 294.480, does not authorize any increase in the levy of taxes; now, therefore, it is

RESOLVED AND ORDERED that the Board of County Commissioners of Washington County, Oregon, does hereby adopt the supplemental budget as proposed, with the modifications made by this Board and attached hereto as Exhibit “A,” and it is further

RESOLVED AND ORDERED that the amounts set forth in Exhibit “A” be and hereby are appropriated for the purposes designated therein; and it is further

RESOLVED AND ORDERED that the County Administrator shall make any required filings and take such other actions as are necessary to implement this action.

DATED this 21st day of June 2005.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

______________________________
CHAIR

______________________________
RECORDING SECRETARY
Supplemental Budget #2 proposed the following adjustments to the 2004-05 Adopted Budget:

**Fund: General Fund (100)**
**Organization Unit: Public Health (7030)**

<table>
<thead>
<tr>
<th>Resource</th>
<th>Amount</th>
<th>Requirement</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
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<td>Adjusted Budget</td>
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</table>

*Comment:* This adjustment appropriates additional State grant revenue for WIC, Family Planning, Bioterrorism, Immunization, and Breast and Cervical Cancer programs.

**Fund: Human Services (192)**
**Organization Unit: Human Services (7060)**

<table>
<thead>
<tr>
<th>Resource</th>
<th>Amount</th>
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<tbody>
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<tr>
<td>Revenue</td>
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*Comment:* This adjustment appropriates additional revenues received during the 2004-05 fiscal year that were not anticipated at the time the budget was adopted. The increase includes approximately $3.7 million in state grant funds for County mental health programs and $775,000 in revenues for the Oregon Health Plan (OHP). Appropriations are increased for provision of services to clients and for transfer to the OHP fund.

**Fund: Oregon Health Plan – Mental Health (193)**
**Organization Unit: OHP Mental Health (7080)**

<table>
<thead>
<tr>
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<tbody>
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<td>$12,072,500</td>
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*Comment:* This adjustment increases appropriations due to actual revenues exceeding the amount included in the adopted budget. Additional revenues include an increase in the amount transferred from the Human Services fund of approximately $1.014 million and approximately $3.434 million in Medicaid and state revenues. Revenue from the State increased because the only other provider in the County for OHP mental health services ended their program resulting in all their clients being moved to the County’s program. Increased appropriations will cover costs associated with providing services to the larger number of clients, to pay for a provider tax to the State, and to accrue a reserve for unpaid claims at the end of the fiscal year.
**Fund: Parks and Open Spaces Opportunity Fund (357)**

**Organization Unit: Parks and Open Spaces Opportunity Fund (3580)**

<table>
<thead>
<tr>
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<th>Amount</th>
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</thead>
<tbody>
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<tr>
<td>Revenue</td>
<td></td>
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<td>Adjusted Budget</td>
<td>$1,163,263</td>
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</tbody>
</table>

*Comment:* This adjustment moves appropriations from contingency for expenditures related to the County’s contribution to the Mt. Williams property purchase as approved by the Board on March 29, 2005 (R&O 05-105).

**Fund: Facilities Park SDC (355)**

**Organization Unit: Facilities Park SDC (3580)**

<table>
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</thead>
<tbody>
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<td>Adjustment:</td>
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<td>Contingency</td>
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</table>

*Comment:* This adjustment appropriates revenues received during the 2004-05 fiscal year. This fund was created by Board action during the fiscal year (R&O 04-149). The adjustment establishes appropriations for the payment of legal and other expenses.

**Fund: Criminal Justice Facility (352)**

**Organization Unit: Criminal Justice Facility (3580)**

<table>
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</table>

*Comment:* This adjustment appropriates interest earnings received during the 2004-05 fiscal year that were not anticipated at the time the budget was adopted. The adjustment establishes appropriations for the expenditure of these resources.

**Fund: Strategic Investment Program (204)**

**Organization Unit: Strategic Investment Program (1640)**

<table>
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</table>

*Comment:* This adjustment appropriates revenues received during the 2004-05 fiscal year that were not anticipated when the budget was adopted as well as a higher beginning fund balance. The increased appropriations will allow for payment of these resources to third parties.
Fund: 1999 Strategic Investment Program (206)
Organization Unit: 1999 Strategic Investment Program (1650)

<table>
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<td>Revenue</td>
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<td>Adjusted Budget</td>
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*Comment:* This adjustment appropriates revenues received during the 2004-05 fiscal year that were not anticipated when the budget was adopted as well as a higher beginning fund balance. The increased appropriations will allow for distribution of these resources to the general fund.
SUMMARY (Attach Supporting Documents if Necessary)

Oregon Revised Statutes (ORS) 433.735 through 433.770 govern the regulation of outdoor mass gatherings. Outdoor mass gatherings are defined by statute as:

An actual or reasonably anticipated assembly of more than 3,000 persons which continues or can reasonably be expected to continue for more than 24 consecutive hours but less than 120 hours within any three-month period and which is held primarily in open spaces and not in any permanent structure.

The statute provides that the governing body of the county shall issue a permit upon application when the organizer demonstrates compliance with or the ability to comply with health and safety rules governing these events.

The Department expects to receive an Outdoor Mass Gathering Permit application from Horning’s Hideout located at 21277 NW Brunswick Canyon Road in North Plains by June 9, 2005. The anticipated dates of the mass gathering are June 23, 24, 25 and 26, 2005.

Staff will review the application and provide a recommendation to the Board. The staff report is expected to be available by June 17, 2005.

DEPARTMENT’S REQUESTED ACTION:
Consider the issuance of an outdoor mass gathering permit for Horning’s Hideout.

COUNTY ADMINISTRATOR’S RECOMMENDATION:
I concur with the requested action.
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing – Support Services

Agenda Title: APPROVE RESOLUTION & ORDER ADOPTING THE COUNTY FEE SCHEDULE FOR FISCAL YEAR 2005-06

Presented by: Wayne Lowry, Chief Finance Officer

SUMMARY (Attach Supporting Documents if Necessary)

This agenda item requests that your Board approve the attached Resolution and Order adopting the fee schedule for fiscal year 2005-06.

The Finance division of Support Services coordinates the annual review of the County’s fee schedule to ensure that the fees charged by the County adequately recover the cost of the associated services, including Departmental and County wide overhead. As a result of this year’s review, some fees are recommended to be increased by 2.5% as an inflationary adjustment as reflected in the budget instructions, and others are recommended to change due to changes in the statutes or other changes in the cost of providing services.

The most significant fee changes are in Public Health, LUT Building Services and LUT Development Services. The Public Health increases are necessary to support the department’s increased costs in providing licensing and inspection of food service facilities. The LUT Building Services decreases are recommended to maintain a reasonable contingency level. LUT Development Services is proposing a 1% increase across the board to maintain appropriate fund balances.

The new fee schedule will become effective July 1, 2005. ORS 294.160 requires the governing body of any local government to hold a public hearing to allow interested persons to comment on the enactment of any fee ordinance or resolution.

Fees that are recommended to be changed are highlighted in the proposed 2005-06 Fee Schedule, a copy of which is available at the Clerk’s desk.

DEPARTMENT’S REQUESTED ACTION:
That your Board adopt the attached Resolution and Order approving the fiscal year 2005-06 fee schedule.

COUNTY ADMINISTRATOR’S RECOMMENDATION:
I concur with the requested action.
IN THE BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

In the Matter of Adopting a Fee Schedule ) RESOLUTION AND ORDER
for 2005-2006, Repealing the Prior Fee ) No. ________________
Schedule and Classifying the Fees as )
Not Subject to Property Tax Limitations )

This matter having come before the Board at its regular meeting on June 21, 2005; and

It appearing to the Board that from time-to-time the Board finds it necessary and in the
public interest to adopt a fee schedule for services provided by the County; and

It appearing to the Board that the Finance Division of the Department of Support Services,
in conjunction with the various Departments, has analyzed costs and recommended the fees set
forth in Exhibit “A” as necessary and reasonably calculated to cover the costs for the services
identified therein; and

It appearing to the Board that the Board has provided an opportunity for public comment
on the proposed fees as required by ORS 294.160; now, therefore, it is

RESOLVED AND ORDERED that Exhibit “A,” the “Washington County Fee Schedule,”
hereby is adopted as the fees to be charged for the services specified therein, effective July 1, 2005,
to continue in effect until repealed or amended; and, it is further

RESOLVED AND ORDERED that the 2004-05 Fee Schedule adopted by Resolution
and Order No. 04-60, as subsequently amended, shall be repealed and no longer effective as of
11:59 p.m., June 30, 2005; and it is further

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RESOLVED AND ORDERED that the fees set forth in Exhibit “A” hereby are classified for purposes of ORS 310.145 as not subject to the limits of Section 11b, Article XI of the Oregon Constitution; and it is further

RESOLVED AND ORDERED that the Finance Division shall take such steps as are necessary to implement this action.

DATED this 21st day of June, 2005.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

____________________________________
CHAIRMAN

____________________________________
RECORDING SECRETARY
SUMMARY (Attach Supporting Documents if Necessary)

During the course of the year various changes to assessment areas occur. These include partial annexations, lot consolidations and partitions, equipment changes, formation and simple errors and omissions. There are 74 assessment areas affected by changes for Fiscal Year 2005-2006.

The maximum annual assessment is set at double the annual assessment to establish a ceiling for future years. Only 37 assessment areas (approximately 3%) exceed the current ceiling.

The changes and assessments must be made before July 1, so they may be certified to the tax rolls for collection.

