WASHINGTON COUNTY
BOARD OF COMMISSIONERS
WORKSESSION

ROOM 140
PUBLIC SERVICES CENTER
FEBRUARY 5, 2008

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.  Clean Water Advisory Commission (CWAC) Home Builder Application
Review
   - Mark Jockers, Clean Water Services
(10 min)

9:15 a.m.  3.  Disability, Aging and Veteran Services Strategic Plan
   - Jeff Hill, Aging and Veteran Services and David Nardone, Aging and
   Veteran’s Services Advisory Council
(20 min)

9:35 a.m.  4.  Verizon as it Relates to Utility Relocation at 197th Avenue and
   Alexander Street
   - Greg Miller, Land Use and Transportation
(10 min)
HOUSING AUTHORITY BOARD OF DIRECTORS

1. CONSENT AGENDA
   Approval of Minutes – January 8, 2008
   a. Accept Fiscal Year 2006-07 Housing Authority Annual Financial Report (CPO All)
   b. ADA Remodel for Public Housing (CPO All)

2. ORAL COMMUNICATION (2-Minute Opportunity)

3. ORAL COMMUNICATION (10-Minute Opportunity)
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. **PRESENTATION**

   a. Overview of Washington County Visitors Association Strategic Plan for Tourism Development

4. **BOARDS AND COMMISSIONS**

   a. Appoint Members to the County Budget Committee (CPO All)
   b. Appoint Members to the Land Use Ordinance Advisory Commission (LUCOAC) (CPO All)

5. **PUBLIC HEARING – LAND USE AND TRANSPORTATION**

   a. Third Reading and First Public Hearing of Proposed Ordinance No. 688; an Ordinance Adopting a New Process for Review of Claims Under Measure 49 (CPO All)
   b. Consider the Annexation of 79 Parcels Encompassing Approximately 66.38 Acres to the Tualatin Hills Park & Recreation District (WA-3907) (CPOs 1, 6, 7)

6. **PUBLIC HEARING - ENHANCED SHERIFF’S PATROL DISTRICT**

   a. Establish Election Date, Adopt ESPD Local Option Levy Ballot Title and Explanatory Statement (All CPOs)

7. **LAND USE AND TRANSPORTATION**

   a. Authority to File Ordinance Establishing Requirements for Site Development Grading (All CPOs)
   b. Order Utility Relocation at 197th Avenue and Alexander Street (CPO 6)
c. Authorize Filing of Ordinances to Amend and Increase Traffic Impact Fee (TIF) (CPO All)
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9. BOARD ANNOUNCEMENTS

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f. Award Contract for Purchase of Sewer Jetter Truck to HCS Group, LLC 93
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COMMISSIONER DISTRICTS
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OTHER COUNTY AND CWS CONTACTS

<table>
<thead>
<tr>
<th>Contact</th>
<th>Phone</th>
<th>Contact</th>
<th>Phone</th>
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</thead>
<tbody>
<tr>
<td>Robert Davis, County Administrator</td>
<td>846-8685</td>
<td>Don Bohn, Assistant County Administrator</td>
<td>846-8685</td>
</tr>
<tr>
<td>District Attorney, Robert Hermann</td>
<td>846-8671</td>
<td>Health &amp; Human Services, Rod Branyan</td>
<td>846-4402</td>
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<tr>
<td>Including Animal Services, Disability, Aging</td>
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<td>and Veterans Services</td>
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<tr>
<td>Auditor, Alan Percell</td>
<td>846-8798</td>
<td>Housing Services, Susan Wilson</td>
<td>846-4794</td>
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<td>Community Corrections, John Hartner</td>
<td>846-3400</td>
<td>Juvenile, Joseph Christy</td>
<td>846-8861</td>
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<td>Community Development, Peggy Linden</td>
<td>846-8814</td>
<td>Land Use and Transportation, Kathy Lehtola,</td>
<td>846-4530</td>
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<td></td>
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<td>Director</td>
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<tr>
<td>Cooperative Library, Eva Calcagno</td>
<td>846-3222</td>
<td>Sheriff, Rob Gordon</td>
<td>846-2700</td>
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<td>County Counsel, Dan Olsen</td>
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<td>Support Services, Don Bohn</td>
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<td>Clean Water Services</td>
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<tr>
<td>William Gaffi, General Manager</td>
<td>681-3600</td>
<td>Robert Cruz, Deputy General Manager</td>
<td>681-3602</td>
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<tr>
<td>Jerry Linder, General Counsel</td>
<td>681-3645</td>
<td>Mark Jockers, Government and Public Affairs</td>
<td>681-4450</td>
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<tr>
<td></td>
<td></td>
<td>Manager</td>
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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, February 5, 2008**
Worksession – 8:30 a.m.
Board Meeting – 10:00 a.m.

**Tuesday, February 12, 2008**
Extended Worksession – 8:30 a.m.
Jail Inspection – 11:00 a.m.

**Tuesday, February 19, 2008**
Worksession – 8:30 a.m.
Board Meeting – 10:00 a.m.

**Tuesday, February 26, 2008**
Worksession – 2:00 p.m.
Board Meeting – 6:30 p.m.
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2. ORAL COMMUNICATION (Two Minutes Per Individual; Ten Minutes Total)

3. ORAL COMMUNICATION (10 Minute Opportunity)

4. BOARD OF DIRECTORS ANNOUNCEMENTS

5. ADJOURNMENT
The following easements are necessary to provide sanitary and water quality preservation and storm and surface water drainage service in Clean Water Services’ service district:

**I. SANITARY SEWER EASEMENT**

<table>
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<tr>
<th>PROPERTY OWNER</th>
<th>PROJECT</th>
<th>AREA</th>
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<tbody>
<tr>
<td>Arne A. &amp; Janet K. Larsen</td>
<td>Project No. 6197</td>
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<td>$1,317.19</td>
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**II. EASEMENT FOR WATER QUALITY PRESERVATION AND STORM AND SURFACE WATER DRAINAGE**

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<td>Lanphere Enterprises, Inc.</td>
<td>Project No. 9216</td>
<td>7,504 sf</td>
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<tr>
<td>Lanphere Enterprises, Inc.</td>
<td>Project No. 9216</td>
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<tr>
<td>Lanphere Enterprises, Inc.</td>
<td>Project No. 9216</td>
<td>21,473 sf</td>
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**FISCAL IMPACT:** $1,317.19

Budget Info: 101.062.8224.55220 (Project No. 6197)

**REQUESTED ACTION:** Acquire easements necessary to provide sanitary and water quality preservation and storm and surface water drainage service in Clean Water Services' service district.
BEFORE THE BOARD OF DIRECTORS OF CLEAN WATER SERVICES

In the Matter of Acquisition of Easements Needed for District Purposes.

The above-entitled matter came before the Board of Directors of Clean Water Services (Board) at its regular meeting of February 5, 2008; and

It appearing to the Board that Clean Water Services (District) requires certain easements to provide sanitary and water quality preservation and storm and surface water drainage service in the District’s service district; and

It appearing to the Board that ORS 451.550 (3) and (4) give the Board the power to acquire easements determined to be necessary and proper in the exercise of District purposes; and

It appearing to the Board that District representatives have secured from the property owner(s) named in Exhibit A, duly executed sanitary and water quality preservation and storm and surface water drainage easements, which recite therein an appropriate amount of consideration for acquisition of the easements; and

It appearing to the Board that these easements should be accepted and recorded, and the Board being fully advised in the premises and that the grantors thereof should be compensated for the easements granted thereby as provided in the easement documents and as set forth in Exhibit A; it is therefore

RESOLUTION AND ORDER

CLEAN WATER SERVICES
2550 S.W. Hillsboro Highway
Hillsboro, Oregon  97123-9379
Telephone (503) 681-3600 Fax (503) 681-3603
RESOLVED AND ORDERED that the easements granted by the property owner(s) named in Exhibit A to this Resolution and Order be, and hereby are, accepted by the Board of Directors of the District.

DATED this 5th day of February, 2008.

CLEAN WATER SERVICES
By its Board of Directors

______________________________
Chairman

______________________________
Recording Secretary
# EXHIBIT A

## I. SANITARY SEWER EASEMENT

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## II. EASEMENT FOR WATER QUALITY PRESERVATION AND STORM AND SURFACE WATER DRAINAGE

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**AGENDA**  
**CLEAN WATER SERVICES**  
**BOARD OF DIRECTORS**

<table>
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<th>Agenda Category:</th>
<th>Consent</th>
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<tr>
<td><strong>Agenda Title:</strong></td>
<td>RECEIVE CLEAN WATER SERVICES FISCAL YEAR 2006-07 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) AND RELATED DOCUMENTS</td>
</tr>
<tr>
<td><strong>Presented by:</strong></td>
<td>Bill Gaffi, General Manager (bcg )</td>
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**SUMMARY** (Attach Supporting Documents if Necessary)

Talbot, Korvola & Warwick LLP (TKW) completed its fifth year serving as the independent Certified Public Accounting firm for Clean Water Services (District) by auditing the District’s financial statements for the fiscal year ended June 30, 2007.

The District received the top audit opinion possible on its financial statements from TKW.

The financial statements were sent to the Oregon Secretary of State’s Division of Audits in December in compliance with Oregon state law. TKW’s management letter and the District’s responses are also available to District’s Board of Directors and the public.

Application has been made to the Government Finance Officers Association, in anticipation of qualifying for a Certificate of Achievement for Excellence in Financial Reporting Award on the District’s CAFR for the 21st consecutive year.

The CAFR is a primary component of the District’s ongoing initiatives and efforts to uphold the highest standards of financial credibility and integrity.

**FISCAL IMPACT:**  
None

**REQUESTED ACTION:**  

(A copy of the Audit Report and related documents are available at the Clerk’s desk.)

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<th>Agenda Item No.</th>
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<td>Date:</td>
<td>02/05/08</td>
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On August 28, 2007, Clean Water Services (District) Board of Directors (Board) awarded the contract for the Hillsboro Facility Biotower and Pump Station Demolition Project (Project) to RC Landworks, Inc. by (Minute Order No. CWS 07-81).

The original contract amount was $202,000. One Change Order was approved that decreased the contract amount by $5,066.00, resulting in an actual Project cost of $197,833.10. There are no outstanding claims or other unresolved issues in connection with this Project. Staff recommends the Board accept the Project as complete and authorize release of retainage to RC Landworks, Inc. in the amount of $9,345.

FISCAL IMPACT: N/A
Budget Information: 112.52240.6317.

REQUESTED ACTION: Accept the Hillsboro Facility Biotower and Pump Station Demolition Project as complete and authorize release of retainage to RC Landworks, Inc. in the amount of $9,345.
AGENDA
CLEAN WATER SERVICES
BOARD OF DIRECTORS

Agenda Category: Consent

ACCEPT NYBERG PUMP STATION UPGRADE PROJECT (PROJECT NO. 6070) AS FINAL AND RELEASE RETAINAGE TO STETTLER SUPPLY COMPANY

Presented by: Bill Gaffi, General Manager (tr)

SUMMARY (Attach Supporting Documents if Necessary)

On October 24, 2006, Clean Water Services (District) Board of Directors (Board) awarded the contract for construction of the Nyberg Pump Station Upgrade Project (Project) to Stettler Supply Company (Stettler) by Minute Order No. CWS 06-90.

The original contract amount was $658,702. One Change Order (No. 1) was approved that increased the contract amount by $9,375, resulting in a final Project cost of $668,077. The cost items in Change Order No. 1 were due to changed conditions, clarifications to the Contract documents, and District-requested enhancements.

There are no outstanding claims or other unresolved issues in connection with this Project. Staff recommends the Board accept the Project as complete and authorize release of retainage to Stettler in the amount of $33,404.

FISCAL IMPACT: N/A
Budget Information: 112.0.0.52240 (Project No. 6070)

REQUESTED ACTION: Accept the Nyberg Pump Station Upgrade Project as final and authorize release of retainage to Stettler Supply Company in the amount of $33,404.

Agenda Item No. 1.d.
Date: 2/05/08
AGENDA
CLEAN WATER SERVICES
BOARD OF DIRECTORS

Agenda Category: Consent

Agenda Title: APPROVE SECOND AMENDMENT TO THE AGREEMENT FOR PURCHASE OF BARE ROOT NATIVE PLANT SUPPLY WITH SARA KRAL, DBA SCHOLLS VALLEY NATIVE NURSERY

Presented by: Bill Gaffi, General Manager (pg)

SUMMARY (Attach Supporting Documents if Necessary)

In 2004, Clean Water Services (District) issued a Request for Proposals (RFP) for Bare Root Native Plant Supply. Three nurseries requested the RFP, and the District received proposals from Brooks Tree Farm, Inc. and Sara Kral, dba Scholls Valley Native Nursery (Scholls Valley). District's Board of Directors (Board) awarded both companies three-year contracts on December 7, 2004 by Minute Order No. 04-111.

The original contract amount for the three-year period with Scholls Valley was for $365,700 (Contract). Under the terms of the Contract, the District has the right of first refusal concerning surplus stock until February 15th of each year. The additional plants are available at either contract prices or wholesale, whichever is lower.

The District’s native plant needs have increased dramatically over the past several years largely as a result of new permit requirements for temperature management. The plants have been utilized in Capital Improvement Projects, community based projects and in the implementation of ECREP projects in rural areas. While District staff anticipated increasing plant needs, the rate of increase has surpassed expectations as well as the quantities supplied by the District’s current three-year nursery contracts.

CONTINUED

FISCAL IMPACT: $20,496.71
Budget Information: Approved Capital Projects

REQUESTED ACTION: Approve Second Amendment to the Agreement for Purchase of Bare Root Native Plant Supply with Sara Kral, dba Scholls Valley Native Nursery in the amount of $20,496.71 for the 2008 planting season.
(A copy of the Amendment is available at the Clerk’s desk.)
The Board approved a First Amendment to the Contract for the purchase of additional plants for the 2007 planting season in the amount of $85,760.61 on February 20, 2007. While the number of plants required for District projects in 2008 is significantly lower than in 2007 (approximately 350,000, compared to over 600,000), plant needs exceed contract total by 51,465 plants.

Amending the current Contract with Scholls Valley will help the District meet its native plant needs and, therefore, its permit obligations for 2008. District staff requests the Board approve the Second Amendment to the Agreement for Purchase of Bare Root Native Plant Supply with Scholls Valley in the amount of $20,496.71 for the 2008 planting season.

The total Contract amount including the first and second amendments will be $471,957.32.
SUMMARY (Attach Supporting Documents if Necessary)

Clean Water Services (District) is responsible for cleaning sanitary sewer lines in unincorporated parts of its service area. Cleaning the lines on a regular basis is an important part of the District’s preventative maintenance plan as it decreases the incidence of sanitary sewer line blockages and helps prevent property damage.