Attachments:

1. Resolution and Order
2. SDL Proposed Assessments/Assessment Areas and Proposed Changes for Fiscal Year 2005-2006-Exhibit A-2
3. Notice of Public Hearing – Exhibit B

DEPARTMENT’S REQUESTED ACTION:

Adopt the attached Resolution and Order to adopt the changes and establish a new maximum annual assessment for Fiscal Year 2005-2006 outlined in Exhibit A-2 as the maximum assessments for the Service District for Lighting, and levy assessments for Fiscal Year 2005-2006.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.
IN THE WASHINGTON COUNTY SERVICE DISTRICT

FOR LIGHTING (No. SDL-1)

In the matter of modifying assessment area boundaries, modifying service levels, increasing the maximum annual assessment and levying actual assessments for Fiscal Year 2005/2006) RESOLUTION AND ORDER No. ____________________________

This matter having come before the Washington County Board of Commissioners (Board) of the Service District for Lighting No. 1, a county service district, at its public hearing of June 21, 2005; and

It appearing to the Board that staff has reviewed district assessment areas and has set forth in Exhibit “A-2” various changes to assessment area boundaries and service levels arising from various causes, including platting of lots, consolidations, annexations, administrative errors; and

It appearing to the Board that staff also is proposing increasing the maximum annual assessments as set forth in Exhibit “A-2”. This increase is designed to provide additional flexibility in adjusting to actual assessments in reaction to platting of new lots, lot consolidations, partial annexations, service level changes and other normal and customary events during the fiscal year; and

It appearing to the Board that the actual assessments proposed to be levied for 2005/2006 are as set forth in Exhibit “A-2”; and

It appearing to the Board that notice and opportunity to object to these changes, including the new maximum annual assessments has been provided, now, therefore, it is
RESOLVED AND ORDERED that the assessment area and service charges set forth in Exhibit “A-2” hereby are adopted; and it is further

RESOLVED AND ORDERED that the maximum annual assessments set forth in Exhibit “A-2” hereby are adopted; and it is further

RESOLVED AND ORDERED that the actual assessments for 2005/2006 set forth in Exhibit “A-2” for each lot hereby are imposed and levied. Said annual assessments shall be certified to the 2005/2006 tax rolls for collection. Such assessments are assessed and levied as taxes on property for purposes of the limits imposed by Section 11b, Article XI of the Oregon Constitution to support government services other than schools.

DATED this 21st day of June, 2005.

BOARD OF DIRECTORS FOR
WASHINGTON COUNTY SERVICE
DISTRICT FOR LIGHTING (No. SDL-1)

______________________________
CHAIRMAN

______________________________
RECORDING SECRETARY
### SDL - PROPOSED ASSESSMENTS

**Assessment Areas with proposed changes from previous year**

**Fiscal Year:** 2005-2006

<table>
<thead>
<tr>
<th>SDL</th>
<th>Assessment Area Name</th>
<th>Adjustments</th>
<th>Adjustments Notes</th>
<th># of Taxlots</th>
<th>Proposed Annual Assessment Per Lot</th>
<th>Maximum Assessment Per Lot</th>
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<tbody>
<tr>
<td>601</td>
<td>ARBOR OAKS NO. 1</td>
<td>Add 8 benefitting tax lots 1N127CD-1900, 2100, 2300, 2700, 3300, 3700, 3900, 4000</td>
<td>1S223AA-3900 cancelled into 1S223AA-5700 &amp; 57600</td>
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<td>BANNISTER CREEK PARK NO. 4</td>
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<td>801</td>
<td>BETHAN MARY ESTATES NO. 3</td>
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<td>BURNS RIDDLE NO. 2</td>
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<td>CASCADIAN HEIGHTS NO. 2</td>
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<td>83</td>
<td>CHARLAINS NO. 1 &amp; NO. 2</td>
<td>Amend the boundary to add benefitting tax lots 1N129BC-8100, 5200, 5300, 5400, 5500</td>
<td>133</td>
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<td>CLAREMONT NO. 8</td>
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<td>CROSS CREEK</td>
<td>Add 7 benefitting tax lots 1S214CD-3400, 3500, 3600, 3700, 3800, 3900, 4000</td>
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Washington County, DLUT Operations Division - Exhibit A-2

Page 2 of 4
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<th>SDL #</th>
<th>Assessment Area Name</th>
<th>Adjustment Notes</th>
<th># of Taxlots</th>
<th>Proposed Annual Assessment Per Lot</th>
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<td>FARMINGTON</td>
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<td>FARMINGTON WEST NO. 7</td>
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<td>147</td>
<td>GARDEN HOME</td>
<td>428 lots assessed in 2004, 15214DC-700 cancelled into 15214DC-11000-15000, 15214DC-12000 cancelled into 15214DC-13000 &amp; 13700, 15214DC-3400 cancelled into 15214DC-11800 &amp; 11900</td>
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<td>GLENWOOD HEIGHTS</td>
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<td>$20.27</td>
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<td>HARRIS PARK</td>
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<td>856</td>
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<td>112</td>
<td>IRONWOOD</td>
<td>Should be 31 lots. Tax lot 15127DB-3500 cancelled into 15127DB-3608</td>
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<td>35</td>
<td>$27.19</td>
<td>$54.38</td>
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<td>210</td>
<td>LEEDWOOD 2</td>
<td>Add 2 benefiting tax lots 15210CC-3100 &amp; 15210BR-22600</td>
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<td>$75.72</td>
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<td>983</td>
<td>LOGAN PARK</td>
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<td>LOXLEY MANOR</td>
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<td>$47.30</td>
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<td>548</td>
<td>LUREE ACRES</td>
<td>Add 2 benefiting tax lots 15218BA-17400 &amp; 17500</td>
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<td>$40.02</td>
<td>$83.18</td>
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<td>229</td>
<td>LYNTRIDGE</td>
<td>Remove tax lots 15110DB-2301 &amp; 2302</td>
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<td>768</td>
<td>MAYVIEW NO. 1 &amp; 2</td>
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<td>$26.49</td>
<td>$52.96</td>
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<td>1015</td>
<td>MCDANIEL VILLAGE</td>
<td>Add 1 entrance light. FY 05-06 assessment exceeds previously set Maximum Annual Assessment</td>
<td>63</td>
<td>$20.24</td>
<td>$41.06</td>
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<td>568</td>
<td>MEADOW PARK SCHOOL</td>
<td>Was annexed to the City of Beaverton, then annexed back to Washington County. 5b0 tax lot number 15104BC-00100</td>
<td>1</td>
<td>$232.70</td>
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5/24/2005 2:11:27 PM
Washington County, BLAT Operations Division - Exhibit A-2
Page 2 of 4
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<th>SDL #</th>
<th>Assessment Area Name</th>
<th>Adjustment Notes</th>
<th># of Taxlots</th>
<th>Proposed Annual Assessment Per Lot</th>
<th>Maximum Assessment Per Lot</th>
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<td>MERLO STATION NO. 4</td>
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<td>926</td>
<td>MEYERS FARM</td>
<td>2S18BC-03000 cancelled into 12300 &amp; 12400</td>
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<td>804</td>
<td>MILLER HIGHLANDS</td>
<td>FY 05-06 assessment exceeds previously set Maximum Annual Assessment</td>
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<td>$27.71</td>
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<td>245</td>
<td>MOHAWK MEADOWS</td>
<td>Add 9 benefiting tax lots 15202BD-4700, 4800, 4900, 5000, 5100, 5200, 5300, 18700, 18900</td>
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<td>MOHAWK MEADOWS NO. 8</td>
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<td>MOSS CREEK</td>
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<td>NIKOLAS MEADOWS</td>
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<td>NOTTINGHAM HEIGHTS NO. 3</td>
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<td>259</td>
<td>NW 114TH AVENUE</td>
<td>1N134DB-3500 cancelled into 1N134DB-6300 &amp; 6300</td>
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<td>571</td>
<td>NW 173RD AVENUE N STARK STREET</td>
<td>Entire assessment area annexed to the City of Beaverton</td>
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<td>NW LAIDLAW ROAD &amp; VICINITY</td>
<td>1N119AB-10900 cancelled into 5 tax lots 1N119AB-16100-16500</td>
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<td>O'MEARA PARK</td>
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<td>SCOTLAND PARK</td>
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<td>SEARAH LINDSAY</td>
<td>Add 9 benefiting tax lots 1N119AC-15400, 15500, 15600, 15700, 15800, 15900, 16000, 16100, 16200</td>
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<td>360</td>
<td>SOMERSET WEST APT E</td>
<td>PGE Audit determined there are 5 poles</td>
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<td>$2,764.54</td>
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<td>SONOMA HILL/CRESTBRIDGE</td>
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<td>684</td>
<td>SPRING LAKE PARK</td>
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</tr>
</thead>
<tbody>
<tr>
<td>750</td>
<td>STEELE PARK</td>
<td>FY 05-06 assessment exceeds previously set Maximum Annual Assessment</td>
<td>48</td>
<td>$21.41</td>
<td>$42.82</td>
</tr>
<tr>
<td>530</td>
<td>SW 177TH AVE N/O WRIGHT</td>
<td>Add 1 benefitting tax lot 1S118CD-7300</td>
<td>12</td>
<td>$34.52</td>
<td>$73.52</td>
</tr>
<tr>
<td>398</td>
<td>SW ALEXANDER</td>
<td>1S212DA/4300 canceled into 10 tax lots - 1S212DA-9900 thru 11900</td>
<td>34</td>
<td>$20.59</td>
<td>$60.02</td>
</tr>
<tr>
<td>484</td>
<td>SW CEDAR CREST E/SW 80TH</td>
<td>1S125CA-4100 canceled into 1S125CA-8900, 9000, 9100</td>
<td>53</td>
<td>$29.08</td>
<td>$58.42</td>
</tr>
<tr>
<td>609</td>
<td>SW ROSA BWN 185TH &amp; 190TH</td>
<td>Add benefitting tax lots 1S213CD-65100 thru 1S213CD-65301</td>
<td>36</td>
<td>$21.82</td>
<td>$52.24</td>
</tr>
<tr>
<td>562</td>
<td>TAYLOR WOODS</td>
<td>Delete tax lot 1S125CA-3000</td>
<td>10</td>
<td>$31.38</td>
<td>$54.90</td>
</tr>
<tr>
<td>1018</td>
<td>THOMPSON MEADOWS</td>
<td>FY 05-05 assessment exceeds previously set Maximum Annual Assessment.</td>
<td>23</td>
<td>$19.71</td>
<td>$39.42</td>
</tr>
<tr>
<td>843</td>
<td>WISMER RIDGE NO. 2</td>
<td>FY 05-06 assessment exceeds previously set Maximum Annual Assessment</td>
<td>45</td>
<td>$23.22</td>
<td>$46.44</td>
</tr>
</tbody>
</table>

Total for all Assessment Areas with Pending Changes: $116,605.00

3733 Taxlots
OFFICIAL NOTICE OF PUBLIC HEARING

WASHINGTON COUNTY SERVICE DISTRICT FOR LIGHTING NO. 1

The Washington County Board of Commissioners, acting as the governing body for the Washington County Service District for Lighting No. 1 (SDL), will conduct a public hearing on Tuesday, June 21, 2005, at 10:00 a.m. in the Public Services Building, 155 North First Avenue, Hillsboro, Oregon. This hearing will consider the adoption of new street lighting maximum assessments and changes to assessment areas for the upcoming fiscal year.