The District currently owns and operates three Sewer Jetter Trucks that are used to clean sanitary sewer lines. One of these units has reached the end of its service life, which is based on criteria including repair, maintenance, and downtime costs as they relate to productivity.

Staff recently issued a request for proposals for the purchase of a Sewer Jetter Truck. HSC Group LLC was the sole proposer. The District also received two no-bid responses.

Staff recommends that the contract for the purchase of one Sewer Jetter Truck be awarded to HSC Group, LLC in the amount of $155,765.

FISCAL IMPACT: $155,765
Budget Information: Project 6303.0.0.55500

REQUESTED ACTION: Award a contract to purchase a Sewer Jetter Truck to HSC Group, LLC in the amount of $155,765.

(A copy of the Contract is available at the Clerk’s desk.)
AGENDA
CLEAN WATER SERVICES
BOARD OF DIRECTORS

Agenda Category: Consent

APPROVE SIXTH AMENDMENT TO THE MASTER CONTRACT FOR PROFESSIONAL SERVICES WITH CH2M HILL, INC. FOR NPDES PERMIT RENEWAL APPLICATION ASSISTANCE

Presented by: Bill Gaffi, General Manager (cll)

SUMMARY (Attach Supporting Documents if Necessary)

In preparation of the renewal application submittal for Clean Water Services' (District) watershed-based NPDES permit, District requires professional and technical services to: 1) assist with finalization of the Tualatin Basin temperature TMDL for submittal to DEQ, 2) provide modeling support for the review and update of the phosphorus TMDL, 3) provide technical assistance with the preparation of permit renewal application package elements regarding mass load increases and watershed enhancement projects, 4) evaluate wetland treatment instead of advanced tertiary treatment at the Forest Grove and Hillsboro Treatment Plants, and 5) provide various permit renewal project management activities.

District's Board of Directors (Board) approved a Master Contract for Wastewater Treatment Plant Engineering Services (Master Contract) with CH2M Hill, Inc. (CH2M) by Minute Order No. 05-82 on December 20, 2005. District seeks to have CH2M provide the above-described permit renewal application assistance because of their expertise and previous knowledge and assistance with District's watershed-based NPDES permit. District requests its Board approve the Sixth Amendment to CH2M's Master Contract for permit renewal assistance in the amount of $204,315.

FISCAL IMPACT: $204,315
Budget Information: 101.040.8210.52240

REQUESTED ACTION: Approve Sixth Amendment to Master Contract for Professional Services with CH2M Hill, Inc. for permit renewal assistance in the amount of $204,315.

(A copy of the Sixth Amendment is available at the Clerk's desk.)

Agenda Item No. 1.g.
Date: 02/05/08
AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Land Use and Transportation (CPO 6)

Agenda Title: APPROVE BID AWARD AND EXECUTE CONTRACT FOR THE SW FARMINGTON ROAD - SW 170TH AVENUE TO SW KINNAMAN ROAD IMPROVEMENT PROJECT

Presented by: Dan Brown, Capital Project Management Manager

SUMMARY:

This project is part of the Washington County’s Major Streets Transportation Improvement Program (MSTIP) 3c. The project will involve construction of roadway widening on a 0.19 mile section of SW Farmington Road between SW 170th Avenue and SW Kinnaman Road. The roadway will be widened from three lanes to five lanes. New signals will be installed at the intersection of SW Farmington Road and SW Kinnaman Road.

This project will provide bike lanes, sidewalks, drainage, signals and illumination.

Construction bid opening is scheduled for Wednesday, January 23, 2008. Bid results will be presented to the Board at the February 5, 2008 meeting.

Attachment: Vicinity Map

DEPARTMENT’S REQUESTED ACTION:

Award the construction contract to the lowest responsive bidder and authorize execution of the contract upon completion of the County’s contract review process.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No. 1.h.

168-605005
SUMMARY:

This project is funded using County wide Traffic Impact Fees (TIF). The project will install new traffic signals on SW Beef Bend Road at the SW 131st Avenue intersection. This project will provide new traffic signals, cross-walks, sidewalk, and curb ramp modifications.

Construction bid opening is scheduled for Wednesday, January 23, 2008. Bid results will be presented to the Board at the February 5, 2008 meeting.

Attachment: Vicinity Map

DEPARTMENT’S REQUESTED ACTION:

Award the construction contract to the lowest responsive bidder and authorize execution of the contract 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**

**Agenda Category:** Consent – Land Use and Transportation (CPO 11,12,14)

**Agenda Title:** APPROVE WORK ORDER CONTRACT 4.0 FOR PROFESSIONAL SERVICES WITH CH2M HILL FOR MARTIN - CORNELIUS SCHEFFLIN CORRIDOR: PHASE 3 REALIGNMENT PROJECT

**Presented by:** Dan Brown, Capital Project Management Manager

### SUMMARY:

This project is part of the Washington County Major Streets and Transportation Improvement Program 3 (MSTIP 3) approved by Washington County voters in May 1995. On June 23, 1998, by MO #98-280, the Board authorized funding and approved the schedule for the MSTIP 3 Program.

On September 27, 2005, by MO 05-340, the Board approved a multi-year Professional Services Agreement for Roadway Engineering Services with CH2M Hill. A Work Order Contract (WOC) for engineering work with fees that exceed $250,000 requires Board approval.

The purpose of this project is to continue the improvements to the route from Forest Grove and Cornelius to Highway 26 at North Plains. Phase 1 consisted of the straightening of a series of “S” curves in Martin Road. Phase 2 constructed modern roundabouts at the intersections of Verbort Road with Cornelius-Schefflin Road and Verbort Road with Martin Road.

Attachment: Vicinity Map

### DEPARTMENT’S REQUESTED ACTION:

Approve WOC 4.0 with CH2M Hill for $952,233 upon completion of the County's contract review process.

### COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.
CH2M Hill has completed the preliminary design of this project. This project (Phase 3) involves Segments “A” and “E” of the corridor as shown on the attached vicinity map.

CH2M Hill is the consultant selected to do the engineering services for this project based on their knowledge and familiarity with the project and the resources available to complete the work in a timely manner.

Fiscal Impact:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Budget (MSTIP)</td>
<td>$9,767,562</td>
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<tr>
<td>Expenditures to date</td>
<td>&lt;$2,598,468&gt;</td>
</tr>
<tr>
<td>Encumbrances</td>
<td>&lt;$0&gt;</td>
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<tr>
<td>Proposed WOC 4.0</td>
<td>&lt;$952,233&gt;</td>
</tr>
<tr>
<td>Balance Available</td>
<td>$6,216,861</td>
</tr>
</tbody>
</table>

Staff has negotiated the scope of services and costs to provide construction-engineering services for this project. WOC 4.0 is in the amount of $952,233. No sub-consultants are anticipated to be utilized on this project.
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Land Use and Transportation (CPO 11,12,14)

Agenda Title: APPROVE WORK ORDER CONTRACT 5.0 WITH CH2M HILL FOR CORNELIUS SCHEFFLIN BRIDGE AT COUNCIL CREEK PROJECT

Presented by: Dan Brown, Capital Project Management Manager

SUMMARY:

The 2003 Oregon Transportation Investment Act (OTIA III, Enrolled House Bill 2041), provides funding for local bridge replacement projects selected by the Oregon Transportation Commission (OTC).

On March 3, 2004, the OTC selected seven local bridges within Washington County (County) for funding. Washington County bridge #671304 Council Creek on Cornelius Schefflin Road was one of the bridges selected for funding.

This project will replace the Cornelius Schefflin Road bridge over Council Creek.

CH2M Hill is the consultant selected to do the engineering services for this project based on their knowledge and familiarity with the project and the resources available to complete the work in a timely manner.

(continued)

Attachment: Vicinity Map

DEPARTMENT’S REQUESTED ACTION:

Approve work order contract (WOC) 5.0 with CH2M Hill for $611,209 and authorize its execution upon completion of the County's contract review process.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No. 1.k. Date: 02/05/08

168-605005
Approve Work Order Contract 5.0 with CH2M Hill for Cornelius Schefflin Bridge at Council Creek Project
BCC 02/05/08

Fiscal Impact:

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<td>Proposed WOC 5.0</td>
<td>$ &lt; 611,209</td>
</tr>
<tr>
<td>Balance Available</td>
<td>$ 6,453,186</td>
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</table>

Staff has negotiated the scope of services and cost to provide Engineering Services for this project. WOC 5.0 is in the amount of $611,209.

There are no sub-consultants associated with this amendment.
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Department of Land Use & Transportation  CPO 1, 6, 7, 3

Agenda Title: AUTHORIZE SIGNING IGA WITH BEAVERTON SCHOOL DISTRICT FOR PUBLIC ASSURANCES

Presented by: Mark Brown, Land Development Manager, Loretta Skurdahl, Sr. Assistant County Counsel

SUMMARY (Attach Supporting Documents if Necessary)

The Community Development Code (CDC), Sect. 207-5.4 requires a financial assurance for the construction of public improvements that result from conditions of approval in a land use decision. The required assurance must be a “bond, cash deposit or other security acceptable to the Review Authority”. The Beaverton School District has proposed to use the “…other security acceptable to the Review Authority”, and act as their own assurance provider. Their proposal is to maintain the amount required by their public improvement contracts in their own accounts, and provide those amounts as payments to the County if called upon to do so as a result of a failure to complete a public improvement.

The Department has reviewed the proposed IGA and discussed this method of assurance with Counsel and finds that it is an acceptable form of assurance.

Copy of the IGA will be available at the Clerk’s desk.

DEPARTMENT’S REQUESTED ACTION:
Authorize signing the IGA 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: 02/05/08
AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Land Use and Transportation

Agenda Title: ESTABLISH THE ROAD IN KAISER GARDENS SUBDIVISION, AS COUNTY ROAD NO. 3251

Presented by: Gregory S. Miller, County Engineer

SUMMARY: (Attach Supporting Documents if Necessary)

The road in the subdivision of KAISER GARDENS is a new road that has been constructed in accordance with approved plans and specifications meeting County Standards. Final inspections have been made and all improvements were found to meet specifications. The inspector’s reports are on file.

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 subdivision initiated after May 19, 1987. Resolution and Order No. 06-122 established an MLID.

As the Board is aware, MLIDs and their assessments will continue to be established for administrative purposes only. There will be no assessments as the Urban Road Maintenance District is funded as a result of Ballot Measure 50, unless otherwise ordered by the Board.

A Resolution and Order has been prepared establishing the road contained in this subdivision, as a County Road.

Attachments: 1. Resolution and Order
               2. Map

DEPARTMENT’S REQUESTED ACTION:

Establish the road in the subdivision of KAISER GARDENS as County Road No. 3251.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.
IN THE BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

In the Matter of Establishing County Road )  RESOLUTION AND ORDER
No. 3251, the Road in KAISER GARDENS )  NO. _______________
A subdivision in the Northeast One-quarter )  C.R. NO. 3251
Of Section 29, T1N, R1W, Willamette )
Meridian. )

This matter having come on regularly before the Board at its meeting of February 5, 2008; and

It appearing to the Board that pursuant to ORS 368.016(2)(C), this is the time and place that the Board may establish the following as a County Road:

“NW 148th Place, as shown on the duly recorded plat of KAISER GARDENS”

; and

It appearing to the Board that on the 1st day of June, 2006, a map and plat of KAISER GARDENS, a subdivision of record in the unincorporated area of Washington County, Oregon, was presented to this Board and the road marked thereon was offered for dedication to the public; and

It appearing to the Board that said map and plat were accepted and approved by the Board on the 1st day of June, 2006, and also by the following County officer or bodies: Department of Land Use and Transportation, County Surveyor and County Assessor; and that on the 1st day of June, 2006, the same was filed and recorded with the County Clerk, thereby dedicating to the public the road described therein; and

It appearing to the Board that the road as designated in the aforesaid plat, is dedicated thereby, as hereinabove described; and

It appearing to the Board that Randy D. White and Patricia A. White, developers, have constructed the road improvements in KAISER GARDENS in accordance with approved plans and specifications and that a final inspection was done on November 16, 2006 by Washington County and said improvements were found to meet specifications; and

It appearing to the Board that all the files and records in this matter were submitted to the Director of Land Use and Transportation for the Director’s inspection and were thereafter approved by the Director; now, therefore, it is hereby


RESOLVED AND ORDERED that the aforesaid road is expressly accepted and established as a County Road of Washington County, Oregon and hereafter designated as County Road No. 3251; and it is further

RESOLVED AND ORDERED that this order be entered in the Journal of this Board; and it is further

RESOLVED AND ORDERED that the County Surveyor for Washington County is hereby directed to memorialize this act on the plats and records of Washington County, Oregon.

DATED this 5th day of February, 2008.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

________________________
Chairperson

________________________
Recording Secretary

Approved as to form

/s/ Dan R. Olsen
Chief Assistant County Counsel
Date: August 31, 1995

Page 2 - R&O No. Establishment of C.R. No. 3251
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Land Use and Transportation CPO 6

Agenda Title: ESTABLISH THE ROADS IN COOPER MOUNTAIN ESTATES SUBDIVISION, AS COUNTY ROAD NO. 3252

Presented by: Gregory S. Miller, County Engineer

SUMMARY: (Attach Supporting Documents if Necessary)

The roads in the subdivision of COOPER MOUNTAIN ESTATES are new roads that have been constructed in accordance with approved plans and specifications meeting County Standards. Final inspections have been made and all improvements were found to meet specifications. The inspector’s reports are on file.

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 subdivision initiated after May 19, 1987. Resolution and Order No. 06-261 established an MLID.

As the Board is aware, MLIDs and their assessments will continue to be established for administrative purposes only. There will be no assessments as the Urban Road Maintenance District is funded as a result of Ballot Measure 50, unless otherwise ordered by the Board.

A Resolution and Order has been prepared establishing the roads contained in this subdivision, as a County Road.

Attachments: 1. Resolution and Order
2. Map

DEPARTMENT’S REQUESTED ACTION:

Establish the roads in the subdivision of COOPER MOUNTAIN ESTATES as County Road No. 3252.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.
IN THE BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

In the Matter of Establishing County Road No. 3252, the Roads in COOPER MOUNTAIN ESTATES, a subdivision in the Northeast One-quarter of Section 25 T1S, R2W, Willamette Meridian.

RESOLUTION AND ORDER
NO. C.R. NO. 3252

This matter having come on regularly before the Board at its meeting of February 5, 2008; and

It appearing to the Board that pursuant to ORS 368.016(2)(C), this is the time and place that the Board may establish the following as a County Road:

“SW Hayden Drive, SW 187th Avenue and SW 186th Avenue, as shown on the duly recorded plat of COOPER MOUNTAIN ESTATES”

; and

It appearing to the Board that on the 26th day of January, 2007, a map and plat of COOPER MOUNTAIN ESTATES, a subdivision of record in the unincorporated area of Washington County, Oregon, was presented to this Board and the roads marked thereon were offered for dedication to the public; and

It appearing to the Board that said map and plat were accepted and approved by the Board on the 26th day of January, 2007, and also by the following County officer or bodies: Department of Land Use and Transportation, County Surveyor and County Assessor; and that on the 29th day of January, 2007, the same was filed and recorded with the County Clerk, thereby dedicating to the public the roads described therein; and

It appearing to the Board that the roads, as designated in the aforesaid plat, are dedicated thereby, as hereinabove described; and

It appearing to the Board that Centex Homes, a Nevada General Partnership, developer, has constructed the road improvements in COOPER MOUNTAIN ESTATES in accordance with approved plans and specifications and that a final inspection was done on July 10, 2007 by Washington County and said improvements were found to meet specifications; and

It appearing to the Board that all the files and records in this matter were submitted to the Director of Land Use and Transportation for the Director’s inspection and were thereafter approved by the Director; now, therefore, it is hereby
RESOLVED AND ORDERED that the aforesaid roads are expressly accepted and established as a County Road of Washington County, Oregon and hereafter designated as County Road No. 3252; and it is further

RESOLVED AND ORDERED that this order be entered in the Journal of this Board; and it is further

RESOLVED AND ORDERED that the County Surveyor for Washington County is hereby directed to memorialize this act on the plats and records of Washington County, Oregon.

DATED this 5th day of February, 2008.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

____________________________
Chairperson

____________________________
Recording Secretary

Approved as to form

/s/ Dan R. Olsen
Chief Assistant County Counsel
Date: ___ August 31, 1995

Page 2 - R&O No.____________
Establishment of C.R. No. 3252
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Land Use and Transportation CPO 6

Agenda Title: ESTABLISH THE ROADS IN WOOD HOLLOW SUBDIVISION, AS COUNTY ROAD NO. 3253

Presented by: Gregory S. Miller, County Engineer

SUMMARY: (Attach Supporting Documents if Necessary)

The roads in the subdivision of WOOD HOLLOW are new roads that have been constructed in accordance with approved plans and specifications meeting County Standards. Final inspections have been made and all improvements were found to meet specifications. The inspector’s reports are on file.

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 subdivision initiated after May 19, 1987. Resolution and Order No. 07-146 established an MLID.

As the Board is aware, MLIDs and their assessments will continue to be established for administrative purposes only. There will be no assessments as the Urban Road Maintenance District is funded as a result of Ballot Measure 50, unless otherwise ordered by the Board.

A Resolution and Order has been prepared establishing the roads contained in this subdivision, as a County Road.

Attachments: 1. Resolution and Order
               2. Map

DEPARTMENT’S REQUESTED ACTION:

Establish the roads in the subdivision of WOOD HOLLOW as County Road No. 3253.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No. 1.o.
Date: 02/05/08
IN THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

In the Matter of Establishing County Road No. 3253, the Roads in WOOD HOLLOW, A subdivision in the Northwest One-Quarter of Section 18, T1S, R1W, Willamette Meridian.

RESOLUTION AND ORDER NO. ______________________

C.R. NO. 3253

This matter having come on regularly before the Board at its meeting of February 5, 2008; and

It appearing to the Board that pursuant to ORS 368.016(2)(C), this is the time and place that the Board may establish the following as a County Road:

“SW Yeager Lane, SW Robert Lane and SW 177th Avenue, as shown on the duly recorded plat of WOOD HOLLOW, and excluding tract “C”of said plat”

; and

It appearing to the Board that on the 8th day of August, 2007, a map and plat of WOOD HOLLOW, a subdivision of record in the unincorporated area of Washington County, Oregon, was presented to this Board and the roads marked thereon were offered for dedication to the public; and

It appearing to the Board that said map and plat were accepted and approved by the Board on the 8th day of August, 2007, and also by the following County officer or bodies: Department of Land Use and Transportation, County Surveyor and County Assessor; and that on the 10th day of August, 2007, the same was filed and recorded with the County Clerk, thereby dedicating to the public the roads described therein; and

It appearing to the Board that the roads, as designated in the aforesaid plat, are dedicated thereby, as hereinabove described; and

It appearing to the Board that Aloha Glen LLC, an Oregon Limited Liability Company, and Michael Johnson and Lynelle Johnson, developers, have constructed the road improvements in WOOD HOLLOW in accordance with approved plans and specifications and that a final inspection was done on August 17, 2007 by Washington County and said improvements were found to meet specifications; and

It appearing to the Board that all the files and records in this matter were submitted to the Director of Land Use and Transportation for the Director’s inspection and were thereafter approved by the Director; now, therefore, it is hereby
RESOLVED AND ORDERED that the aforesaid roads are expressly accepted and established as a County Road of Washington County, Oregon and hereafter designated as County Road No. 3253; and it is further

RESOLVED AND ORDERED that this order be entered in the Journal of this Board; and it is further

RESOLVED AND ORDERED that the County Surveyor for Washington County is hereby directed to memorialize this act on the plats and records of Washington County, Oregon.

DATED this 5th day of February, 2008.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

______________________________
Chairperson

______________________________
Recording Secretary

Approved as to form

/s/ Dan R. Olsen
Chief Assistant County Counsel
Date: August 31, 1995

Page 2 - R&O No. Establishment of C.R. No. 3253
AGENDA  
WASHINGTON COUNTY BOARD OF COMMISSIONERS

**Agenda Category:** Consent – LUT/Maintenance Local Improvement District (CPO 3)

**Agenda Title:** APPROVE ESTABLISHMENT OF A ROAD MAINTENANCE LOCAL IMPROVEMENT DISTRICT (MLID) FOR STEWART CROSSING

**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>Subdivision</th>
<th>No. Lots</th>
<th>Maximum Annual Assessment Per Lot</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>STEWART CROSSING</td>
<td>7</td>
<td>$95.70</td>
<td>$669.90</td>
</tr>
</tbody>
</table>

**Attachments:**  
1. Resolution and Order  
2. Assessment and Vicinity Map-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.

Agenda Item No. 1.p.

Program Code: 168-606005

Date: 2/05/08
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 STEWART CROSSING sub-division.

This matter having come before the Board at its meeting of February 5, 2008: 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 STEWART CROSSING 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 STEWART CROSSING 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 $95.70 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 imposed 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 $95.70 for each lot, that the assessment roll described in Exhibit E 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 5th day of February, 2008.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

__________________________
Chairman

__________________________
Recording Secretary
PROJECT DESCRIPTION

The road maintenance local improvement district (MLID) provides for ongoing maintenance and repair of local streets serving the STEWART CROSSING 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>
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<th>Maximum Annual Assessment</th>
<th>Total Cost</th>
<th>Total Assessment</th>
<th>Per Lot Assessment</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>$669.90</td>
<td>$669.90</td>
<td>$95.70 (7 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

**STEWART CROSSING**  
ROAD MAINTENANCE LOCAL IMPROVEMENT DISTRICT

<table>
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<th>OWNER NAME/ADDRESS</th>
<th>LEGAL DESCRIPTION</th>
<th>MAXIMUM ANNUAL ASSESSMENT</th>
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<tr>
<td>1S125AB-1100</td>
<td>Spectrum Development</td>
<td>STEWART CROSSING</td>
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<td></td>
<td>12703 SW 67th Avenue</td>
<td>*7 lots</td>
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<td></td>
<td>Tigard, OR 97223</td>
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</table>

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

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

Agenda Category:  Consent Agenda - Land Use and Transportation (CPO 8)

Agenda Title:  APPROVE EXTENDED CLOSURES ON POTTRATZ AND COCHRAN ROADS AND RESTRICTION ON MEACHAM BRIDGE

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

SUMMARY:

A significant rain storm in early December 2008 resulted in extensive damage to the subject roads and bridge. A culvert washout at milepost 3.5 of Cochran Road and a fill slope failure at milepost 0.5 of Pottratz Road have severely damaged the roads. Additionally, a pier washed out on the Meacham Road Bridge over Dairy Creek, requiring that the bridge be posted to a 10-ton weight limit. Refer to Exhibit A for a location map. Staff has been in contact with the primary property owners for the three areas, alerting them to the extended restrictions.

Repairs to restore the features to pre-flood conditions are anticipated, however they will require several months until completion. Under R&O 89-130, the Board must approve road closures and restrictions longer than thirty days. No residences are affected by the road closures, and there are no practical detours for the closures or the bridge weight limit.

Attachments:  Resolution and Order
Map, Exhibit A

DEPARTMENT’S REQUESTED ACTION:
Adopt the attached Resolution and Order restricting traffic on Cochran and Pottratz Roads and the Meacham Bridge.

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

Program Code:  168-606005
Date: 02/05/08
IN THE BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

In the Matter of Approving the Extended Closure  ) RESOLUTION AND ORDER
Of Pottratz and Cochrane Roads; Adopting Weight  ) No. ________________
Limit for Meacham Bridge.  )

The above-entitled matter came on regularly before the Board at its meeting of
February 5, 2008; and

It appearing to the Board that, pursuant to ORS 810.010 through 810.030, it is the Road Authority
and is authorized to impose such restrictions on county roads outside incorporated cities, as are
necessary to protect the interest and safety of the general public; and

It appearing to the Board that it has delegated such authority to the Director of the Department of
Land Use and Transportation pursuant to Resolution and Order No. 89-130, for restrictions not to
exceed thirty days, and

It appearing to the Board staff of the Department of Land Use and Transportation have reviewed
existing road conditions and have recommended closing Cochran and Pottratz Roads and placing a
10-ton weight limit on the Meacham Bridge for an extended period of time, to protect the roads and
the traveling public; now, therefore, it is hereby

RESOLVED AND ORDERED that the closures and restrictions shown on Exhibit A attached
hereto are hereby adopted, and that such restrictions shall remain in place until repairs to the roads
and the bridge can be completed; and it is further

RESOLVED AND ORDERED that the Department of Land Use and Transportation shall install
appropriate signs indicating the nature of any road and bridge restrictions and shall take such steps
as are necessary to implement the restrictions in this order.
DATED this 5th day of February, 2008.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

____________________
CHAIRMAN

____________________
RECORDING SECRETARY

Approved as to Form:

____________________
Sr. Asst. County Counsel

____________________
Date
SUMMARY (Attach Supporting Documents if Necessary)

This agenda item requests the Board’s consideration and acceptance of an Intergovernmental Agreement with the State Department of Justice in the amount of $260,185. The funds are being provided to assist the efforts of the District Attorney’s Office in providing representation of the state in juvenile dependency hearings.

The 2007 legislature acknowledged that DA’s Offices have been appearing in dependency proceedings for many years in support of the safety and welfare of children without dedicated state funding for those efforts. Hence, they appropriated funding for the 2007-09 biennium to encourage District Attorneys to increase their involvement in juvenile dependency proceedings or otherwise improve the quality of the juvenile dependency litigation programs in every county in Oregon. The funding provided through this intergovernmental agreement supports those activities.

For Washington County, these funds will be used to provide additional resources and personnel to increase involvement in, and improvement of, the quality of the DA’s role in dependency cases. To this end, a new 1.0 FTE Deputy DA IV position will be requested in the FY08-09 budget process. The District Attorney will invoice the Department of Justice quarterly for services provided and will document activities and submit reports as required through the agreement.

DEPARTMENT’S REQUESTED ACTION:
Upon completion of the contract review process, authorize the District Attorney to accept $260,184 through an Intergovernmental Agreement with the Department of Justice as described above.

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: APPROVE AMENDMENT TO THE COUNTY FINANCIAL ASSISTANCE CONTRACT TO PROVIDE HUMAN SERVICES

Presented by: Rod Branyan, Interim Director

SUMMARY (Attach Supporting Documents if Necessary)

The County Financial Assistance Contract (CFAC) between the State of Oregon and Washington County provides funding to support human services to residents of Washington County. The financial amounts in the agreement consist of awards for the two-year period 2007-2009 for Local Administration, Mental Health Services, Alcohol and Drug Services and Developmental Disability Services.

Amendments to the CFAC are specified through separate documents issued by the state during the term of the agreement.

Your Board approved the original CFAC on June 6, 2007 in the amount of $46,543,273 (MO# 07-186). Several amendments have been processed totaling $8,918,276. Additional amendments were recently received in the amount of $1,583,290, which exceeds 20% of the original agreement.

The Department requests your Board approve the amendments to the CFAC for a new contract total of $57,044,839.

DEPARTMENT’S REQUESTED ACTION:

The Department requests your Board approve the amendments to the County Financial Assistance Contract for a new contract total of $57,044,839.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No. 1.s.
Date: 2/5/08
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent Health and Human Services

Agenda Title: UPDATE LIST OF MENTAL HEALTH DIRECTOR DESIGNEES

Presented by: Rod Branyan, Interim Director

SUMMARY (Attach Supporting Documents if Necessary)

ORS 426.233 authorizes the Community Mental Health Director or designee to initiate a Peace Officer Custody and direct a peace officer to remove the person and take them to a hospital or nonhospital facility for a psychiatric evaluation. Designees must be Qualified Mental Health Professionals, be recommended by the Community Mental Health Program Director and be approved by the county governing body. Resignations and new hires require periodic adjustments to the approved list of designees.

<table>
<thead>
<tr>
<th>Washington County Employees</th>
<th>Mobile Crisis Team</th>
<th>Cascadia Behavioral Health</th>
</tr>
</thead>
<tbody>
<tr>
<td>Add</td>
<td>Add</td>
<td></td>
</tr>
<tr>
<td>None</td>
<td>Tina Hadley, M.A.</td>
<td>Rich Roell, M.S.W.</td>
</tr>
</tbody>
</table>

DEPARTMENT’S REQUESTED ACTION:

The Department requests that the Board approve the above change to the list of Director Designees for the stated purpose.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No. 1.t.
Date: 2/5/08
WATERLINE EASEMENT

PROJECT: Washington County Fairgrounds

SECTION: T 1 N, R 2 W, NE ¼ of Section 32

DATE PREPARED: 11/21/2007

AFTER RECORDING, RETURN TO:
CITY OF HILLSBORO, ENGINEERING DIVISION
150 EAST MAIN STREET
HILLSBORO, OR 97123

Washington County, a political subdivision of the State of Oregon, Grantor, for the sum of $1.00 (one Dollar) and other valuable consideration, hereby grants to the City of Hillsboro, Oregon (City), its successors and assigns, a permanent easement through, under and along the premises described on EXHIBIT "A", attached hereto, with the right to construct, maintain, replace, reconstruct and remove, a waterline, and all appurtenances thereto, and to cut and remove any trees or other obstructions, to perform other activities which may be convenient or necessary to complete construction of the project.