The law requires that the Board set a “Maximum Annual Assessment” for each assessment area, which simply establishes a ceiling. Only 37 SDL assessment areas (approximately 3% of the total number of assessment areas) exceed the proposed current ceiling, so their “Maximum Annual Assessment” will be increased. The “Maximum Annual Assessment” has historically been set at double the actual assessment rate. In order to raise the “Maximum Annual Assessment” the Board must notify you by mail and hold a public hearing.

The Board will also consider proposed changes to some assessment area boundaries to address new development and other changes. If your lot lines have been adjusted, new lights were installed, or part of your assessment area has been annexed into a city jurisdiction, your assessment may change.

Assessments vary from area to area depending upon the number and types of lights and poles, as well as the number of lots within any assessment area boundary.

For more information regarding the public hearing and the proposed assessments, call the Service District for Lighting staff at (503) 846-7626. Information is also available for review at the County Clerk’s office.

Send or deliver written objections to:
Service District for Lighting
1400 SW Walnut Street, MS 51
Hillsboro, OR 97123-5625

For more information contact:
Nancy Schmidt 503-846-7626 OR Marsha Pacheco 503-846-7626
Email: nancy_schmidt@co.washington.or.us Email: marsha_pacheco@co.washington.or.us

EXHIBIT B
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Presentation and Award

Agenda Title: PRESENTATION OF THE 2005 CAMERON AWARD FROM VISION ACTION NETWORK

Presented by: Sia Lindstrom, Executive Director, Vision Action Network

SUMMARY (Attach Supporting Documents if Necessary)

The Vision Action Network has created an annual award celebrating leadership which embraces collaboration. This award is aptly named the Cameron Award, after our own County Administrator, Charles Cameron.

It is the hope of the Vision Action Network to inspire other individuals and organizations to embrace the kind of collaborative leadership provided by Charles Cameron to the Vision Action Network, the County, and our community.

This award signifies the commitment to address recognized community concerns by working across and through multiple sectors of the community. It commends leadership that is focused on results, not egos; leadership which encourages and welcomes others to the table, rather than going it alone; leadership which recognizes that some issues defy the capacities of individual organizations, and instead require the cooperation of the full community.

DEPARTMENT’S REQUESTED ACTION:
Present the first annual Cameron Award to the Washington County Board of County Commissioners and County Administrator, Charles Cameron.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

AGENDA Item No. ________________ Date: 6/21/05
CONVENE: 10:03 a.m.

BOARD OF COMMISSIONERS:
Vice Chair Andy Duyck
Commissioner Dick Schouten
Commissioner John Leeper (Arrived 10:08 a.m.)
Commissioner Roy Rogers

Chairman Tom Brian was away on jury duty on this date.

STAFF:
Robert Davis, Assistant County Administrator
Dan Olsen, County Counsel
Elmer Dickens, Senior Assistant County Counsel
Chris Gilmore, Assistant County Counsel
Paul Hathaway, Assistant County Counsel
Kathy Lehtola, Director, LUT
Brent Curtis, Planning Division Manager, LUT
Mark Brown, Land Development Manager, LUT
Aisha Willits, Associate Planner, LUT
Terry Lawler, Senior Planner – Rural, LUT
Bill Gaffi, General Manager, CWS
Bob Cruz, Deputy General Manager, CWS
Linda Gray, CPO Coordinator
Jeff Friend, Audiovisual Specialist
Barbara Hejtmanek, Recording Secretary

PRESS:
Dick Colby, The Oregonian

APPROVAL OF MINUTES:
May 17, 2005
May 24, 2005

1. CONSENT AGENDA

The following modifications were made to the Consent Agenda:

- Item d. is removed from today’s agenda.
• There is award of contract on item f. to Kerr Contractors in the amount of $3,071,845.75.
• There is award of contract on item j. to D&D Concrete in the amount of $124,170.00.
• Item l. is continued to June 21, 2005.
• Item r. accepts proposals from Cascadia Behavioral Health, Morrison Center, Youth Contact, Lifeworks Northwest and Western Psychological & Counseling Services for outpatient mental health services for children, youth and their families.
• An off docket item from County Counsel entitled “Adopt Rules to Govern Hearings on Type II Noise Variance Applications” is added to the Consent Agenda. (RO 05-98)

It was moved to adopt the Consent Agenda, as modified.

Motion – Rogers
2nd – Schouten
Vote – 3-0
(Commissioner Leeper absent at time of vote)

CLEAN WATER SERVICES

1.a.
CWS RO 05-27
Adopt Capital Improvements Program for Fiscal Years 2006-2010 (Approved Under Consent Agenda)

1.b.
CWS MO 05-37
Approve Amendment No. 5 to the Master Agreement for Engineering Services with MWH Americas, Inc. for the Durham Facility Phase 4 Expansion Project (Approved Under Consent Agenda)

1.c.
CWS RO 05-28
Acquire Easements for Construction and Enhancement of Bronson Creek and Water Quality Preservation and Storm and Surface Water Drainage (Approved Under Consent Agenda)

1.d.
CWS MO 05-38
Award Contract for the Forest Grove Sanitary Sewer Rehab Project to Lowest Responsible Bidder (CPO 12F) (Removed From Agenda)
1.e. CWS MO 05-39
Approve Amendment to Contract with SNF Polydyne for Purchase of Dewatering Polymer (Approved Under Consent Agenda)

LAND USE AND TRANSPORTATION

1.f. MO 05-177
Approve Bid Award, Execute Contract for Cornelius Pass Road – SW Johnson Street to SW Frances Street Project (CPO 6, 9) (Approved Under Consent Agenda)

1.g. RO 05-95
Approve Establishment of a Road Maintenance Local Improvement District (MLID) for Sterling Gardens (CPO 6) (Approved Under Consent Agenda)

1.h. RO 05-96
Approve Establishment of a Road Maintenance Local Improvement District (MLID) for Thompson glen (CPO 7) (Approved Under Consent Agenda)

1.i. RO 05-97
Approve Establishment of a Road Maintenance Local Improvement District (MLID) for Findley Meadows (CPO 7) (Approved Under Consent Agenda)

1.j. MO 05-178
Approve Bid Award, Execute Contract for the SW Walker Road and SW 158th Avenue Intersection Improvement Project (CPO 1, 7) (Approved Under Consent Agenda)

BOARD OF COMMISSIONERS

1.k. MO 05-179
Cancel July 5, 2005 Worksession and Board Meeting (Approved Under Consent Agenda)

COMMUNITY CORRECTIONS

1.l. MO 05-180
Approve the 2005-07 Community Corrections Plan and Related Agreement for State Funding (Continued to June 21, 2005)
COMMUNITY DEVELOPMENT

1.m.
MO 05-181
Approve Program Policies for American Dream Downpayment Initiative (ADDI) First-Time Homebuyers Program (Approved Under Consent Agenda)

1.n.
MO 05-182
Approve 2005-2006 Community Development Block Grant Project Agreements (Approved Under Consent Agenda)

1.o.
MO 05-183
Approve Amendment to Community Development Block Grant Project Agreement with Community Partners for Affordable Housing – Greenburg Oaks Apartments (Approved Under Consent Agenda)

1.p.
MO 05-184
Approve Community Development Block Grant Project Agreement for Community Services Inc. MR/DD Group Home & Respite Bed Sprinkler and Alarm System (Approved Under Consent Agenda)

1.q.
MO 05-185
Approve the HOME Investment Partnerships Program Policy Manual – June 2005 (Approved Under Consent Agenda)

SUPPORT SERVICES

1.r.
MO 05-186
Accept Proposal/Award Contract for Outpatient Mental Health Services for Children, Youth and Their Families (Approved Under Consent Agenda)

1.s.
MO 05-187
Approve Two Year Option to Extend Pharmacy Services Contract and Increase Contract Expenditure Amount (Approved Under Consent Agenda)
1.t.  
MO 05-188  
Accept Bid/Award Contract for the Purchase and Installation of an HVAC Air Cleaning System for the Public Services Building and Walnut Street Center (Approved Under Consent Agenda)

1.u.  
MO 05-189  
Declaration of Surplus Property (Approved Under Consent Agenda)

**SERVICE DISTRICT FOR LIGHTING NO. 1-A COUNTY SERVICE DISTRICT**

1.v.  
SDL RO 05-20  
Form Assessment Area, Authorize Maximum Annual Assessment and Impose a First Year Assessment for Nicole Estates (CPO 6) (Approved Under Consent Agenda)

1.w.  
SDL RO 05-21  
Form Assessment Area, Authorize Maximum Annual Assessment and Impose a First Year Assessment for Sterling Gardens (CPO 6) (Approved Under Consent Agenda)

1.x.  
SDL RO 05-22  
Form Assessment Area, Authorize Maximum Annual Assessment and Impose a First Year Assessment for West Parc at Bethany Village (CPO 7) (Approved Under Consent Agenda)

2. **ORAL COMMUNICATION (2 MINUTE OPPORTUNITY)**

Brian Wegener, 16507 SW Roy Rogers Road, Sherwood, Oregon, represented the Tualatin Riverkeepers. He invited the Board and citizens to the 16th Annual Tualatin River Discovery Day—a day in which the river is celebrated. Mr. Wegener anticipated that a few hundred people would paddle the river in canoes and kayaks on that day.