The City shall restore the premises and any buildings or improvements disturbed by the City to a condition equivalent to or better than that which existed prior to such disturbance, except for structures or other improvements placed within the easement area after this date. If such restoration is not practicable, the city shall then pay reasonable compensation to the owner of the damaged property.

Grantor reserves the right to use the premises at any time, in any manner and for any purpose not inconsistent with the full use and enjoyment by the City or by its successors and assigns, of the rights herein granted. No structure shall be erected upon, above or below the permanent easement without the written consent of the Water Department Director of the City of Hillsboro.

Dated this ______ day of ____________________________, 200_.

Washington County, Oregon, Grantor

By: ______________________ ______________________

Title: ______________________ ______________________

STATE OF OREGON )
) County of Washington )

The foregoing instrument was acknowledged before me on this ______ day of ________________, 200_.

By ______________________ as ______________________ on behalf of Washington County, Oregon

Notary Public for ______________________

Approved as to form: ______________________

My Commission Expires: ______________________

Washington County Counsel
LEGAL DESCRIPTION
Washington County Fair Grounds (WAF6081)
15' Waterline Easement Legal Description
October 10, 2007
Page 1 OF 2

A 15.00 FOOT WIDE STRIP OF LAND BEING A PORTION OF THAT CERTAIN TRACT OF LAND DESCRIBED IN WARRANTY DEED, BOOK 257, PAGE 805, WASHINGTON COUNTY DEED RECORDS, LOCATED IN THE NE 1/4 OF SECTION 32, TOWNSHIP 1 NORTH, RANGE 2 WEST, OF THE WILLAMETTE MERIDIAN, CITY OF HILLSBORO, WASHINGTON COUNTY, OREGON, BEING 7.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHWEST CORNER OF THE DAVID H. BELKNAP DONATION LAND CLAIM NO. 43, MARKED BY A 2' BRASS CAP IN A MONUMENT BOX; THENCE ALONG THE WESTERLY BOUNDARY OF SAID DONATION LAND CLAIM NORTH 04°14'43" EAST 1655.65 FEET TO A POINT BEING 25.00 FEET WESTERLY OF THE EASTERLY RIGHT-OF-WAY LINE OF NE 28TH AVENUE (WHEN MEASURED PERPENDICULARLY THERETO); THENCE LEAVING SAID DONATION LAND CLAIM SOUTH 85°45'17" EAST 25.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID NE 28TH AVENUE, AND BEING THE POINT OF BEGINNING; THENCE SOUTH 85°45'17" EAST 252.72 FEET; THENCE SOUTH 63°45'17" EAST 70.06 FEET; THENCE SOUTH 51°25'17" EAST, 254.00 FEET TO THE POINT OF TERMINUS. THE WESTERLY SIDELINES OF THE ABOVE DESCRIBED STRIP, SHALL BE LENGTHENED OR SHORTENED TO TERMINATE AT SAID SOUTHERLY RIGHT-OF-WAY LINE OF SAID NE 28TH STREET

THE ATTACHED EXHIBIT "B" ENTITLED "15 FOOT WIDE WATERLINE EASEMENT" IS MADE A PART HEREOF.
LEGAL DESCRIPTION
Washington County Fair Grounds (WAF6081)
15' Waterline Easement Legal Description
October 10, 2007
Page 1 OF 2

A 15.00 FOOT WIDE STRIP OF LAND BEING A PORTION OF THAT CERTAIN TRACT OF LAND DESCRIBED IN WARRANTY DEED, BOOK 257, PAGE 805, WASHINGTON COUNTY DEED RECORDS, LOCATED IN THE NE 1/4 OF SECTION 32, TOWNSHIP 1 NORTH, RANGE 2 WEST, OF THE WILLAMETTE MERIDIAN, CITY OF HILLSBORO, WASHINGTON COUNTY, OREGON, BEING 7.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHWEST CORNER OF THE DAVID H. BELKNAP DONATION LAND CLAIM NO. 43, MARKED BY A 2" BRASS CAP IN A MONUMENT BOX; THENCE ALONG THE WESTERLY BOUNDARY OF SAID DONATION LAND CLAIM NORTH 04°14'43" EAST 1126.09 FEET TO A POINT BEING 25.00 FEET WESTERLY OF THE EASTERLY RIGHT-OF-WAY LINE OF NE 28TH AVENUE (WHEN MEASURED PERPENDICULARLY THERETO); THENCE LEAVING SAID DONATION LAND CLAIM SOUTH 85°45'17" EAST 25.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID NE 28TH AVENUE, BEING THE POINT OF BEGINNING; THENCE SOUTH 85°45'17" EAST 30.00 FEET TO THE POINT OF TERMINUS. THE WESTERLY SIDELINES OF THE ABOVE DESCRIBED STRIP, SHALL BE LENGTHENED OR SHORTENED TO TERMINATE AT SAID EASTERLY RIGHT-OF-WAY LINE OF SAID NE 28TH STREET.

THE ATTACHED EXHIBIT "B" ENTITLED "15' WATERLINE EASEMENT" IS MADE A PART HEREOF.
WASHINGTON COUNTY FAIRGROUNDS
BOOK 257, PAGE 805

NOTE: SEE ATTACHED LEGAL DESCRIPTION

15' WATERLINE EASEMENT
WASHINGTON CO. FAIRGROUNDS
NE ¼ OF SECTION 32, TOWNSHIP 1 NORTH, RANGE 2 WEST
WILLAMETTE MERIDIAN, HILLSBORO, OREGON

PROJECT NO. WAF6081
DATE: 10/10/07
BY: GAH
SCALE: 1"=100'
PAGE NO. 2 OF 2
EXHIBIT "B", page 2
ARMORY

SCALE: 1"=60'

NOTE: SEE ATTACHED LEGAL DESCRIPTION

WASHINGTON COUNTY FAIRGROUNDS
BOOK 257, PAGE 805

POINT OF COMMENCEMENT
FOUND 2" BRASS CAP IN MONUMENT BOX
SW CORNER DAVID H. BELKNAP
DLC NO. 43, U.S.B.T. BOOK 11, PAGE 24

15' WATERLINE EASEMENT
WASHINGTON CO. FAIRGROUNDS

NE 1/4 OF SECTION 32, TOWNSHIP 1 NORTH, RANGE 2 WEST
WILLAMETTE MERIDIAN, HILLSBORO, OREGON

PROJECT NO. WAF6081
DATE: 10/10/07
BY: QAH
SCALE: 1"=100'
PAGE NO. 2 OF 2
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Support Services

Agenda Title: ACCEPT PROPOSAL/AWARD CONTRACT FOR FORESTRY CONSULTING SERVICES (#27126P)

Presented by: Linda Baumgartner, Purchasing Supervisor, Support Services
Candance Paradis, Facilities & Parks Services Manager

SUMMARY (Attach Supporting Documents if Necessary)

This agenda requests that your Board accept the proposal and award a contract for forestry consulting services to Trout Mountain Forestry for an estimated three-year expenditure of $100,000. The term of this contract will be through December 31, 2010, with an option to renew for one additional two-year period.

The required legal advertisement and Request for Proposal (RFP) documents were released October 25, 2007. Six proposals were received by the due date and time. See Attachment A for the Scoring Summary.

The consultant will provide forest management advice to the county on all county-owned and leased lands for continuance of the forest management plan as identified by the Board of Commissioners by Resolution and Order No. 97-43, adopted in 1997. The Forest Management Plan includes four parcels of county-owned land designated as Forest Lands consisting of 296 acres. These parcels are identified as 1) Timber Road Parcel – 80 acres, 2) Shadybrook Parcel – 60 acres, 3) Holly Hill Parcel – 74 acres, and 4) Highway 26 Parcel – 82 acres; and Hagg Lake that is leased from the Bureau of Reclamation.

(Continued)

DEPARTMENT’S REQUESTED ACTION:
That your Board accept the proposal and award a three-year contract for forestry consulting services to Trout Mountain Forestry for a not to exceed contract amount of $100,000 through December 31, 2010, with an option to extend for one additional two-year period.

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

Agenda Item No. 1.u.  
Date: 2/5/08
The previous contract for forestry consulting services expired on June 30, 2007. Expenditures for that contract over the three-year period amounted to $5,000. Pursuant to the Forestry Management Plan, the Timber Road, Holly Hill, and Shadybrook parcels were commercially thinned. The table below shows the year thinned and the net revenue received from the thinning. The Highway 26 property came into the County inventory in 2004 as part of the exchange of land for the Washington County State Park, replacing the Buxton Parcel.

<table>
<thead>
<tr>
<th>Parcel</th>
<th>Year Thinned</th>
<th>Net Revenue Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timber Road</td>
<td>1999</td>
<td>$161,957</td>
</tr>
<tr>
<td>Shadybrook</td>
<td>2000</td>
<td>$47,055</td>
</tr>
<tr>
<td>Holly Hill</td>
<td>2001</td>
<td>$115,462</td>
</tr>
</tbody>
</table>

The thinnings of each of the listed parcels allowed for the forest to be opened up allowing for future growth of the timber stand and it appears that each parcel has responded well to the thinning. The Holly Hill site was replanted with 240 seedlings. Each of the sites is monitored on an annual basis for growth, wind damage from blow down, and disease control. The initial forest management plan called for thinning of each site at a cycle of 7 to 10 years. The Timber Road parcel requires annual maintenance of the access road and the culverts that have been placed for water runoff. As your Board may be aware, the Shadybrook parcel is undergoing review by Department of Environmental Quality for the 20-acre portion that was used as a landfill. It is anticipated that DEQ will issue a letter by the end of the fiscal year allowing the County to move forward with the fill cap needed for remediation of the site from the lead contamination that will eventually allow for planting of new seedlings for reforestation.

The proposed contract with Trout Mountain Forestry for consulting services will include updating the timber inventory, the mapping for each parcel, and the stand descriptions; preparing a proposed management schedule and a revised management plan. Should it be determined that additional thinning is needed on any of the parcels, the consultant will also oversee these projects during the term of the contract. As allowed in the adopted Resolution and Order No. 97-43, expenditures for these services are to be paid from the proceeds of the timber thinning that has occurred on the property.

Staff will be available to answer your questions.
**ATTACHMENT A - SCORING SUMMARY**

<table>
<thead>
<tr>
<th>EVALUATION CRITERIA</th>
<th>AKS</th>
<th>GENETECHS</th>
<th>TROUT*</th>
<th>INTEGRATED</th>
<th>ECOLOGICAL</th>
<th>NW FORESTRY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Experience (135)</td>
<td>94</td>
<td>103</td>
<td><strong>127</strong></td>
<td>116</td>
<td>89</td>
<td>83</td>
</tr>
<tr>
<td>References (30)</td>
<td>15</td>
<td>27</td>
<td><strong>24</strong></td>
<td>24</td>
<td>9</td>
<td>21</td>
</tr>
<tr>
<td>Qualifications (90)</td>
<td>70</td>
<td>80</td>
<td><strong>83</strong></td>
<td>72</td>
<td>64</td>
<td>68</td>
</tr>
<tr>
<td>Fee Schedule (45)</td>
<td>34</td>
<td>40</td>
<td><strong>30</strong></td>
<td>25</td>
<td>25</td>
<td>28</td>
</tr>
<tr>
<td>TOTAL (300 points maximum)</td>
<td>213</td>
<td>250</td>
<td><strong>264</strong></td>
<td>237</td>
<td>187</td>
<td>200</td>
</tr>
</tbody>
</table>

*Recommend Award

Trout Mountain Forestry was selected for the following reasons:

- Overall experience of the firm shows a long-term relationship with local governmental agencies with a full range of services similar to those required by the County
- Qualifications of individual personnel within the firm are exceptional
- Fee structure shown is average compared with other proposers
- Reference check confirmed that this firm provides quality work, meets the required deadlines, and operates within the budget allowed.
<table>
<thead>
<tr>
<th>Agenda Category:</th>
<th>Consent Agenda – Support Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agenda Title:</td>
<td>ACCEPT FISCAL YEAR 2006-07 COMPREHENSIVE ANNUAL FINANCIAL REPORT, SINGLE AUDIT AND OTHER RELATED FINANCIAL REPORTS</td>
</tr>
<tr>
<td>Presented by:</td>
<td>Don Bohn, Assistant County Administrator</td>
</tr>
</tbody>
</table>

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

The audit firm of Talbot Korvola and Warwick LLP completed their audit field work in November 2007. Their efforts included audits of Washington County, Clean Water Services, The Housing Authority, ESPD, URMD and the Service District for Lighting. In addition, they performed the audit of federal awards in accordance with OMB A-133.

The resulting financial reports meet the various reporting requirements of the GFOA and the GASB and include the unqualified opinion of the auditors. The Audit Committee met with the Auditors and Management staff on Wednesday, January 30, 2008 to review the financial reports and the required disclosures. The committee also reviewed the Management Letter and management’s response.

The published reports will be available and distributed to the Board on January 25, 2008.

A copy will also be available at the Clerk’s desk.

**DEPARTMENT’S REQUESTED ACTION:**

Request that your Board authorize Comprehensive Annual Financial Report, the Single Audit Report, other financial reports, and the auditor’s management letter and staff response for fiscal year 2006-007.

**COUNTY ADMINISTRATOR’S RECOMMENDATION:**

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

Agenda Category: Consent – Service District for Lighting No. 1
A County Service District (CPO 6)

Agenda Title: FORM ASSESSMENT AREA, AUTHORIZE MAXIMUM ANNUAL ASSESSMENT, AND IMPOSE A FIRST YEAR ASSESSMENT FOR SUNRISE HEIGHTS

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

SUMMARY (Attach Supporting Documents if Necessary)

A petition (with waiver of hearing and remonstrances) requests street lighting service for Sunrise Heights.

<table>
<thead>
<tr>
<th>Number of Signatures</th>
<th>Number of Lots</th>
<th>Number of Street lights</th>
<th>Number of Property Owners</th>
<th>Percent of Signatures</th>
<th>Signatures Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>21</td>
<td>8</td>
<td>1</td>
<td>100%</td>
<td>51%</td>
</tr>
</tbody>
</table>

Attachments: 1. Resolution and Order
2. Petition – Exhibit A
3. Street lighting Proposal – Exhibit B
4. Waiver and Continuing Request – Exhibit C
5. Assessment Area Map and Vicinity Map – Exhibit D

DEPARTMENT’S REQUESTED ACTION:
By Resolution and Order, (1) accept the petition(s), (2) form area as an assessment area within the Service District for Lighting, and (3) authorize maximum annual assessment and impose a first year assessment.

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

Program Code: 168-606005
Date: 02/05/08
IN THE WASHINGTON COUNTY SERVICE DISTRICT

FOR LIGHTING (No. SDL-1)

In the Matter of Creating an Assessment Area, Ordering Installation, Operation and Maintenance of Street Lighting Facilities; Establishing a Maximum Annual Assessment and Imposing a First Year Assessment for Sunrise Heights.

RESOLUTION AND ORDER

NO. ____________________

This matter having come before the Board of Directors of the Service District For Lighting No.1, a county service district, at its meeting of February 5, 2008; and

It appearing to the Board that 100% of the property owners in the proposed assessment area described in Exhibit A, known as the Sunrise Heights development, have requested by petition that their property be included in an assessment area for purposes of installing, operating and maintaining street lighting facilities and that said facilities be financed by special assessments on their property; and

It appearing to the Board that 100% of the property owners voluntarily have waived their right to notice, hearing remonstrance and referendum, and consent to assessment as set forth herein; and

It appearing to the Board that the street lighting facilities described in Exhibit B, will be a special benefit to the properties and that the assessment method and amounts represent a reasonably fair and equitable manner for apportioning costs in relation to benefit; now, therefore it is

RESOLVED AND ORDERED that the assessment area described in Exhibit C hereby is established, and, that the facilities described in Exhibit B, shall be installed, operated and maintained as described therein; and it is further
RESOLVED AND ORDERED that the assessment method, maximum annual assessment amount and first year assessments shown in Exhibit B hereby are adopted, levied and imposed. Said first assessment shall be placed on the tax rolls and collected in the same manner as ad valorem property taxes as provided by law if not otherwise paid by July 1, 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 per $1000 of real market value; and it is further

RESOLVED AND ORDERED that the maximum annual assessment may be increased after newspaper notice and public hearing to pass through direct cost increases for administration and electricity as provided by Ordinance No. 3; and it is further

RESOLVED AND ORDERED that the County Administrator, or his designee, shall take steps to place matter of record and such other steps as are necessary to implement this Resolution and Order.

DATED this 5th day of February, 2008.

BOARD OF DIRECTORS FOR
WASHINGTON COUNTY SERVICE
DISTRICT FOR LIGHTING (No. SDL-1)

______________________________
CHAIRMAN

______________________________
RECORDING SECRETARY
PROPOSAL TO INSTALL, OPERATE AND MAINTAIN STREET LIGHTING
WASHINGTON COUNTY SERVICE DISTRICT FOR LIGHTING NO. SDL-1
WASHINGTON COUNTY, OREGON

SUNRISE HEIGHTS

PART I. DESCRIPTION OF PROPOSED ASSESSMENT AREA - Currently, tax lot 1S130BD-01900 AND 02000

PART II. ESTIMATED COST OF SERVICE FOR FISCAL YEAR 2008-09

A. Monthly Cost of Service

1. Lights (5-100 W / 9,500 L, HPS Shoebox Luminaries) @ $6.83 each $ 34.15
2. Lights (3-200 W / 22,000 L, HPS Cobra Luminaries) @ $10.00 each $ 30.00
3. Poles (5-30ft. Fiberglass Poles) @ $.19 each $ 0.95
4. Poles (3-35ft. Fiberglass Poles) @ $.26 each $ 0.78
5. Total (Lights and Poles) $ 65.88

B. Annual Cost of Service

1. Streetlights and Poles (65.88 x 12 Months) $ 790.56
2. Administration ($2.00 x 21 Lots) $ 42.00
3. Annual Cost for Service Area $ 832.56
4. Base Annual Cost Per Lot ($832.56 / 21 Lots) $ 39.64
5. Total Annual Cost Per Lot $ 39.64

C. Maximum Annual Assessment $ 79.28

PART III. LOCATION OF LIGHTS AND POLES
Per attached Service Area Map

EXHIBIT B
Page 1 of 1
AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Service District for Lighting No. 1
A County Service District (CPO 7)

Agenda Title: FORM ASSESSMENT AREA, AUTHORIZE MAXIMUM ANNUAL ASSESSMENT, AND IMPOSE A FIRST YEAR ASSESSMENT FOR WOODCREEK ESTATES

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

SUMMARY (Attach Supporting Documents if Necessary)

A petition (with waiver of hearing and remonstrances) requests street lighting service for Woodcreek Estates.

<table>
<thead>
<tr>
<th>Number of Signatures</th>
<th>Number of Lots</th>
<th>Number of Street lights</th>
<th>Number of Property Owners</th>
<th>Percent of Signatures</th>
<th>Signatures Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>26</td>
<td>7</td>
<td>1</td>
<td>100%</td>
<td>51%</td>
</tr>
</tbody>
</table>

Attachments: 1. Resolution and Order
2. Petition – Exhibit A
3. Street lighting Proposal – Exhibit B
4. Waiver and Continuing Request – Exhibit C
5. Assessment Area Map and Vicinity Map – Exhibit D

DEPARTMENT’S REQUESTED ACTION:

By Resolution and Order, (1) accept the petition(s), (2) form area as an assessment area within the Service District for Lighting, and (3) authorize maximum annual assessment and impose a first year assessment.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Program Code: 168-606005

Agenda Item No. 1.x.

Date: 02/05/08
IN THE WASHINGTON COUNTY SERVICE DISTRICT

FOR LIGHTING (No. SDL-1)

In the Matter of Creating an Assessment Area, Ordering Installation, Operation and Maintenance of Street Lighting Facilities; Establishing a Maximum Annual Assessment and Imposing a First Year Assessment for Woodcreek Estates.

RESOLUTION AND ORDER

NO. _________________________

This matter having come before the Board of Directors of the Service District For Lighting No.1, a county service district, at its meeting of February 5, 2008; and

It appearing to the Board that 100% of the property owners in the proposed assessment area described in Exhibit A, known as the Woodcreek Estates development, have requested by petition that their property be included in an assessment area for purposes of installing, operating and maintaining street lighting facilities and that said facilities be financed by special assessments on their property; and

It appearing to the Board that 100% of the property owners voluntarily have waived their right to notice, hearing remonstrance and referendum, and consent to assessment as set forth herein; and

It appearing to the Board that the street lighting facilities described in Exhibit B, will be a special benefit to the properties and that the assessment method and amounts represent a reasonably fair and equitable manner for apportioning costs in relation to benefit; now, therefore it is

RESOLVED AND ORDERED that the assessment area described in Exhibit C hereby is established, and, that the facilities described in Exhibit B, shall be installed, operated and maintained as described therein; and it is further
RESOLVED AND ORDERED that the assessment method, maximum annual assessment amount and first year assessments shown in Exhibit B hereby are adopted, levied and imposed. Said first assessment shall be placed on the tax rolls and collected in the same manner as ad valorem property taxes as provided by law if not otherwise paid by July 1, 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 per $1000 of real market value; and it is further

RESOLVED AND ORDERED that the maximum annual assessment may be increased after newspaper notice and public hearing to pass through direct cost increases for administration and electricity as provided by Ordinance No. 3; and it is further

RESOLVED AND ORDERED that the County Administrator, or his designee, shall take steps to place matter of record and such other steps as are necessary to implement this Resolution and Order.

DATED this 5th day of February, 2008.

BOARD OF DIRECTORS FOR
WASHINGTON COUNTY SERVICE
DISTRICT FOR LIGHTING (No. SDL-1)

______________________________
CHAIRMAN

______________________________
RECORDING SECRETARY
PROPOSAL TO INSTALL, OPERATE AND MAINTAIN STREET LIGHTING
WASHINGTON COUNTY SERVICE DISTRICT FOR LIGHTING NO. SDL-1
WASHINGTON COUNTY, OREGON

WOODCREEK ESTATES

PART I. DESCRIPTION OF PROPOSED ASSESSMENT AREA - Currently, tax lot 1N121BC-06200 AND 1N121BD-00800

PART II. ESTIMATED COST OF SERVICE FOR FISCAL YEAR 2008-09

A. Monthly Cost of Service

1. Lights (3-150 W / 16,000 L, HPS Acorn Luminaries) @ $8.70 each $ 26.10
2. Lights (4-100 W / 9,500 L, HPS Acorn Luminaries) @ $7.02 each $ 28.08
3. Poles (7-14ft. Fiberglass Poles) @ $.22 each $ 1.54
4. Total (Lights and Poles) $ 55.72

B. Annual Cost of Service

1. Streetlights and Poles (55.72 x 12 Months) $ 668.64
2. Administration ($2.00 x 26 Lots) $ 52.00
3. Annual Cost for Service Area $ 720.64
4. Base Annual Cost Per Lot ($720.64 / 26 Lots) $ 27.71
5. Total Annual Cost Per Lot $ 27.71

C. Maximum Annual Assessment $ 55.42

PART III. LOCATION OF LIGHTS AND POLES
Per attached Service Area Map

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

Agenda Category: Consent – Service District for Lighting No. 1
A County Service District (CPO 7)

Agenda Title: FORM ASSESSMENT AREA, AUTHORIZE MAXIMUM ANNUAL ASSESSMENT, AND IMPOSE A FIRST YEAR ASSESSMENT FOR WOODCREEK ESTATES

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

SUMMARY (Attach Supporting Documents if Necessary)

A petition (with waiver of hearing and remonstrances) requests street lighting service for Woodcreek Estates.

<table>
<thead>
<tr>
<th>Number of Signatures</th>
<th>Number of Lots</th>
<th>Number of Street lights</th>
<th>Number of Property Owners</th>
<th>Percent of Signatures</th>
<th>Signatures Required</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>26</td>
<td>7</td>
<td>1</td>
<td>100%</td>
<td>51%</td>
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</tbody>
</table>

Attachments: 1. Resolution and Order
2. Petition – Exhibit A
3. Street lighting Proposal – Exhibit B
4. Waiver and Continuing Request – Exhibit C
5. Assessment Area Map and Vicinity Map – Exhibit D

DEPARTMENT’S REQUESTED ACTION:
By Resolution and Order, (1) accept the petition(s), (2) form area as an assessment area within the Service District for Lighting, and (3) authorize maximum annual assessment and impose a first year assessment.

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

Program Code: 168-606005
Date: 02/05/08
IN THE WASHINGTON COUNTY SERVICE DISTRICT

FOR LIGHTING (No. SDL-1)

In the Matter of Creating an Assessment Area, Ordering Installation, Operation and Maintenance of Street Lighting Facilities; Establishing a Maximum Annual Assessment and Imposing a First Year Assessment for Woodcreek Estates.

RESOLUTION AND ORDER

This matter having come before the Board of Directors of the Service District For Lighting No.1, a county service district, at its meeting of February 5, 2008; and

It appearing to the Board that 100% of the property owners in the proposed assessment area described in Exhibit A, known as the Woodcreek Estates development, have requested by petition that their property be included in an assessment area for purposes of installing, operating and maintaining street lighting facilities and that said facilities be financed by special assessments on their property; and

It appearing to the Board that 100% of the property owners voluntarily have waived their right to notice, hearing remonstrance and referendum, and consent to assessment as set forth herein; and

It appearing to the Board that the street lighting facilities described in Exhibit B, will be a special benefit to the properties and that the assessment method and amounts represent a reasonably fair and equitable manner for apportioning costs in relation to benefit; now, therefore it is

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RESOLVED AND ORDERED that the maximum annual assessment may be increased after newspaper notice and public hearing to pass through direct cost increases for administration and electricity as provided by Ordinance No. 3; and it is further

RESOLVED AND ORDERED that the County Administrator, or his designee, shall take steps to place matter of record and such other steps as are necessary to implement this Resolution and Order.

DATED this 5th day of February, 2008.

BOARD OF DIRECTORS FOR
WASHINGTON COUNTY SERVICE
DISTRICT FOR LIGHTING (No. SDL-1)

______________________________
CHAIRMAN

______________________________
RECORDING SECRETARY
PROPOSAL TO INSTALL, OPERATE AND MAINTAIN STREET LIGHTING
WASHINGTON COUNTY SERVICE DISTRICT FOR LIGHTING NO. SDL-1
WASHINGTON COUNTY, OREGON

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PART I. DESCRIPTION OF PROPOSED ASSESSMENT AREA - Currently, tax lot 1N121BC-06200 AND 1N121BD-00800

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C. Maximum Annual Assessment $ 55.42

PART III. LOCATION OF LIGHTS AND POLES
Per attached Service Area Map

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

Agenda Category: Presentation – County Administrative Office

Agenda Title: OVERVIEW OF WASHINGTON COUNTY VISITORS ASSOCIATION STRATEGIC PLAN FOR TOURISM DEVELOPMENT

Presented by: Robert Davis, County Administrator

SUMMARY: (Attach Supporting Documents if Necessary)
Your Board approved a three-year Grant Agreement with the Washington County Visitors Association (WCVA) in October 2007. The Grant Agreement sets terms and conditions for WCVA to utilize the tourism-dedicated portion of funds generated by the Washington County lodging tax – approximately $2 million per year. The Grant Agreement “scope of work” calls for the following tourism development activities from WCVA:

- Promotion and Marketing
- Product Development
- Local Grant Program
- Tourism Investment Program

One requirement of the Grant Agreement is submittal by WCVA of a Strategic Plan for 2008-2010. The Strategic Plan is intended to guide WCVA programs and activities. Subsequent to staff review, your Board approved the Strategic Plan at your work session of January 22, 2008.

Today’s presentation is intended to provide an opportunity for WCVA to make their mission and work program better known and understood by Washington County citizens.

DEPARTMENT’S REQUESTED ACTION:

COUNTY ADMINISTRATOR’S RECOMMENDATION:

Agenda Item No. 3.a.
Date: 2/5/08
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Boards and Commissions (All CPOs)

Agenda Title: APPOINT MEMBERS TO THE COUNTY BUDGET COMMITTEE

Presented by: Robert Davis, County Administrator

SUMMARY (Attach Supporting Documents if Necessary)

Currently, there are three vacancies on the County Budget Committee in the District 1 and 3 and At-Large positions. Although State law does not require that Budget Committee members represent a particular Commissioner District, your Board's policy and practice has been to ensure balance on the committee by allowing each Commissioner to select a member. There is no limit to the number of terms an individual can serve. Terms are for three years.

On November 20, 2007, your Board directed this office to announce these vacancies and invite applications for appointments to the budget committee. All expiring members have expressed desire to continue serving and five additional applications were received.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

That your Board appoint Barbara Brennan, John Cook and Bob Terry to the County Budget Committee for a term expiring on 6/30/10.

Agenda Item No. 4.a.
Date: 2/5/08
**Budget Committee**

**Description**
Reviews the proposed County budget submitted by the budget officer each fiscal year.

**Members**
5 citizen members plus the Board of Commissioners. Each Commissioner is allocated an appointment, however the representative need not reside in the Commissioner's district.