In response to Commissioner Rogers’ question, Mr. Wegener specified that the date of the event is Saturday, June 25, 2005.

John Rankin, Land Use Attorney, 26715 SW Baker Road, Sherwood, Oregon, told the Board that Mark Brown, Land Development Manager, asked him to be here today. Mr. Rankin represented Mike Applebee and Applebee Aviation. He acknowledged that there is an alleged land use violation (UV04191). Mr. Rankin said that his client has been involved in a fairly long process with the County regarding this alleged violation. He mentioned that he is entering this matter late in the process. Mr. Rankin now intended to meet with the County Planning Department and Enforcement Division to discuss the
matter and to determine what the appropriate action might be. He asked the Board to direct Mark Brown to give him another 30 days in order to complete the necessary research to advise his client and to walk through the process.

Vice Chair Duyck wanted to know what difference this extension would make.

Mark Brown recalled that staff previously asked Mr. Rankin’s client to submit information to the County by June 3, 2005 or to at least take the necessary steps to gain approval of the activities being conducted at the airport. He stated that June 3rd came and went, with no response. Mr. Brown said that ordinarily, if staff has someone in the development process who might be able to get approval of an activity, staff does not proceed with citations until the end of the land use decision on the development activity is reached. He indicated that in this case, people have expressed concerns before the Board about what is happening at the airport. Mr. Brown affirmed that he suggested Mr. Rankin appear before the Board to provide his side of the story. He brought up the possibility of issuing a citation in the future, however.

Vice Chair Duyck wished to hear more about the effect of a citation.

Mark Brown stated that a citation could be abated at a later date. He said that if staff issues a citation and subsequently receives an application, staff could suspend or withdraw the citation.

Vice Chair Duyck found the Board in an awkward position. He appreciated that Mr. Rankin is entering the process at a late date but observed that this has gone on for some time. Vice Chair Duyck spoke of the importance of being responsive to the citizens living in the area, who wonder how an activity can occur prior to getting approval for that activity. He recommended not withholding the citation.

Commissioner Leeper agreed with Vice Chair Duyck’s position. He was bothered by the fact that activities have been advertised and by the request for an extension after this has gone on for a protracted period of time. Commissioner Leeper did not know why the owner of the property did not engage Mr. Rankin’s services some time ago.

John Rankin understood that Mr. Applebee was represented at one time but that that attorney was not able to provide the service needed. He said that Mr. Applebee then moved forward with a Type III application, which is in process. Mr. Rankin went on to say that Mr. Applebee then scheduled a neighborhood meeting on his own, without representation. He indicated that Mr. Applebee then hired Mr. Rankin, who recommended deferring the neighborhood meeting until he (Mr. Rankin) was able to ascertain how much activity had occurred there. Mr. Rankin pointed out that the ordinance relates back to a 1994 application and a 1996 date for personal and private use airports. He needed to be able to determine what was occurring in 1994 and 1996 in order to be able to adequately advise his client. Mr. Rankin anticipated being able to accomplish this research and to meet with Planning staff in order to refine the application
for anything other than the approved activity. He expected a Type II application (instead of Type III) for a determination of what activity should be allowed there, with the potential for a Type III if his client wants to expand the uses.

As a point of order, Commissioner Rogers observed that the purpose of the two-minute oral communication period is to identify an issue and to have staff come back with information. He noted that half of the Commissioners present today already oppose an extension and so this will not be approved today.

Vice Chair Duyck expressed appreciation for Mr. Rankin’s appearance today and was assured by Mr. Rankin that there will be movement forward in the future.

3. **BOARDS AND COMMISSIONS**

3.a. MO 05-174
Announce Vacancies on Boards and Commissions

Vice Chair Duyck announced two vacancies on the Northwest Area Commission on Transportation. He encouraged interested parties to phone (503) 846-8681 for an application.

Commissioner Schouten asked if geographic restrictions apply to these vacancies.

Vice Chair Duyck clarified that applicants need to live west of Hillsboro. He observed that the Northwest Area Commission on Transportation covers the counties of Tillamook, Columbia, Clatsop and western Washington County.

4. **PUBLIC HEARINGS – CLEAN WATER SERVICES**

4.a. CWS RO 05-23
Hold Public Hearing and Adopt Rates and Charges Resolution and Order for Fiscal Year 2005-06

Bill Gaffi stated that the proposed action is to adjust the sanitary sewer user fee from a base charge of $17.21 per month to $17.81 and a user charge from $9.52 to $9.84. He said that a $100 per month adjustment in the Systems Development Charge as well as various other miscellaneous adjustments to existing fees are proposed. Mr. Gaffi told the Board that the need for this revenue was described in Clean Water Services’ budget process and will be described during another hearing in a few moments.

The public hearing was opened.

No public testimony was offered.

The public hearing was closed.
It was moved to adopt the Resolution and Order with the administrative provisions and fee changes effective July 1, 2005.

Motion – Rogers
2nd – Schouten
Vote – 4-0

Commissioner Schouten commented that the charges to the public have been an outstanding value for a high level of tertiary treatment and services provided by Clean Water Services and that this does not change with this relatively modest increase. He reviewed that for the past couple of years, the Board has made the decision to make modest but sustained increases in order to cover enormous capital expenses as the County continues to grow. Commissioner Schouten said that even with the increase, the public is getting a great value via cost-competitive charges to the public for the services provided.

4.b.
CWS RO 05-24
Hold Public Hearing and Adopt Resolution and Order Approving Clean Water Services’ Fiscal Year 2005-2006 Budget Appropriations (All CPOs)

Bill Gaffi stated that the proposed budget reflects some adjustments made in response to growth and regulatory requirements that really drive staffing and capital expenditures. He said that Clean Water Services has been very fortunate—via its competitiveness initiatives—to control rates by reducing operating costs and redirecting those savings towards funding these new capital requirements that are emerging from various regulations. Mr. Gaffi added that centralizing Clean Water Services’ facilities and employing new technologies have also contributed toward that goal. He hoped to sustain these competitive advantages, which were gained through 1) Clean Water Services’ long-term application of sound financial planning, 2) continuing to look for efficiencies and economies of scale, 3) maintaining stable and predictable rates, and 4) synchronizing business planning with the budgeting processes.

Bob Cruz informed the Board that in the last ten years, Clean Water Services’ customer base has risen about 30 percent—from about 370,000 folks to 480,000. However, he noted that during that same period, District staffing has decreased about 19 percent. (At one time, there was a high of 366 full-time positions; the current proposal is for 297.) Mr. Cruz explained that the principal drivers for this year’s budget are growth and personal services—primarily due to benefit costs associated with PERS. He went on to say that there is a 1.4 percent proposed increase in staffing levels, which represents four full-time employees in order to get to the total of 297 personnel. Mr. Cruz said that this reflects a continued reduction in the number of staff per 1,000 customers served. He indicated that Materials and Services are up 12.5 percent ($1.7 million) and that these are primarily due to energy and chemical costs as well as electricity. Mr. Cruz stated that the
other primary driver is construction spending to meet increased system capacity needs and regulatory requirements for water quality and stream health. He provided examples of these projects and offered to respond to detailed questions.

The public hearing was opened.

Ernie Platt, Chair, Clean Water Services Budget Committee, indicated that he also serves as a member of the Clean Water Services Advisory Commission. He told the Board that the total Clean Water Services budget is $129.8 million, which reflects an increase in the Operating side of 9.9 percent and a total increase in expenditures of 13.6 percent—largely due to the growth and regulatory requirements. Mr. Platt stated that the majority of this budget is dedicated to capital expenses at, for the most part, the District’s four wastewater treatment plants. He said that the previous action embodied a rate increase to the sanitary sewer customers of 3.5 percent or 92 cents per month to the average customer. Mr. Platt went on to say that it also embodies an increase in the Systems Development Charge for new connections to the system of $100, which is a 4 percent increase. He commented that there are no fee increases proposed for the wastewater side of the business. Mr. Platt joined with the Budget Committee in recommending the approval of this budget by the Board.

Commissioner Leeper appreciated Mr. Platt’s volunteer work and commended him for it.

The public hearing was closed.

It was moved to adopt the Resolution and Order approving the Fiscal Year 2006 Budget Resolution and Order setting appropriations.

Motion – Leeper
2nd – Rogers
Vote – 4-0

4.c.
CWS MO 05-40
Hold Public Hearing and Approve Resolution and Order Amending Clean Water Services’ Board Adopted Employment Policies (All CPOs)

Vice Chair Duyck indicated that the Board wishes to pull this item from today’s agenda for the purpose of further discussion.

The public hearing was opened.

No public testimony was given.
It was moved to continue this public hearing to June 21, 2005.

Motion – Rogers
2nd – Leeper
Vote – 4-0

4.d.
CWS RO 05-26
Hold a Public Hearing and Adopt Resolution and Order Approving Clean Water Services’ Pay Plan for Non-Represented And Represented Employees for Fiscal Year 2005-2006 (All CPOs)

Bill Gaffi recognized that reviewing and approving adjustments to the District’s overall pay plan is an annual process. He reported that the adjustments are quite modest this year, as has been the case in recent years. Mr. Gaffi was available to answer specific questions.

The public hearing was opened.

No public testimony was forthcoming.

The public hearing was closed.

It was moved to adopt the Resolution and Order approving the Clean Water Services Pay Plan for non-represented and represented employees for FY 2005-2006.

Motion – Leeper
2nd – Schouten
Vote – 4-0

In the interest of the best utilization of staff time, Commissioner Rogers proposed amending the order in which the remainder of the agenda items were taken.

5. PUBLIC HEARINGS – LAND USE AND TRANSPORTATION
5.e.
RO 05-93
Consider Plan Amendment to Change the Plan Designation Exclusive Farm Use (EFU) to Exclusive Forest and Conservation (EFC) on a 9-Acre Parcel (CPO 8)

Due to the fact that no one in the audience opposed this plan amendment, the Board was able to use an expedited hearing process and dispense with the Staff Report.