**Length of Term**
3 years

**Current Vacancies**
3

<table>
<thead>
<tr>
<th>Candidates for appointment</th>
<th>District</th>
<th>Term Expires</th>
<th>First Appointed</th>
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<tbody>
<tr>
<td><strong>New Applicants</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>John Leeper</td>
<td>2</td>
<td></td>
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<tr>
<td>Stacey Mills</td>
<td>2</td>
<td></td>
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</tr>
<tr>
<td>Ken Moyle</td>
<td>4</td>
<td></td>
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<tr>
<td>Elizabeth Rehm</td>
<td>2</td>
<td></td>
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<td>Joseph Salmonese</td>
<td>3</td>
<td></td>
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<td>Peter Bock</td>
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</table>

<table>
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<th>First Appointed</th>
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<tr>
<td>Barbara Brennan (Schouten)</td>
<td>1</td>
<td>6/30/10</td>
<td>4/5/05</td>
</tr>
<tr>
<td>John Cook (Rogers)</td>
<td>3</td>
<td>6/30/10</td>
<td>12/22/92</td>
</tr>
<tr>
<td>Bob Terry (Brian)</td>
<td>(4) At-Large</td>
<td>6/30/10</td>
<td>4/13/99</td>
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<table>
<thead>
<tr>
<th><strong>Current Members</strong></th>
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<tr>
<td>Gary Schutz (Strader)</td>
<td>2</td>
<td>6/30/09</td>
<td>12/18/01</td>
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<tr>
<td>Mark Bauer (Duyck)</td>
<td>4</td>
<td>6/30/09</td>
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</tr>
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</table>
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

AGENDA CATEGORY: Boards and Commissions (All CPOs)

AGENDA TITLE: APPOINTMENTS TO THE LAND USE ORDINANCE ADVISORY COMMISSION (LUOAC)

PRESENTED BY: Brent Curtis, Planning Division Manager

SUMMARY (Attach Supporting Documents if Necessary)

In September 2006, the Board directed the County Administrative Office to announce the vacancies for the Land Use Ordinance Advisory Commission (LUOAC) and invite applications for appointment to LUOAC until the positions are filled.

Currently, there are two vacant positions and the County has received two applications. If appointed, the two new commissioners would serve until October 31, 2009.

In making appointments, the Board may consider individual interests in LUOAC’s charge, expertise, geographic location, balance of viewpoints, and civil concern with the total membership to reflect, if possible, a balance of appointments by all five Board members.

A summary of the applications and current commission membership are attached.

DEPARTMENT’S REQUESTED ACTION:
Appoint Todd Hofford and Stacey Mills to terms ending October 31, 2009.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

Agenda Item No. 4.b.
Date: 2/05/08
Land Use Ordinance Advisory Commission (LUOAC)

Description
LUOAC's five members read all proposed land use ordinances and prepare notices describing them which are mailed to a list of individuals who request individual notification. The Commission also drafts the Annual Land Use Notice that is mailed each fall to Washington County property owners.

Members
Five members. No current member of the Planning Commission can serve on LUOAC.

Length of Term
1 or 2 years*

Current Vacancies 2  Applicants 2

<table>
<thead>
<tr>
<th>Candidates for vacant position(s)</th>
<th>District**</th>
<th>Term Expires:</th>
<th>First Appointed:</th>
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<tr>
<td>New Applicants</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Stacey Mills</td>
<td>2</td>
<td>10/31/09</td>
<td>2/5/08</td>
</tr>
<tr>
<td>Todd Hofford</td>
<td>2</td>
<td>10/31/09</td>
<td>2/5/08</td>
</tr>
</tbody>
</table>

| Continuing Members                |            |               |                 |
| Jonathan Kland                    | 1          | 10/31/08      | 11/7/06         |
| Alan Rappleyea                    | 4          | 10/31/08      | 11/7/06         |
| Lincoln Herman                    | 3          | 10/31/09      | 11/6/07         |

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

Agenda Category: Public Hearing – Land Use and Transportation (CPO-All)

Agenda Title: THIRD READING AND FIRST PUBLIC HEARING OF PROPOSED ORDINANCE NO. 688 AN ORDINANCE ADOPTING A NEW PROCESS FOR REVIEW OF CLAIMS UNDER MEASURE 49

Presented by: Mark Brown, Land Development Manager
Chris Gilmore, Sr. Assist. County Counsel

SUMMARY:
Measure 49 became effective on December 6, 2007 and is a major rewrite of its predecessor Measure 37. Since Measure 49 changes the process for the review of claims, it is necessary for the County to repeal Chapter 15.16 of the County Code and adopt new provisions to implement Measure 49.

Under Measure 49, most claims will be for 10 or fewer houses. The new provisions of Chapter 15.16 will have the Director making decisions on the disposition of claims rather than the Board. The Director has the ability to transfer claims to the Board for a final decision and only the Board can approve monetary compensation.

DEPARTMENT’S REQUESTED ACTION:
Conduct third reading by title only, conduct the public hearing, and adopt Ordinance No. 688.

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

Program Code: 172-602030
Date: 02/05/08

Agenda Item No. 5.a.
Chapter 15.16
MEASURE 49 IMPLEMENTATION

Sections:
15.16.010 Purpose.
15.16.020 Definitions.
15.16.030 Determination of compensation and delegation of authority.
15.16.040 Claim for compensation.
15.16.050 Director review and decision.
15.16.060 Board review and decision.
15.16.070 Burden of proof and record.
15.16.080 Effect of waiver.
15.16.090 Procedural error.
15.16.100 Recording of waiver.
15.16.110 Reconsideration of waiver.
15.16.120 Appeals.

15.16.010 Purpose.
ORS 197.352(5) authorizes local government to establish procedures governing new claims under Section 12 to 14 of Measure 49. These provisions are in addition to and not in lieu of the requirements of Ballot Measure 49.

15.16.020 Definitions.
A. ‘Ballot Measure 49’ means the measure enacted by the voters at the November, 2007 General Election, which amended ORS chapter 197.
B. ‘Board’ means the Board of Commissioners for Washington County.
C. ‘Claim’ means a written demand for compensation filed under Sections 12 to 14 of Measure 49 and ORS 197.25, as in effect on and after the effective date of Measure 49.
D. ‘Claimant’ means the person who has filed a claim. The claimant must be a current owner of the property that is the subject of the claim.
E. ‘Department’ means the Department of Land Use and Transportation, or successor entity designated by the Board.
F. ‘Director’ means the Director of the Department of Land Use and Transportation, or designee, or a successor County official designated by the Board.
G. ‘Fair market value’ is the amount of money, in cash, that the property would bring if the property was offered for sale by a person who desires to sell the property but is not obligated to sell the property, and if the property was bought by a person who was willing to buy the property but not obligated to buy the property. The fair market value is the actual value of property, with all of the property’s adaptations to general and special purposes. The fair market value of property does not include any prospective value, speculative value or possible value based upon future expenditures and improvements.
H. ‘Farming practice’ has the meaning given that term in ORS 30.930.
I. ‘Forest practice’ has the meaning given that term in ORS 527.620.
J. ‘Interest’ is the average interest rate for a one-year United States Government Treasury Bill on December 31 of each year of the period between the date the land use regulation was enacted and the date the claim was filed, compounded annually on January 1 of each year of the period.
K. ‘Land use regulation’ means a provision of a county comprehensive plan, zoning ordinance or land division ordinance that restricts the residential use of private real property;
L. ‘Person’ includes a public or private entity;
M. ‘Property’ means the private real property described in a claim and contiguous private real property that is owned by the same owner, whether or not the contiguous property is described in another claim, and that is not property owned by the federal government, an Indian tribe or a public body, as defined in ORS 192.410.
N. ‘Reduction in fair market value’ means the difference, if any, in the fair market value of the property from the date that is one year before the enactment of the land use regulation to the date that is one year after the enactment, plus interest.
O. ‘Urban growth boundary’ has the meaning given that term in ORS 195.060.
P. ‘Waive’ or ‘waiver’ means an action or decision authorizing the claimant to use the property without application of the land use regulation(s) to the extent necessary to offset the reduction in fair market value of the property.

15.16.030 Determination of compensation and delegation of authority.
A. The Director is delegated authority to determine the validity of, and grant non-monetary compensation for, claims filed under Section 12 to 14 of Measure 49 after June 28, 2007. The Director may not authorize monetary payment for any claim.
B. The Director may forward any claim to the Board for resolution if the Director determines it would be in the public interest to do so. The Director shall forward a claim to the Board for a decision if the Director concludes that payment of monetary compensation is an appropriate remedy.
15.16.040 Claim for compensation.

A. Filing. All claims shall be filed with the Director in person or by U.S. Mail. The filing date is the date the claim is received by the county.

B. Submittal requirements.

1. Claimant shall file a complete Measure 49 claim form provided by the Department including:
   a. the name and address of each owner and the date when the property was acquired;
   b. the address, if any, tax lot number, township range and section of the property that is the subject of the claim;
   c. a statement of the person’s desired use of the property for residential use or farming or forest practice;
   d. a specific reference to each land use regulation enacted after January 1, 2007 that is alleged to restrict the person’s desired use of the property and when the land use regulations were enacted;
   e. the amount of reduction in fair market value alleged for each regulation at issuance plus interest;
   f. whether a previous permit was issued for development of the property including a description of the use and the case file number;
   g. whether a claim was filed for the subject property with the state, Metro or any other government; and
   h. any other information reasonably related to the review and processing of the claim as required by the Director of Land Use and Transportation or as provided on the Measure 49 claim form.

2. Claimant shall also provide:
   a. evidence of the acquisition date of the claimant, including a copy of the instrument conveying the property to the claimant and a report from a title company identifying the person in which title is vested and the claimant’s acquisition date and describing exceptions and encumbrances to title that are of record;
   b. the written consent of all of the owners if there is more than one owner;
   c. an appraisal showing the fair market value of the property one year before the enactment of each land use regulation and the fair market value of the property one year after the enactment. The actual and reasonable cost of preparing the claim, including the cost of the appraisal, not to exceed $5,000, may be added to the calculation of the reduction in fair market value under this subsection. The appraisal must: (1) be prepared by a person certified under ORS chapter 674 or a person registered under ORS chapter 308; (2) comply with the Uniform Standards of Professional Appraisal Practice, as authorized by the Financial Institutions Reform, Recovery, and Enforcement Act of 1989; and (3) expressly determine the highest and best use of the property at the time the land use regulation was enacted; and
   d. the applicable claim(s) review fee as set by the Board of County Commissioners.

3. Only one claim for each property may be filed for each land use regulation.

C. Claim review process. The county shall:

1. Deny a claim if:
   a. it is not filed within five (5) years from the date the land use regulation was enacted;
   b. an application for a comprehensive plan or zoning amendment is approved for the subject property;
   c. Metro approves an application to include the property within the Metro UGB; or
   d. a petition to annex the property is approved by a city.

2. Determine whether a claim is complete within sixty (60) days after receiving the claim;

3. Notify the claimant of any missing information within sixty (60) days after receiving the claim;

4. After providing notice of missing information, deem the application complete if:
   a. the claimant provides the missing information and the required fee; or
   b. the claimant provides written statement that some or all of the missing information will not be provided and the required fee.

5. Deem the application complete if the county fails to notify the claimant of missing information within sixty (60) days after receiving the claim;

6. Deem the application withdrawn if the claimant fails to provide the missing information or fee or a written statement that some or all of the information will not be provided within the time specified in the notice of missing information; and

7. Issue a final determination on a claim within 180 days from the date the claim is deemed complete.

15.16.050 Director review and decision.

A. Claims review process. Upon receipt of a filing, the Director shall follow the claims review process under Section 15.16.040.

B. Review criteria. The Director shall determine whether to approve or deny the claim based on a demonstration by the owner that:

1. A county enacted land use regulation enacted after January 1, 2007 and after the property was acquired restricts the person’s desired residential use of the property or restricts a farm or forest practice;
2. The land use regulation has the effect of reducing the fair market value of the property;
3. The highest and best use of the property at the time the property was acquired is the person’s desired use of the property;
4. The land use regulation is not an exempt land use regulation under the terms of Ballot Measure 49;
5. The time limitations for filing a claim, as specified in Ballot Measure 49, have not been exceeded; and
6. All other requirements of law have been met.

C. Acquisition date. The date the property was acquired is:
1. The date the claimant became the owner of the property as shown in the deed records of the county in which the property is located;
2. If there is more than one claimant for the same property under the same claim and the claimants have different acquisition dates, the acquisition date is the earliest of those dates;
3. If the claimant is the surviving spouse of a person who was an owner of the property in fee title, the claimant’s acquisition date is the date the claimant was married to the deceased spouse or the date the spouse acquired the property, whichever is later. A claimant or a surviving spouse may disclaim relief by using the procedure provided in ORS 105.623 to 105.649; and
4. If a claimant conveyed the property to another person and reacquired the property, whether by foreclosure or otherwise, the claimant’s acquisition date is the date the claimant reacquired ownership of the property.
5. A default judgment entered after December 2, 2004, does not alter a claimant’s acquisition date unless the claimant’s acquisition date is after December 2, 2004.

E. Notice of opportunity to comment on staff report. If a claim is deemed complete and is not rejected, the Director shall draft a staff report. Notice of an opportunity to submit written comments on the staff report shall be sent to:
1. The claimant or representative and all owners of the subject property known to the County;
2. All property owners of record within five hundred (500) feet of the subject property;
3. The recognized county Citizen Participation Organization and city neighborhood association in which the subject property is located;
4. The appropriate state entity, if the land use regulation(s) at issue implicates a state statute or administrative rule or goal of the Land Conservation and Development Commission;
5. Any special district or school district in which the property is located or which has requested notice;
6. Metro, if within the Metro boundary or within approximately one mile of the metropolitan urban growth boundary; and
7. The nearest city, if the property is within approximately one mile of the city or Metro UGB.
F. The notice shall contain:
1. The address, if any, tax lot number, township range and section of the property that is the subject of the claim and the date when the property was acquired;
2. A statement of the person’s desired use of the property for residential use or farming or forest practice;
3. A summary of the staff report including the number of dwellings, lots or parcels as well as the specific regulations alleged to restrict the use of the property;
4. A statement that the claim, staff report and any information submitted is available at the Department for inspection or copying at cost and the phone number of a County staff contact;
5. A statement that all persons may submit written comments within thirty (30) days from the date the notice is mailed;
6. A statement that judicial review of the final determination on the claim is limited to the written evidence and arguments submitted to the county;
7. A statement that prior to the end of the comment period the claimant may request an additional seven (7) days to respond to new evidence or to submit final arguments;
8. A statement that judicial review is available only for issues that are raised with sufficient specificity to afford the public entity an opportunity to respond; and
9. Any other information as deemed necessary by the Director.
G. The Director shall consider comments actually received by the conclusion of the comment period and such other information as the Director deems relevant and material. The claimant may request an additional seven (7) days to respond to new evidence or to submit final arguments. This request must be submitted before the close of the written comment period as provided in the notice.
H. Final waiver or rejection of claim. A decision to issue a waiver or reject a claim shall be reduced in writing and signed by the Director. The Director may waive some regulations identified in the claim and deny waiver of others. The Director may waive regulations that are not otherwise specified in the claim. The Director may impose reasonable conditions on the
A decision to waive a land use regulation shall in no way impact any obligation to demonstrate compliance with any regulations not expressly provided for in the decision or to obtain any required approvals or permits.