The applicant was present and did not object to the expedited hearing.
The public hearing was opened.

No testimony was provided.

The public hearing was closed.

It was moved to approve the proposed plan amendment based on evidence and findings in the Staff Report and the Applicant’s submittal and to authorize the Chair to sign a Resolution and Order for Plan Amendment 05-116-PA.

Motion – Rogers
2nd – Schouten
Vote – 4-0

5.f.
RO 05-94
Consider Plan Amendment to Change the Plan Designation from Agriculture and Forestry – 20 Acres (AF-20) to Exclusive Forest and Conservation (EFC) on Six Contiguous Parcels Consisting of Approximately 214 Acres (CPO 10)

As in the prior action, the Board elected to utilize the expedited hearing process and dispense with the Staff Report.

The Applicant was present but did not oppose the expedited hearing process.

The public hearing was opened.

No public testimony was supplied.

The public hearing was closed.

It was moved to approve the proposed plan amendment based on evidence and findings in the Staff Report and the Applicant’s submittal and to authorize the Chair to sign a Resolution and Order for Plan Amendment 05-086-PA.

Motion – Rogers
2nd – Leeper
Vote – 4-0

5.a.
RO 05-89
Transfer Jurisdiction of Certain County Roads to the City of Beaverton (CPO 1)

Kathy Lehtola informed the Board that the City of Beaverton has requested a transfer of jurisdiction of several local County roads, which are generally west of Cedar Hills, south
of Barnes and north of Highway 26. She identified the roads as SW 117th Avenue, SW Corby Drive, and SW Shilo Lane. Mrs. Lehtola reported that the City of Beaverton will take over jurisdiction and maintenance responsibilities for these roads. She indicated that the area around the roads has already been annexed to Beaverton.

The public hearing was opened.

Henry Kane, 2077 SW Camden Lane, Beaverton, Oregon, submitted written testimony, which may be found in the Meeting File. He suggested that the Board re-schedule the hearing on the proposed annexation after the June 24, 2005 decision of the Land Use Board of Appeals in Kane vs. City of Beaverton, LUBA No. 2005-018. Mr. Kane explained that the City’s cherry-stem-type annexation is not final until there is a final decision by LUBA, the Court of Appeals, the Oregon Supreme Court or the United States Supreme Court. He commented that the United States Supreme Court loves voting rights cases. Mr. Kane said that there will be no prejudice to the City if the Board waits until the Land Use Board of Appeals hands down its decision. He expected this to alert the Board as to whether the forced annexation is legal and constitutional or not. Mr. Kane explained that the losing side has 30 days to appeal to the Oregon Court of Appeals. He went on to say that if there is no appeal, it is final. Mr. Kane reported that the City did not dispute, challenge, or show any authority contrary to the Federal Constitutional law rules that a State such as Oregon need not grant residents the right to vote on any matter. He said that once the State allows residents the right to vote on any matter, the right to vote is a fundamental Constitutional right under the 14th Amendment to the U.S. Constitution and cannot be abridged, reduced, denied or withdrawn without evidence of compelling necessity. Mr. Kane argued that the City has not shown any compelling necessity. He indicated that this is the first of about five appeals to LUBA by disenfranchised property owners such as Costco and the like. Mr. Kane said that assuming the County annex/transfer to the City and the annexation is void, then there would be a lot of extra paperwork to transfer jurisdiction back to the County.

Jane Corby (did not sign in) testified that she has an office building at 11640 SW Corby Drive in Portland, Oregon. She specified that this is one of the streets presently under the proposed annexation by the City of Beaverton. Ms. Corby felt that Beaverton’s request for transfer of jurisdiction is premature because the forced annexation of the lands and property served by the streets is currently under challenge with the State Land Use Board of Appeals. She stated that a number of State Senate bills are proposed with the Land Use Board that strongly suggest that this forced annexation will be repealed. Ms. Corby said that landowners would not want the streets annexed if the current forced annexation fails. She argued that the attempt by the City of Beaverton to strengthen its presence in this area should not be supported until the matter is resolved. Ms. Corby submitted letters in opposition to annexation as part of the public record for this item.

The public hearing was closed.
It was moved to continue this matter to July 12, 2005 in order to assess any LUBA decision and to give any parties involved an opportunity to appeal that decision.

Motion – Leeper

Commissioner Schouten asked if transfer of jurisdiction of certain County roads differs from annexation.

Dan Olsen clarified that there is a difference between the transfer of jurisdiction and an annexation. He stated that the annexation has already occurred and that this area is inside the City of Beaverton. Mr. Olsen said that it is possible, should the lawsuits that have been filed prevail, that it would, in effect, be de-annexed from the City. He went on to explain that the transfer of jurisdiction merely transfers the responsibility for road maintenance, road design, and all of those issues to the City. Mr. Olsen reiterated that, at this time, these are County roads within the City of Beaverton.

Commissioner Schouten asked if these roads are part of the territory being challenged by Henry Kane and others.

Dan Olsen could not answer that for certain but suspected that they are if they were in the annexed area. He had not seen the challenge itself.

Commissioner Rogers supported the transfer of jurisdiction. He regarded the annexation as a matter between the citizens and the City of Beaverton. Commissioner Rogers observed that the County has carefully crafted a policy which tries to identify countywide roads and tries to clarify what the County will and will not maintain. He saw no countywide significance to these particular roads, in terms of intra-County travel. Commissioner Rogers recognized that these roads present a maintenance burden and that the City of Beaverton is willing to take on that responsibility. He felt that the Board would be remiss to the citizens throughout the County if it does not allow that to happen. Commissioner Rogers commented that his own district has plenty of maintenance issues without incurring additional maintenance burdens. He failed to understand how any of the testimony has to do with the annexation because—with present legislation—Beaverton won’t be able to annex for two years anyway. Commissioner Rogers said that if these are thrown out by LUBA, so be it; the maintenance issues with the roads will still exist. He supported Beaverton taking over responsibility for these roads.

Commissioner Schouten wanted to know if the annexation status of these roads is challenged and they are, following a Court decision, no longer in the City of Beaverton, if there are any further issues with transfer of responsibility and maintenance and operation of roads that are not in the City of Beaverton to the City of Beaverton.

Dan Olsen was not entirely sure about the City’s authority to have jurisdiction over streets outside of its city limits. He thought that cities typically have some limited authority. Mr. Olsen was not certain whether these streets would fall within that. He
guessed that if the annexation was finally overturned and the City did not pursue further annexation, transfer of jurisdiction might be transferred back to the County. Mr. Olsen specified that this is a simple process.

Vice Chair Duyck clarified that there is a motion on the floor but that it has no second. He declared the original motion dead due to lack of a second.

Commissioner Leeper pointed out that this is not about a well-traveled road. He estimated the volume of traffic on this as minimal at best. Commissioner Leeper observed that his motion was for a continuance of approximately one month. Having driven on the impacted roads a number of times, he appreciated the position that Henry Kane and Jane Corby expressed. Commissioner Leeper regarded the request for a 30-day continuance as most reasonable.

Vice Chair Duyck supported the transfer of jurisdiction because it is clear that the speakers today came to speak about annexation issues. He did not view this as an annexation issue but rather as maintenance issues. Vice Chair Duyck reviewed that it has been a long-standing policy of the County to analyze roads that do not fit into the countywide system and that this is one of those situations.

Commissioner Schouten said that if these roads are in the City of Beaverton and if that changes, then it appears it will be easy enough to re-transfer those back to the County if the City is not legally able to maintain and operate roads that are outside its City.

It was moved to transfer jurisdiction of Certain County Roads to the City of Beaverton (CR 3206T/J).

Motion – Rogers
2nd – Schouten
Vote – 3-1
(Nay – Leeper)

5.b.
RO 05-90
Consider Measure 37 Claim by Sharon & Paul Gilson (CPO 10)

Mark Brown provided a staff report, which conveyed the following information about this particular claim:

- The Gilson claim involves approximately 12 acres of land on River Road on the west side between River Road and the Tualatin River, situated between Rosa and Rosedale Roads.
- The Gilsons acquired the property in 1971.
- There is currently one dwelling on the property.
- The property is designated EFU.
• Proposal is to divide the property into twelve lots and construct an additional eleven dwelling units.
• At the time of acquisition, the property was designated F-1 and there was no minimum lot size at that time.
• Claimant estimates the loss in value from the imposition of County regulations as $2.7 million.
• Director and staff have determined that the Claimant has a valid and complete claim.
• Board choices: 1) Waive the regulations leading to the loss in value or 2) pay compensation.

Mr. Brown recommended not applying Community Development Code Section 340-4.2B and D; Section 340-5.1D; Section 424-1 and 3; Section 430-37.2A and B; Section 430-85.1 and 2. He indicated that the entire file is available for viewing and is a part of the record in this matter.

Vice Chair Duyck recited the guidelines for Measure 37 hearings.

The public hearing was opened.

**APPLICANT**

John Shonkwiler, Attorney, 13425 SW 72nd, Tigard, Oregon, represented Sharon and Paul Gilson. He reviewed that Sharon Gilson acquired the twelve-acre property in January, 1971, and that it was zoned F-1 at that time. (There was no minimum lot size.) Mr. Shonkwiler recalled that residential dwellings were allowed as an outright use under F-1 at that time. He said that back then, it was conceivable to get one unit per 30,000 square feet, given the septic tank/drain field requirements at that time. Mr. Shonkwiler recognized that this has changed and that a portion of the property is under the floodplain. He believed that there is still plenty of property left on which to cluster structures outside the floodplain. Mr. Shonkwiler stated that his clients have no intention to immediately develop their property; they are primarily preserving their rights under Ballot Measure 37. He said that if they run into financing concerns later in life, they may want to parcel off a portion of the property and sell that. Mr. Shonkwiler remarked that application has been made to the State for the corresponding State requirements under OAR and State Statutes.

Commissioner Schouten ascertained that Mr. Shonkwiler recognized that there may be issues in terms of septic tanks, the size of the parcels, and floodplain issues. He speculated that the twelve parcels would have to be clustered on the easterly three-quarters of the property.

Mr. Shonkwiler understood that these are part of the health, safety and nuisance factors under Ballot Measure 37.
OPPONENTS

Brian Wegener, Tualatin Riverkeepers, 16507 SW Roy Rogers Road, Sherwood, Oregon, stated that his concerns were raised by Commissioner Schouten. He pointed out that the amount of acreage in floodplain is not specified and added that the County has not done any evaluation of what the true lost market value would be for this property. Mr. Wegener said that it is possible—with a lot of floodplain and wetland—that there may be no lost value to the owner. He felt that an evaluation should be done in order to make a decision regarding whether the claim is justified.

Commissioner Rogers believed that all of this would be done during the development process.

Mark Brown verified that this is correct.

Commissioner Schouten understood that in terms of the Board’s decision today, if there has been clear evidence that there has been some loss of valuation here and if the Board does not waive regulations, then all of the other implications of Measure 37 follow—including having to pay compensation. He asked what the trigger point is as to loss of value and if the Board has to have a definitive dollar figure as far as the loss is concerned at this stage of the Measure 37 hearing.

Mark Brown stated that this issue has come up before in a couple of other cases. He reported that staff would use some rules of thumb, such as:

- A homesite in the rural area that might be two acres more or less might have a value of $100,000—depending on where it is. If it is a very desirable homesite, it could be $200,000. With a twelve-acre site that has one-third to one-half of it in the floodplain, there are another six acres or so that (worst case scenario) could lead to another homesite. There is the potential of at least a loss of $100,000 or more. To the extent that you could get more units on the property, the number goes up.

As to whether this would ultimately get to the number cited by the Claimant, Mr. Brown concluded that maybe this could occur. He said that staff has not attempted to justify or analyze the Claimant’s dollar value. However, Mr. Brown explained that in the claims brought to the Board, staff believes that there is a loss in value that can be demonstrated.

Commissioner Schouten gathered that the Board must make a decision before the 180 days lapse to either waive or pay.

Mr. Brown regarded that as a fair statement.

Commissioner Schouten concluded that the Board must know at this point that there is some loss in value but is not required to know if it is as much as the Applicant claims.
Mr. Brown affirmed that this has been staff’s approach.

Chris Gilmore described the legal standard in this type of administrative hearing. He said that this revolves around whether there is substantial evidence in the record to support the Board’s decision. Mr. Gilmore stated that when there is different testimony on a particular issue, then the standard is what a reasonable decision-maker under the circumstances would rely on. He recognized that this is not a particularly precise legal standard and that there is a certain amount of flexibility to waive evidence and decide whether or not it has been met. Mr. Gilmore commented that this type of standard applied in this setting does not rise to the level of requiring the County to conduct an appraisal to determine the exact value of the reduction. He felt that it is within the Board’s discretion to rely on staff’s statements and the Board’s understanding of the facts in coming to a conclusion.

REBUTTAL

John Shonkwiler calculated that the floodplain area is approximately three acres. He reasoned that there is more than adequate land to cluster the remaining structures. Mr. Shonkwiler felt that at a minimum, another six units could be placed on the property. He related that landowners are credible for determining what their own property values are in testimony in Court rooms. Mr. Shonkwiler estimated that $1 million would be a minimum loss in value for this claimant.

The public hearing was closed.

Commissioner Leeper pointed to an error at the bottom of the first page of the Staff Report, wherein 37CL0024 should be changed to 37CL0033.

Mark Brown agreed that this correction needs to be made.

It was moved to approve Claim No. 37CL0033 by Resolution and Order to not apply the regulations cited in the Staff Report.

Motion – Leeper
2nd – Rogers
Vote – 4-0

Commissioner Schouten said that the Board has heard the legal requirements that would trigger either the waiver or payment. He stated that if there is any loss of value on the property as a result of the current restrictions that have occurred since 1971, then the County will have to either waive or pay. Commissioner Schouten indicated that the County does not have the money to take that kind of downside risk. Having heard the applicant recognize that health and safety (among other possible considerations) will preclude development of the floodplain area and recognize the septic tank issues, he had to acknowledge that the voters have spoken. Commissioner Schouten had concerns that
at some point, the Board will have to look at the impacts of major new developments in the areas outside the UGB without sewer lines and with the major increase in septic tanks. He said that this raises the very issues of water quality that led to the creation of the Unified Sewerage Agency, which is now Clean Water Services. Commissioner Schouten was very concerned about that because rights as a property owner only go so far as to not impact the public’s collective right to clean water.

Vice Chair Duyck supported the motion but commended Commissioner Schouten and Mr. Wegener for addressing the objective criteria under which the Board must determine whether to approve or deny this application. He stated that this particular one is fairly simple in that the value clearly is diminished. Vice Chair Duyck recognized that it does not take too much land, which is restricted from development, to find that there is a diminished value. He said that as the Board gets farther along on these applications, the Board may find that some are a little closer to the lines one way or the other. Vice Chair Duyck concluded that at some point, the Board may have to make a determination that there will have to be an appraisal done. He could not do that with a straight face on this particular property because it is obvious that the value would be decreased. Vice Chair Duyck was not trying to create unnecessary work for anybody.

5.c.
RO 05-91
Consider Measure 37 Claim by Gary Johansen (CPO 5)

Mark Brown provided the following facts regarding this claim to the Board:

- The Johansen claim involves a five-acre piece situated just off Grahams Ferry Road, south of Tualatin.
- The Claimant acquired the property in 1979.
- The property is currently in an AF-5 district.
- There is a portion of the Tonquin Scablands (significant natural area) in the northeast corner of the site.
- The Claimant proposes to divide the five acres into five lots.
- When acquired, the property was designated RS-1, which had a minimum lot size of 40,000 square feet in areas where public water was not available.
- Claimant estimates the loss in value at $850,000.
- Director and staff have determined that the claim is complete and valid.
- Board choices are to either 1) waive the regulations or 2) pay compensation.

Mr. Brown recommended approval of this claim by not applying Section 348-6.1 and Section 422-3.5 of the Community Development Code. He indicated that the file is available for public review and is part of the record in this matter.

The public hearing was opened.
APPLICANT

Gary Johansen, 120 Glenwood Circle, Roseville, California, testified that he bought the land in 1979. He said that before he got around to breaking up the property, it was re-zoned. Mr. Johansen mentioned that he lived on the property until two years ago. He stated that he was not aware of the Tonquin Scablands until after he owned the land and added that he was never told that he had to treat it differently. Mr. Johansen related that it is located in the northeast corner of the property. He indicated that the lay of the land would not make that area a good spot to build anyway. Mr. Johansen identified a BPA easement that encompasses about an acre and one-quarter.

Commissioner Leeper asked if Mr. Johansen has an easement onto Grahams Ferry Road.

Mr. Johansen responded that he does have this easement and that all this was determined about a year ago through a partition process.

Commissioner Schouten asked about the status of properties around him, specifically if they are part of the Metro land holdings.

Mr. Johansen was not aware of any such holdings.

Commissioner Schouten stated that there are issues relative to how large the parcels will have to be to support septic tanks. He asked if Mr. Johansen is anticipating sewer service or septic systems.

Mr. Johansen responded that septic tanks will be used. He planned to break up the property into five parcels but was not sure that each would be exactly one acre. Mr. Johansen explained that the plan must work around the BPA easement. He testified there the site has no drainage problems and that water is located at around 200 feet.

Commissioner Schouten determined from Mr. Johansen that the BPA right-of-way is part of the five acres. He reasoned that Mr. Johansen will have to place the total of five homes on three-plus or four acres.

Mr. Johansen disagreed. He said that while nobody will build under the BPA, he did not think anybody would have a problem with placing a drainfield under the BPA easement. Mr. Johansen pictured a cul-de-sac design so that everyone receives a usable acre of land and planned for the houses to be centered around the cul-de-sac.

Commissioner Leeper commented that due to the size of the BPA easement, Mr. Johansen would be placing five houses on 3.5 acres.

Mr. Johansen did not believe this to be the case. He spoke of putting one road in, placing a cul-de-sac in the middle, and giving each owner 40,000 square feet. Mr. Johansen
explained that this amount is necessary to meet the RS-1 requirements. He envisioned pie-shaped lots going around the cul-de-sac, with the houses relatively close to the cul-de-sac and with lots of room for drain fields.

Commissioner Rogers was very familiar with this portion of his district. He identified this land as a buffer or transitional area. Commissioner Rogers said that 20 years from now, there would be nothing to talk about because this would probably be in the City of Tualatin. He added that instead of talking about five homes, the discussion would be about 25 homes at that time.

Mr. Johansen agreed and interjected that the Urban Growth Boundary runs down Grahams Ferry Road.

AMBIGUOUS

Monique Tyler, 10770 SW Tonquin Road, Sherwood, Oregon, did not feel that she has a right to be in favor or opposed because she did not believe that her opinion should color somebody else’s needs and desires. She testified that this is a buffer zone. Ms. Tyler testified that 400-500 houses have been built to the north of this property over the past five years. She told the Board that the area is losing its greenspace. Ms. Tyler stated that it would be in her financial best interest for the Board to approve this because she lives nearby and has six acres, which she would love to split up. She was concerned with splitting everything up, though. Ms. Tyler was opposed to one-acre parcels and expressed a preference for this to go to two-acre parcels.

REBUTTAL

None.

Commissioner Rogers stated that this was meant to be a buffer between Tualatin and Wilsonville. He recognized that with the advent of Measure 37, voters have spoken. Commissioner Rogers noted that which was planned in the past as buffer zones and setbacks are not going to occur. He did not see any option but understood Ms. Tyler’s comments.

It was moved to approve Claim No. 37CL0046 by Resolution and Order and to not apply the regulations as set forth in the Staff Report.