B. A use authorized by a waiver has the legal status of a lawful nonconforming use in the same manner as provided under ORS 215.130.

15.16.090 Procedural error.

No procedural defect in processing a claim shall invalidate any proceeding or decision unless the party alleging the error demonstrates prejudice to a substantial right. Inadvertent failure to provide notice or complete notice shall not be grounds for invalidating a decision.

15.16.100 Recording of waiver.

The County must record a memorandum of the final waiver in the deed records for the county.

15.16.110 Reconsideration of waiver.

The Board or Director may, at its sole discretion, reconsider a decision on a claim if it appears that the decision is inconsistent with a subsequent court ruling, administrative rule or other change in the law relating to Measure 49. The decision to reconsider may be made without notice or hearing; but, the decision on reconsideration shall be made only after notice and opportunity to be heard consistent with the requirements for claim review provided under this Chapter.
Director and Board review whichever is applicable. At the conclusion of the process, the Board or Director may affirm, modify, or revoke the earlier decision. If the Board modifies or revokes a decision that resulted in payment of compensation, the Board shall specify the amount due from the claimant and the County may institute an action for recovery. If the Board or Director modifies or revokes a decision to modify, remove, or not apply a land use regulation, it shall issue an order setting forth such remedy as it deems appropriate to protect the public interest.

15.16.120 Appeals.
A. A person that is adversely affected by a final determination under this Chapter may obtain judicial review of that determination under ORS 34.010 to 34.100. A person is adversely affected if the person is:
   1. An owner of the property that is the subject of the determination or;
   2. A person who timely submitted written evidence, arguments or comments.
B. Judicial review of a decision under this Chapter is:
   1. Limited to evidence in the record at the time of the final determination; and
   2. Available only for issues raised with sufficient specificity to afford an opportunity to respond.
BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

ORDINANCE 688

An Ordinance Providing a Process for Review of New Claims under Measure 49

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

SECTION 1.

A. On November 6, 2007, the voters of the State of Oregon adopted Ballot Measure 49 which became effective on December 6, 2007.

B. The purpose of this ordinance is to adopt a new Chapter 15.16 for reviewing new claims consistent with Measure 49.

C. Nothing herein is intended, nor shall it be construed as, amending the comprehensive framework plans, transportation plan, community plans, community development code, or any other land use ordinance of Washington County.

D. Nothing herein is intended to, nor shall it be construed to, require payment of compensation or authorize the County to modify, remove, or not apply a land use regulation beyond that authorized by Ballot Measure 49.

E. The existing Chapter 15.16 of the Washington County Code is hereby repealed and a new Chapter 15.16 is hereby adopted as provided in Exhibit “A” which is attached and by this reference incorporated herein.

F. A determination that any section, clause, phrase, or word of this Ordinance is invalid or unenforceable for any reason shall not affect the remainder of this Ordinance or its application and all portions not so stricken shall remain in full force and effect.

Page 1 – ORDINANCE 688
G. The Office of County Counsel is authorized to codify this Ordinance and to make any technical changes, not affecting its substance, as are reasonably necessary to accomplish codification.

SECTION 2.

This Ordinance shall take effect thirty (30) days after adoption.

ENACTED this ________ day of _________, 2008, being the ________ reading and ________ 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 ________________________________     ________________

VOTE: Aye: ____________________________     Nay: ____________________________
Recording Secretary: ______________________ Date: ______________________
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing – Department of Land Use & Transportation
(CPOs 1, 6 and 7)

Agenda Title: CONSIDER THE ANNEXATION OF 79 PARCELS ENCOMPASSING APPROXIMATELY 66.38 ACRES TO THE TUALATIN HILLS PARK & RECREATION DISTRICT (WA-3907)

Presented by: Brent Curtis, Planning Division Manager

SUMMARY (Attach Supporting Documents if Necessary)
The County has received a request to annex 79 parcels encompassing approximately 66.38 acres to the Tualatin Hills Park & Recreation District (District). Of the 79 parcels, 32 are owned by the District (or in some cases co-owned by METRO and the District), and the other 47 properties are privately owned. The owners of the 47 properties requested annexation to the District. The parcels to be annexed are located throughout the District’s ultimate urban service area and are all within the Urban Growth Boundary.

As required by this statute, the District submitted a resolution and order initiating the annexation. The statute requires that the Board conduct two public hearings on the proposed annexation. The purpose of the first hearing is to determine whether the annexation should be approved. The purpose of the second hearing is to determine whether sufficient written requests have been received prior to or at the second hearing to require an election (ORS 198.810). An election must be held if written requests for an election are filed at or before the hearing by not less than 15 percent of the electors or 100 electors, whichever is the lesser number, registered in the proposed district.

Notice of today’s hearing has been made in accordance with state law. The staff report (File Number: WA-3907) will be provided to you under separate cover and will also be available at the clerk’s desk. A Resolution and Order approving the annexation is attached to the agenda.

Attachment: Resolution and Order which includes:
A. Findings (Exhibit A)
B. Location Maps (Exhibits B)
C. Legal Description of Affected Properties (Exhibits C)

Note: Due to the size of Exhibits C, copies will not be provided other than the one copy to be attached to the signed Resolution and Order.

DEPARTMENT’S REQUESTED ACTION:
Hold a public hearing to consider the annexation of these properties into the Tualatin Hills Park & Recreation District. Adopt a Resolution and Order approving the annexation and direct that a hearing be set for March 4, 2008 to determine whether sufficient written requests have been received to require an election (ORS 198.810).

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

Agenda Item No. 5.b.
Date: 2/5/08
FINDINGS

Based on the study and the public hearing the Board of County Commissioners (Board) finds:

1. The proposal was initiated by a Resolution of the Board of Directors of the Tualatin Hills Park & Recreation District. The resolution meets the requirement for initiation set forth in ORS 198.850 (3), ORS 198.835 (section of statute which specifies contents of resolution) and Metro Code 3.09.040 (a) (which lists minimum requirements for petition).

2. The territories to be annexed are located generally in the north and south part of the District. The 79 parcels include 47 privately owned properties and 32 publicly owned pieces. The area to be annexed contains 66.38 acres of which 58.66 acres are owned by Tualatin Hills Park & Recreation District and 7.72 acres are privately owned. The total assessed value of the area is $10,878,530.

3. The Board of County Commissioners has identified an ultimate service area for THPRD and entered into an agreement with the District which states that THPRD is the sole provider of park and recreation services in the District’s unincorporated service area. The agreement also specifies that annexation is the preferred means of providing adequate services in the long-term. The District has determined to pursue annexations through a voluntary petition process. All private property owners whose property is included in this proposal have signed petitions requesting annexation.

4. Oregon Revised Statute Chapter 198 directs the Board to “consider the local comprehensive plan for the area and any service agreement executed between a local government and the affected district.”

A second set of criteria can be found in the Metro Code. That Code states that a final decision shall be based on substantial evidence in the record of the hearing and that the written decision must include findings of fact and conclusions from those findings. The findings and conclusions shall address seven minimum criteria:

1. Consistency with directly applicable provisions in an urban service provider agreement or annexation plan adopted pursuant to ORS 195.065. [Urban service provider agreements are agreements between various service providers about who will provide which services where. The agreements are mandated by ORS 195. Annexation plans are timelines for annexation, which can only be done after all required 195 agreements are in place and which must have been voted on by the City residents and the residents of the area to be annexed.]

2. Consistency with directly applicable provisions of urban planning or other agreements, other than agreements adopted pursuant to ORS 195.065,
between the affected entity and a necessary party.

3. Consistency with specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facility plans.

4. Consistency with specific directly applicable standards for boundary changes contained in the Regional Framework Plan or any functional plan.

5. Whether the proposed boundary change will promote or not interfere with the timely, orderly and economic provision of public facilities and services.

6. The territory lies within the Urban Growth Boundary.

7. Consistency with other applicable criteria for the boundary change in question under state and local law.

The Metro Code also contains a second set of 10 factors which are to be considered where: 1) no ORS 195 agreements have been adopted, and 2) a necessary party is contesting the boundary change. Those 10 factors are not applicable at this time to this annexation because no necessary party has contested the proposed annexation.

5. The properties to be annexed are inside Metro's jurisdictional boundary and inside the regional Urban Growth Boundary (UGB).

The law that requires Metro to adopt criteria for boundary changes specifically states that those criteria shall include "... compliance with adopted regional urban growth goals and objectives, functional plans ... and the regional framework plan of the district [Metro]." In fact, while the first two mentioned items were adopted independently, they are now part of Metro's Regional Framework Plan. The Regional Framework Plan also includes the 2040 Growth Concept. The Regional Framework Plan was reviewed and found not to contain specific criteria applicable to boundary changes.

There are two adopted regional functional plans, the Urban Growth Management Functional Plan and the Regional Transportation Plan, which were examined and found not to contain any directly applicable standards and criteria for boundary changes.

6. The County's Comprehensive Plan does have a policy, Policy 15, which is relevant to the annexation. Implementation Strategy h. of Policy 15 says:

The County will:

. . . .

h. Not oppose proposed annexations to a special service district:
1. That are consistent with an urban service agreement; or
2. If no urban service agreement applies to the property, the property lies within an area for which the district is designated a party in a cooperative agreement adopted pursuant to ORS 195.020 and the district has adopted a Master Plan for the area.

Annexations to special service districts that are consistent with an adopted urban service agreement are deemed to be consistent with the Washington County Plan.

Since there is not an adopted urban service agreement for the District's long term service boundary, Washington County amended its Comprehensive Plan to identify the District's long term service boundary in the urban unincorporated Washington County. As noted below in (q) the Plan identifies THPRD as the appropriate provider of parks & recreation within these urban unincorporated areas in Washington County. Therefore the County will not oppose this annexation and the action is considered to be consistent with the Washington County Comprehensive Plan.

Policy 15 also states:

p. Require developing properties not currently located within the service area of a park district that provides park & recreation services to annex to a park district when the following conditions are met:

1. The property lies with an area identified for park and recreation service by a park district in an urban service agreement adopted pursuant to ORS 195.065; or, if no urban service agreement applies to the property, the property lies within an area for which a park district is designated a party to a cooperative agreement adopted pursuant to ORS 195.020; and
2. The park district has adopted a Park Master Plan for the subject area which provides the basis for that development of park and recreation facilities.

q. Identify the Tualatin Hills Park and Recreation District as the park and recreation provider to urban unincorporated properties lying between the Hillsboro, Tigard and Portland urban service boundaries, excluding properties outside of THPRD that were added to the Regional Urban Growth Boundary after 2001.

ORS 195 requires agreements between providers of urban services. Urban services are defined as: sanitary sewers, water, fire protection, parks, open space, recreation and streets, roads and mass transit. These agreements are to specify which governmental entity will provide which service to which area in the long term. The counties are
responsible for facilitating the creation of these agreements. Since there is not an adopted urban service agreement for the District’s long term service boundary, Washington County amended its Comprehensive Plan to identify the District’s long term service boundary in the urban unincorporated Washington County.

8. Sanitary sewer service is provided to the urban unincorporated area by Clean Water Services District.

9. Tualatin Valley Water District serves the bulk of the area to be annexed. Beaverton serves the portions within the City.

10. The Clean Water Services District has responsibility for surface water management within the Washington County urban growth boundary.

11. Tualatin Hills Park and Recreation District serves much of lands adjacent to the areas to be annexed.

12. Transportation services are provided by the County.

13. The areas to be annexed are served by Tualatin Valley Fire & Rescue.

14. The County provides police services through the County Sheriff’s office and via the Washington County Service District for Enhanced Law Enforcement.

CONCLUSIONS AND REASONS FOR DECISION

Based on the Findings, the Board determined:

1. The Metro Code calls for consistency with directly applicable provisions of urban planning area agreements between the annexing entity and any necessary party. The annexing entity (Tualatin Hills Park and Recreation District) does not have an urban planning area agreement with any necessary party.

2. The Metro Code at 3.09.050 (d) (3) calls for consistency between the Board decision and any “specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facility plans.” ORS 198 requires consideration of the applicable comprehensive plan and any service agreements
affecting the area. The Board has reviewed the applicable comprehensive plan, which is the Washington County Comprehensive Plan and concludes this proposal complies with it. As noted in Finding 6, the Plan calls for the District to be the appropriate provider of parks & recreation in the urban unincorporated area of Washington County.

3. The Metro Code at 3.09.050 (d) (4) calls for consistency between the Board decision and any "specific directly applicable standards or criteria for boundary changes contained in the Regional Framework Plan or any functional plan."

There are no directly applicable criteria in Metro's two adopted functional plans, the Urban Growth Management Functional Plan and the Regional Transportation Functional Plan. All elements of the Regional Framework Plan were examined and found not to contain any directly applicable standards and criteria for service district boundary changes.

4. Metro Code 3.09.050 (d) (5) states that another criterion to be addressed is: "Whether the proposed change will promote or not interfere with the timely, orderly and economic provisions of public facilities and services." Annexation will allow for development in conformance with the County's Comprehensive Plan. The District already provides service to areas adjacent to the parcels proposed for annexation. The Board therefore concludes that annexation promotes the timely, orderly and economic provision of this service.

5. Metro Code 3.09.050 (d) (6) establishes as a major criterion whether the affected territory lies within the Urban Growth Boundary. The territory in this proposed annexation does lie within the Urban Growth Boundary.