Motion – Rogers
2nd – Leeper
Vote – 4-0

Vice Chair Duyck commented that the County still has certain buffer zones which will stay in effect even with Measure 37. He provided an example of this as Title III, for water quality, which has some setbacks for streams.
Commissioner Leeper suggested that Mr. Johansen, after performing the arithmetic, will likely get four rather than five lots if they must each be 40,000 square feet.

5.d.
RO 05-92
Consider Measure 37 Claim by David & Martha Mathiesen (CPO 8)

Mark Brown recited the following information relating to the David and Martha Mathiesen claim:

- This claim involves almost 70 acres of property in the Mountaindale area, north of the Sunset Highway on the south side of Hahn Road.
- The Claimants acquired the property in 1972.
- The property is currently in an EFU district.
- There is one dwelling on the property.
- The proposal is to create three lots and construct two additional dwellings.
- The property was zoned F-1 (no minimum lot size) when the Claimants acquired it.
- The Claimants estimate loss in value from the imposition of regulations as $500,000.
- Director and staff have determined that the claim is complete and valid.
- Board choices: Either 1) provide compensation or 2) waive regulations.

Mr. Brown recommended approving this claim by modifying Community Development Code regulation 340-4.2B and D; Section 340-5.1D; Section 424-1 and 3; Section 430-37.2A and B; Section 430-85.1 and 2. He stated that the complete file is available and is part of the record in this matter.

The public hearing was opened.

APPLICANT

David Mathiesen, 23845 NW Pumpkin Ridge Road, North Plains, Oregon, said he wanted to break up his land into three parcels. He intended for the western parcel to be approximately 35 acres and to build his personal dwelling there. Mr. Mathiesen anticipated that the middle portion will be buildable at a future time, if at all. He reported that his son resides on the other parcel, which consists of 17 acres. Mr. Mathiesen stated that he lives at a fairly high elevation on Pumpkin Ridge Road and that the winters sometimes are hard for he and his wife, who are nearing retirement age. He wished to move down to the lower parcel for this reason.

No public testimony was submitted.

The public hearing was closed.

There was a motion to approve Claim No. 37CL0057 by Resolution and Order and to modify the regulations as set forth in the Staff Report.
Motion – Leeper
2nd – Schouten
Vote – 4-0

Commissioner Schouten commented that the southerly part of the property is in the 100 year floodplain of a creek. He concluded that there may be health and safety exemption issues involved with that piece of the property. Commissioner Schouten imagined that this would be decided at some later land use application stage.

Mark Brown stated that the floodplain portion of the property runs somewhat parallel to the southern property line and that there is a pond on the property that is centered on the southern edge. He noted that there is still a substantial portion that is outside the floodplain.

6. PUBLIC HEARING – COUNTY COUNSEL

6.a. Proposed Metropolitan Urban Growth Boundary Restricted Shooting District

Elmer Dickens stated that Washington County Code 8.28 allows the Board to create, by Resolution and Order, a Restricted Shooting District within the County. He recalled that last July, the Board initiated the process to create a Restricted Shooting District encompassing the entire Metropolitan Urban Growth Boundary. Mr. Dickens reviewed that the last thing that happened was that the Board directed staff to prepare two alternative Resolution and Orders for two separate areas. He specified that the first of these Resolution and Orders would create a small Restricted Shooting District in the unincorporated area of Commissioner District 2, north of the Sunset Highway and bounded by the Metropolitan Urban Growth Boundary. (District would be called the 2005 North Sunset Restricted Shooting District, if adopted.) Mr. Dickens said that the alternative Restricted Shooting District includes all of Commissioner District 1, the portion of Commissioner District 2 as just described, and a strip of land between the two. (The alternative Restricted Shooting District would be known as the 2005 Combined Restricted Shooting District, if adopted.) He remarked that because the North Sunset Restricted Shooting District is smaller and completely contained within the combined, it is anticipated that if the Board decides to take action on one of these, it will pass either one or the other but not both.

The public hearing was opened.

No public testimony was received.

The public hearing was closed.

Commissioner Leeper spoke in favor of Option 1, namely, the forming of a 2005 North Sunset Restricted Shooting District. He stated that this is an area that was the basis for
pursuing this since last summer. Commissioner Leeper viewed this area as influenced most significantly by any potential for being impacted by the lack of a Restricted Shooting District.

It was moved to approve the Resolution and Order in the matter of forming the 2005 North Sunset Restricted Shooting District.

Motion – Leeper
2nd – Rogers
Vote – 4-0

Vice Chair Duyck asked if passage of this Resolution and Order would exclude passage of the alternate one.

Elmer Dickens clarified that passage of the alternate Resolution and Order would encompass this one.

Commissioner Rogers was assured by staff that the North Sunset Restricted Shooting District was all north of the Sunset Highway.

Commissioner Schouten stated that all of the policy considerations that go into approving the North Sunset area would apply to the other urbanized areas. He said that there are some pieces in the City of Beaverton that are even in this area and that both this area and the larger area are largely urbanized and inside the UGB. Commissioner Schouten commented that the kind of shooting activity that occurred a year ago could occur in any number of other areas. His desire to expand the area was partly instigated by the Beaverton School District, which supported this out of concern for shooting around school sites. Commissioner Schouten pointed out that roughly half of District 1 is not in the City of Beaverton. He did not see any distinctions in terms of the policies that are driving the Board’s vote in favor of this smaller, northerly area.

It was moved to adopt the Resolution and Order that would form the Combined Restricted Shooting District.

Motion – Schouten

The motion died for lack of a second.

7. SHERIFF’S OFFICE
7.a.
MO 05-175
Authorize Filing of Ordinance Amending Washington County Code 8.24 (Noise Control)

Elmer Dickens told the Board that Section 8.24 of the Noise Ordinance does not currently authorize deputies to seize equipment used in committing violations of the Noise
Ordinance. He explained that when deputies write a citation for a loud stereo or a band and then leave the music system in place, they often must return for repeat calls for service. Mr. Dickens told the Board that deputies are asking for the ability to abate that nuisance by temporarily seizing that equipment and taking it back to the Sheriff’s Office, where the owner may pick it up in one week. He said this is not meant to deprive anyone of his or her property in any way; rather, it is simply a method to stop the nuisance from continuing and generating repeat calls for service.

Bridget Beattie, 7277 SW Barnes Road, Portland, Oregon, represented the Washington County Noise Control Task Force. She said that she learned from Commissioner Leeper that the world is run by the people who show up. Ms. Beattie recognized that perseverance pays. She supported the filing of this ordinance and was delighted to hear about this. Ms. Beattie read into the record a letter from the Washington County Noise Control Task Force, which lent enthusiastic support for this proposed ordinance. She called attention to the need for providing deputies with additional enforcement authority so that they can effectively change the antisocial use of noise by some people. Ms. Beattie said that those who use electronic amplification and mechanical noise-producing equipment have a responsibility to prevent disturbance to others. She commended the Sheriff for recognizing the impact that repeat noise violations have on the community and for developing a strategic solution to change the perception of the noise polluters that they can do whatever they desire. Ms. Beattie also thanked the Board for adopting the Restricted Shooting District.

It was moved to direct County Counsel to draft and file an ordinance amending WCC 8.24 to allow deputies to seize and hold, for up to one week, stereos, instruments or other equipment used in committing violations of the Noise Control ordinance.

Motion – Schouten
2nd – Leeper
Vote – 4-0

7.b.
MO 05-176
Authorize Filing of an Ordinance Amending Washington County Code 8.16 (Towing and Disposition of Vehicles)

Elmer Dickens indicated that there are a couple of objectives that the Sheriff’s Office hopes to achieve with this particular change to the current towing ordinance. He said that when a deputy takes somebody into custody and that person is driving a vehicle, the ordinance now requires them to provide several options, such as having another person come to pick up the vehicle and having to wait 15 minutes. Mr. Dickens added that the deputy is also supposed to uncuff the person and have him or her sign a consent form, which presents an officer safety issue. He summarized that the current ordinance is just not working for the Sheriff’s Office. Mr. Dickens remarked that this ordinance puts Washington County in line with Multnomah County and other agencies. He explained
that if a person is driving and that person is arrested, the car will be towed if there is not a licensed passenger who can take the vehicle. Mr. Dickens observed that this saves time for the deputies and prevents vehicles being left to be vandalized. He told the Board that another proposed change would deal with vehicles that are stopped on private property. Using the example of a traffic stop, Mr. Dickens said that if the vehicle being stopped by the deputy is on County right-of-way, the deputy has the authority to tow that vehicle because it presents a hazard or other condition. He went on to say that if the person instead chooses to pull into a small business and park in its space and if the deputy takes that person into custody, the vehicle stays there. Mr. Dickens noted that the private property owner is saddled with trying to get rid of that vehicle. He recognized that the person may call a tow company to remove the vehicle but has to pay for that tow and has no way to recover his money. Mr. Dickens recited several scenarios that deputies have encountered. He informed the Board that another provision of the ordinance would change the process for how to deal with vehicles appraised for less than $1,000. Mr. Dickens reported that deputies want to get rid of a duplicative process.

It was moved to direct the Office of County Counsel to draft and file an ordinance amending WCC 8.16 and adding an emergency clause to allow the changes to become effective immediately upon adoption.

Motion – Rogers
2nd – Leeper
Vote – 4-0

8. ORAL COMMUNICATION (5 MINUTE OPPORTUNITY)

None.

9. BOARD ANNOUNCEMENTS

None.

10. ADJOURNMENT: 11:44 a.m.

Motion – Leeper
2nd – Schouten
Vote – 4-0

MINUTES APPROVED THIS ___ DAY ________________________ 2005
The Board of Commissioners will meet for a general worksession in Room 140 of the Public Services Building at 8:30 a.m.

The Board of County Commissioners of Washington County, as the governing body of Washington County, the Housing Authority and all County service districts for which this Board so acts, will meet for its regular Board meeting in the Shirley Huffman Auditorium of the Public Services Building at 10:00 a.m.

All public meetings are recorded.

The agenda items listed below are provided in PDF format. The latest free Acrobat reader may be downloaded from: www.adobe.com/products/acrobat/readstep.html.

**Board of Commissioners Agenda**

**TABLE OF CONTENTS** (PDF, 410K)

1. **CONSENT AGENDA**

   The items on the Consent Agenda are considered routine and will all be adopted in one motion unless a Board member or person in the audience requests, before the vote on the motion, to have the item considered separately. If any item is removed from the Consent Agenda, the Chairman will indicate when it will be discussed in the regular agenda. A list of Consent Agenda items is included at the end of the agenda packet.

2. **ORAL COMMUNICATION**

   Limited to two minutes per individual; ten minutes total.

**PRESENTATION AND AWARD - OFF DOCKET**
Presentation of the 2005 Cameron Award from Vision Action Network (PDF, 9K)

3. **BOARDS AND COMMISSIONS**
   a. Appoint Alternate Members to the Rural Road Operations and Maintenance Advisory Committee (RROMAC) (PDF, 15K)
   b. Appoint Members to the Farm Review Board (PDF, 15K)
   c. Appoint Members to Aging and Veteran Services Advisory Council (PDF, 19K)

4. **PUBLIC HEARINGS  CLEAN WATER SERVICES**
   a. Hold Public Hearing and Approve Resolution and Order Adopting the Healthy Streams Plan (All CPOs) (PDF, 27K)
   b. Hold Public Hearing and Approve Resolution and Order Amending Clean Water Services' Board Adopted Employment Policies (All CPOs) (PDF, 43K)

5. **PUBLIC HEARINGS  LAND USE AND TRANSPORTATION**
   a. Vacate Portions of Public Right-of-Way on SW Taylors Ferry Road (CPO 4M) (PDF, 60K)
   b. Consider Measure 37 Claim by Eugena Mead (CPO 14) (PDF, 12K)

6. **PUBLIC HEARING  COUNTY ADMINISTRATIVE OFFICE**
   a. Adopt Supplemental Budget No. 2 for Fiscal Year 2004-05 (PDF, 58K)

7. **PUBLIC HEARING  HEALTH AND HUMAN SERVICES**
   a. Consider Application for Outdoor Mass Gathering Permit for Hornings Hideout *This item has been removed from the agenda.*

8. **PUBLIC HEARING  SUPPORT SERVICES**
a. Adopt the County Fee Schedule for Fiscal Year 2005-06  
(PDF, 46K)  

9. PUBLIC HEARING  SERVICE DISTRICT FOR LIGHTING NO. 1  

a. Approve Changes and Establish New Maximum Annual  
Assessments for Fiscal Year 2005-2006 (All CPOs)  
(PDF, 112K)  

10. COUNTY COUNSEL  

a. Introduction and First Reading of Proposed Ordinance No. 641  
An Ordinance Amending Washington County Code Chapter 8.24 (Noise  
Control)  
(PDF, 129K)  

11. ORAL COMMUNICATION  

12. BOARD ANNOUNCEMENTS  

13. ADJOURNMENT  

CONSENT AGENDA  

APPROVAL OF MINUTES  

June 7, 2005  
(PDF, 71K)  

CLEAN WATER SERVICES  

a. Award the Contract for the Gaston Pump Station Upgrade Project to  
the Lowest Responsible Bidder  
(PDF, 18K)  

b. Authorize General Manager to Sign Fiscal Year 2006 Property and  
Casualty Insurance Policy  
(PDF, 18K)  

c. Award Master Agreement for the Rock Creek Facility Plan to  
Carollo Engineers, P.C., and Approve First Amendment  
(PDF, 19K)  

LAND USE AND TRANSPORTATION
<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>d.</td>
<td>Approve Bid Award and Authorize Road Closure for Timber Road Bridge at Beaver Creek near Strassel Road (CPO 14)</td>
<td>111</td>
</tr>
<tr>
<td>e.</td>
<td>Adopt New Procedures for the Neighborhood Streets Program (All CPOs)</td>
<td>115</td>
</tr>
<tr>
<td>f.</td>
<td>Adopt Fiscal Year 2005-2006 Budgets for Road Maintenance Local Improvement District (MLID) (All CPOs)</td>
<td>137</td>
</tr>
<tr>
<td>g.</td>
<td>Approve Establishment of a Road Maintenance Local Improvement District (MLID) for Premier Estates (CPO 6)</td>
<td>141</td>
</tr>
<tr>
<td>h.</td>
<td>County Administrative Office: Adopt Resolution Approving Acquisition by the State of Oregon of 66 Acres in Western Washington County</td>
<td>155</td>
</tr>
<tr>
<td>i.</td>
<td>County Counsel: Approve County Counsel Salary Adjustment</td>
<td>161</td>
</tr>
<tr>
<td>j.</td>
<td>Community Corrections: Approve the 2005-07 Community Corrections Plan and Related Agreement for State Funding</td>
<td>163</td>
</tr>
<tr>
<td>k.</td>
<td>Community Development: Approve Agreement with City of Beaverton for HOME-Funded Housing Rehabilitation Program</td>
<td>165</td>
</tr>
<tr>
<td>l.</td>
<td>Approve 2005-06 HOME Community Housing Development Organization Operating Agreements</td>
<td>167</td>
</tr>
<tr>
<td>m.</td>
<td>Approve HOME Agreement for Gateway Commons Apartments Limited Partnership for Gateway Commons Apartment Project</td>
<td>169</td>
</tr>
</tbody>
</table>
n. Approve HOME Consortium Agreement with Cities of Beaverton and Hillsboro (PDF, 18K)

COOPERATIVE LIBRARY SERVICES

o. Approve Public Library Services Agreement Payments for Fiscal Year 2005-06 to Cooperative Libraries (All CPOs) (PDF, 9K)
p. Approve Agreement with City of Beaverton for Provision of Countywide Telephone Reference Service (All CPOs) (PDF, 9K)

HEALTH AND HUMAN SERVICES

q. Approve Funding Recommendations for Services to Children, Youth and Their Families; Award Contracts to Service Providers (PDF, 14K)
r. Grant Authorization to Execute Contract to Provide Outpatient Gambling Treatment Services (PDF, 9K)
s. Approve Contract Amendment with Prison Health Services (PDF, 8K)
t. Accept Agreement with the State Health Division for Funding to Provide Public Health Services in Washington County (PDF, 9K)
u. Grant Waiver/Authorization to Execute Contracts to Provide Child and Family Outpatient Addiction Treatment Services (PDF, 12K)
v. Approve Contracts with Community Agencies to Provide Addiction Treatment Services for Adults (PDF, 10K)
w. Approve Contract Amendment with Oregon Health Sciences University for CaCoon Project which Provides Services to Children with Special Needs (PDF, 9K)

JUVENILE

x. Approve Agreement with the State of Oregon for Juvenile Crime Prevention and Diversion of Youth from Correctional Facilities (PDF, 9K)
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<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>y.</td>
<td>Amend Agreement with Multnomah County for Detention Services (PDF, 9K)</td>
<td>199</td>
</tr>
<tr>
<td>z.</td>
<td>Approve Agreement with the Oregon Youth Authority for Individualized Services to Youth (PDF, 9K)</td>
<td>201</td>
</tr>
</tbody>
</table>

**SHERIFF'S OFFICE**

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>aa.</td>
<td>Approve Contract with City of Banks for County Delivery of Law Enforcement Services (PDF, 18K)</td>
<td>203</td>
</tr>
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**SUPPORT SERVICES**

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<td>bb.</td>
<td>Authorize Purchase Orders for Automotive and Equipment Repair, Maintenance and Parts (PDF, 11K)</td>
<td>205</td>
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<td>cc.</td>
<td>Authorize Purchase Orders for Miscellaneous Vehicle Acquisitions (PDF, 13K)</td>
<td>207</td>
</tr>
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<td>dd.</td>
<td>Authorize Purchase Orders for Traffic Paint Department of Land Use and Transportation, Operations Division (PDF, 9K)</td>
<td>209</td>
</tr>
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<td>ee.</td>
<td>Authorize Purchase Orders for Copier and Printer Paper (PDF, 9K)</td>
<td>211</td>
</tr>
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<td>ff.</td>
<td>Authorize Purchase Orders for Cooperative Library Circulation Materials and Annual Reference Resource Subscriptions (PDF, 9K)</td>
<td>213</td>
</tr>
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<td>Authorize Purchase Orders for Law Library Circulation Materials (PDF, 9K)</td>
<td>215</td>
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<td>hh.</td>
<td>Accept Proposal/Award Contract for Remote Location Monitoring Services for the Sheriffs Office (PDF, 11K)</td>
<td>217</td>
</tr>
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<td>ii.</td>
<td>Authorize Purchase Orders for Miscellaneous Medications for the Department of Health and Human Services (PDF, 9K)</td>
<td>219</td>
</tr>
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<td>jj.</td>
<td>Approve Amendment to Contract for Divorce Transition Services (PDF, 9K)</td>
<td>221</td>
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<td>Approve Contract Amendment for Elementary - Middle School Transition Project (PDF, 9K)</td>
<td>223</td>
</tr>
</tbody>
</table>
ll. Approve Contract Amendment for Juvenile Day Reporting Services (PDF, 9K)
nm. Approve Contract Amendment for Student Resource Program (PDF, 9K)
nn. Approve Amendment to Positive Youth Development/After School Program Contracts (PDF, 9K)
oo. Approve Resolution and Order Adopting the Fiscal Year 2005-06 Pay Plan Incorporating Pay Adjustments for Certain Represented and Non-Represented Classifications (PDF, 20K)

Board of Commissioners
Meeting Calendar

Tuesday, June 21, 2005
Worksession - 8:30 a.m.
Board Meeting - 10:00 a.m.

Tuesday, June 28, 2005
Worksession - 2:00 p.m.
Board Meeting - 6:30 p.m.

Thursday, July 5, 2005
Meeting Canceled

Tuesday, June 12, 2005
Extended Worksession - 8:30 a.m.

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