6. Metro Code 3.09.050 (d) (6) requires “consistency with other applicable criteria for the boundary change in question under state and local law.” The Board has examined state statutes and local laws relative to boundary changes and found no other applicable criteria.
Proposal No. WA3907
Annexation to Tualatin Hills Park and Recreation District
Washington County

Areas to be annexed
Tualatin Hills Park & Rec. District
Section boundary
IN THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

In the Matter of Approving Boundary Change Proposal No. WA-3907 ) RESOLUTION AND ORDER
No.____________________

The above-entitled matter (WA-3907) came before the Board at its regular meeting on February 5, 2008; and

It appearing to the Board that this proposal involves the annexation of seventy-nine parcels located in the north and south parts of the Washington County urban area to the Tualatin Hills Park and Recreation District; and

It appearing to the Board that WA-3907 was initiated by a resolution of the Tualatin Hills Park and Recreation District Board of Directors and meets the requirement for initiation set forth in ORS 198.850 (3), ORS 198.835 and Metro Code 3.09.040 (a); and

It appearing to the Board that the proposal has not been contested by any necessary party; and

It appearing to the Board that the Board is charged with deciding petitions for boundary changes pursuant to ORS Chapter 198 and Metro Code Chapter 3.09; and

It appearing to the Board that notice of the meeting was provided pursuant to ORS 198.730 and Metro Code 3.09.030; and

It appearing to the Board that County staff have reviewed the proposed boundary change and determined that it complies with the applicable procedural and substantive standards and should be approved; and
It appearing that the Board is required to hold a second hearing as
required by ORS 198.810 (2); and

It appearing to the Board that the Board has reviewed whatever written
and oral testimony has been provided regarding this proposal; now, therefore
it is

RESOLVED AND ORDERED that Boundary Change Proposal No. WA-
3907 (as depicted in Exhibit B), is hereby approved, based on the analysis,
findings and conclusions set forth in Exhibit A, incorporated herein by
reference; and it is further

RESOLVED AND ORDERED that a final hearing on Boundary Change
Proposal No WA-3907 will be held on March 4, 2008. If at or before that
hearing written requests for an election are not filed, the Board will enter its
order approving the annexation.

DATED this 5th day of February, 2008.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

______________________________
CHAIRMAN

______________________________
RECORDING SECRETARY

Date Signed: ____________________

Approved as to form:

Sr. County Counsel for
Washington County, Oregon
AGENDA

BOARD OF DIRECTORS

ENHANCED SHERIFF’S PATROL DISTRICT

Agenda Category:  Public Hearing - County Counsel  (CPO All)

Agenda Title:  ESTABLISH ELECTION DATE, ADOPT ESPD LOCAL OPTION LEVY BALLOT TITLE AND EXPLANATORY STATEMENT

Presented by:  Dan R. Olsen, County Counsel

SUMMARY (Attach Supporting Documents if Necessary)

The attached Resolution and Order calls for a May 20, 2008, election on whether to approve funding to continue current law enforcement service levels in the Enhanced Sheriff’s Patrol District. It refers to a ballot title that staff believes meets the statutory requirements for a concise and impartial summary of the measure as well as an impartial 500-word explanatory statement.

The ESPD was formed by the voters for the purpose of funding enhanced law enforcement services. The ESPD is funded by a combination of a permanent tax rate and a five-year local option tax. The current five-year levy expires on June 30, 2008. The ballot title provides the voters with an opportunity to decide whether to continue current service levels by adopting a new five-year levy.

A complete analysis of the proposal was set forth in a report prepared by the County Administrator’s Office in conjunction with the Sheriff’s Office.

The ballot title and explanatory statement will be provided to your Board and made available at the clerk’s desk prior to your regular meeting on February 5, 2008.

DEPARTMENT’S REQUESTED ACTION:

Adopt the Resolution and Order calling for a May 20, 2008, local option levy, including the ballot title and explanatory statement, with any changes directed by your Board.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

189-6155  

Agenda Item No.  6.a.  
Date:  2/5/08
IN THE BOARD OF DIRECTORS

FOR THE ENHANCED SHERIFF’S PATROL DISTRICT

OF WASHINGTON COUNTY, OREGON

In the Matter of Calling for an Election ) RESOLUTION AND ORDER
On a Five-Year Local Option Levy, ) No. _________________
Adopting a Ballot Title and an Explanatory )
Statement for Inclusion in the Voter’s Pamphlet )

This matter having come before the Board of Directors at its meeting of February 5, 2008; and

It appearing to the Board that the voters formed the Enhanced Sheriff’s Patrol District (ESPD) to provide funding to ensure a service level, in conjunction with County funds, of approximately one officer per 1000 population; and

It appearing to the Board that the voters have previously approved ESPD levies to provide such funding and, further, that the levy approved in 2002 will expire on June 30, 2008; and

It appearing to the Board that without a replacement levy the ESPD will not have sufficient revenue to meet its service level objectives; and

It appearing to the Board that $9,500,000 each year for five years, for a total of $47,500,000, is the amount necessary to continue current service levels; and

It appearing to the Board that the amount levied is for operations to provide law enforcement and shall be subject to the “other governmental purposes” tax limit imposed by Section 11b, Article XI of the Oregon Constitution; now, therefore, it is

/\\

Page 1 – RESOLUTION AND ORDER

WASHINGTON COUNTY COUNSEL
155 N. FIRST AVE, SUITE 340
HILLSBORO, OR 97124
PHONE (503) 846-8747 - FAX (503) 846-8636
RESOLVED AND ORDERED that the Ballot Title set forth in Exhibit “A” hereby is adopted as a concise and impartial statement of the question; and it is further

RESOLVED AND ORDERED that the Explanatory Statement set forth in Exhibit “B” is an impartial, simple and understandable statement explaining the measure and its effect; and it is further

RESOLVED AND ORDERED that the Elections Manager shall take such actions as are necessary to place this ballot title and statement in the voter’s pamphlet and place this measure before the voters at the May 20, 2008, election.

DATED this 5th day of February, 2008.

BOARD OF DIRECTORS
FOR THE ENHANCED SHERIFF’S PATROL DISTRICT
OF WASHINGTON COUNTY, OREGON

______________________________
CHAIRMAN

______________________________
RECORDING SECRETARY
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Action – Department of Land Use & Transportation All CPOs

Agenda Title: AUTHORITY TO FILE ORDINANCE ESTABLISHING REQUIREMENTS FOR SITE DEVELOPMENT GRADING

Presented by: Mark Brown, Land Development Manager; Chris Gilmore, Sr. Assistant County Counsel

SUMMARY (Attach Supporting Documents if Necessary)

Since 1991, the County has relied upon Chapter 33 of the Uniform Building Code (UBC) to regulate site development grading. In 2006, the UBC was replaced with the International Building Code (IBC) which rewrote the grading standards and provided less guidance than the 1991 UBC. Since the grading provisions of the IBC are not adopted by the State, each jurisdiction may adopt their own grading regulations.

Over the past 12 months, Building Services has worked with the development community and the home builders on a draft grading ordinance. The proposed ordinance is similar to the 1991 UBC grading requirements, but also adds clarification to some of the requirements and specifies minimum standards for some construction that would not then require engineering. The proposed ordinance would become part of the Washington County Code.

DEPARTMENT’S REQUESTED ACTION:
Authority to file an ordinance

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

Agenda Item No. 7.a.
Date: 02/05/08
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Action – Land Use and Transportation  CPO 6
Agenda Title: ORDER UTILITY RELOCATION AT 197TH AVENUE AND ALEXANDER STREET
Presented by: Gregory S. Miller, County Engineer

SUMMARY: (Attach Supporting Documents if Necessary)

Under Oregon statute (ORS 758.010), utilities have the right to locate within state and county road rights-of-way without charge, outside of city boundaries. It is common for a road project to need utilities to relocate to a new location to accommodate expanded or widened facilities. The utility is required to move at its own expense, upon order of the county, if relocation is “deemed expedient” by the governing body. Historically, the County Engineer has issued letters to utilities requiring facility relocation for county projects and approved private projects, and utilities generally have complied with the orders.

Occasionally, utilities, principally Verizon, do not comply with directives of the County Engineer. Verizon Communications has received an order by the County Engineer, and has taken the position it does not have to move unless it is paid to do so, because the improvements to the county road in question are funded by a private developer. The statute makes no reference to the funding for an improvement, or the fact that an improvement is being constructed at all. It simply allows the county governing body to require a facility to be relocated if deemed expedient. PUC tariffs cited by Verizon refer to requests by a customer relating to its own service, not to a county order under the statute.

(Continued on Page 2)

Attachment: 1. Exhibit “A” Map

DEPARTMENT’S REQUESTED ACTION:
Order utility facilities of Verizon be relocated as shown in attached diagram by 3/15/08; order abatement if relocation is not completed or in process by that date.

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

Agenda Item No. 7.b.
Date: 02/05/08

603010
In this case, a pole and a vault must be moved. The vault is Verizon’s. The pole is PGE’s, but has Verizon wires on it. The wires must be moved before the pole can go away. PGE is willing; Verizon is not, without reimbursement.

Staff requests that the Board order the subject facilities moved. Then we will have satisfied all the statutory requirements in the event the private developer or the County need to take further legal action in this matter. The attached diagram shows the current facility location. There is right-of-way available for relocation of the pole and vault. If the utility commences relocation upon the date of this order, it is feasible to complete the work in thirty days. If such work has not been completed or is not diligently proceeding as of that date, the utility facility is a nuisance. The County would then be authorized to abate it at the owner’s expense.

Coordination has been made with the Oregon Public Utility Commission (PUC) and the State Attorney General’s Office, both of whom concur with the county’s position.
AGENDA
WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Action – Department of Land Use & Transportation (All CPOs)

Agenda Title: AUTHORIZE FILING OF ORDINANCES TO AMEND AND INCREASE TRAFFIC IMPACT FEE (TIF)

Presented by: Brent Curtis, Planning Manager
Loretta Skurdahl, Sr. Assistant County Counsel

SUMMARY (Attach Supporting Documents if Necessary)

The Board previously directed staff to develop a proposal to update TIF, the transportation impact tax, and to increase the rate. To do so, it will be necessary to adopt an ordinance to modify the current TIF, County Code chapter 3.17.

In order to keep options open on various issues prior to final action on any ordinance, staff recommends filing two separate ordinances at this time. The first reading on these ordinances would be February 19, 2008. The first hearing on the ordinances would be March 4, 2008. The latest regular Board meeting to adopt an ordinance and refer a measure to the voters for May would be March 18, 2008.

The ordinances will include new or revised provisions to comply with current system development charge (SDC) statutes, adopt a new methodology, list of capital improvements, and include revised credit and administrative provisions.

In order to implement these changes as a tax, an ordinance must be referred to the voters for approval, pursuant to County Charter section 20(a).

DEPARTMENT'S REQUESTED ACTION:
Authorize the filing of ordinances to amend County Code Chapter 3.17, the Traffic Impact Fee ordinance.

COUNTY ADMINISTRATOR’S RECOMMENDATION:
I concur with the requested action.
MINUTES
WASHINGTON COUNTY BOARD OF COMMISSIONERS
JANUARY 15, 2008

CONVENED: 10:10 a.m.

BOARD OF COMMISSIONERS:
Chairman Tom Brian
Commissioner Dick Schouten
Commissioner Desari Strader
Commissioner Andy Duyck

Commissioner Roy Rogers was on vacation today.

STAFF:
Robert Davis, County Administrator
Dennis Mulvihill, Government Affairs Officer
Philip Bransford, County Communications Officer
Dan Olsen, County Counsel
Lawrence O’dell, Assistant Director, LUT
Brent Curtis, Planning Division Manager, LUT
Bill Gaffi, General Manager, CWS
Bob Cruz, Deputy General Manager, CWS
Peter Guillozet, CWS
Patt Opdyke, CPO Coordinator
Jeff Friend, Audiovisual Specialist
Barbara Hejtmanek, Recording Secretary

PRESS:
Kathy Gorman, The Oregonian
Kurt Eckert, Hillsboro Argus

1. CONSENT AGENDA

Chairman Brian announced the following modifications to the Consent Agenda:

- An off docket item from Health and Human Services entitled “Approve Agreement with Multnomah County for the Provision of Health Officer Services to Washington County” is added to the Consent Agenda. (MO 08-23)
- Item i. is removed from today’s agenda, at the request of staff.
It was moved to adopt the Consent Agenda, as modified.

Motion – Duyck
2nd – Strader
Vote – 4-0

LAND USE AND TRANSPORTATION

1.a.
RO 08-6
Establish the Roads in York Park Subdivision as County Road No. 3248 (CPO 6) (Approved Under Consent Agenda)

1.b.
RO 08-7
Establish the Road in Bethany Lake Estates Subdivision as County Road No. 3249 (CPO 7) (Approved Under Consent Agenda)

1.c.
RO 08-8
Establish the Road in Lost Pointe Subdivision as County Road No. 3250 (CPO 6) (Approved Under Consent Agenda)

1.d.
MO 08-12
Approve Agreement with the City of Hillsboro for Installing a Waterline and Roadway Improvements to River Road (CPO 10) (Approved Under Consent Agenda)

1.e.
MO 08-13
Approve Agreement with the City of Gaston Providing MSTIP3 Small Cities Funding for the Highway 47 Transportation Enhancement (CPO 11) (Approved Under Consent Agenda)

1.f.
MO 08-14
Approve Agreement with the City of Gaston Providing MSTIP3 Bike and Pedestrian Funding for the Highway 47 Transportation Enhancement (CPO 11) (Approved Under Consent Agenda)
HEALTH AND HUMAN SERVICES

1.g.
MO 08-15
Approve 2008-2014 Comprehensive Community Plan for Children and Families
(Approved Under Consent Agenda)

1.h.
MO 08-16
Grant Waiver and Authorization to Contract with Lifeworks NW to Provide Psychiatric
Day Treatment Services (Approved Under Consent Agenda)

SUPPORT SERVICES

1.i.
MO 08-17
Accept Proposal/Award Contract for Forestry Consulting Services (Removed From
Agenda)

1.j.
MO 08-18
Accept Proposal/Award Contract for Content Management Software (Approved Under
Consent Agenda)

1.k.
MO 08-19
Accept Proposal/Award Contract for Clinical Laboratory Testing Services (Approved Under
Consent Agenda)

1.l.
MO 08-20
Sale of Property Described as 1S102DB, Tax Lot 15090 to Adjacent Property Owners
and Dedication of a Portion into the Public Right-of-Way (CPO 1) (Approved Under
Consent Agenda)

1.m.
MO 08-21
Accept Proposal/Award Contract for Liability Claims Adjusting Services (Approved Under
Consent Agenda)
SERVICE DISTRICT FOR LIGHTING NO. 1-A COUNTY SERVICE DISTRICT

1.n.
SDL RO 08-3
Form Assessment Area, Authorize Maximum Annual Assessment and Impose a First Year Assessment for Jordan Park (CPO 1) (Approved Under Consent Agenda)

2. ORAL COMMUNICATION (2 MINUTE OPPORTUNITY)

None.

OFF DOCKET – PROCLAMATION
MO 08-22
Proclamation to Honor Roy Dancer

Commissioner Schouten described Roy Dancer as a giant in the Beaverton community. He portrayed him as a person of great integrity, someone extraordinarily active in the community, and a person who did tremendous good.

The proclamation was read into the record by Commissioner Schouten.

It was moved to approve the proclamation.

Motion – Schouten
2nd – Strader
Vote – 4-0

Chairman Brian said that he did not know Roy Dancer as well as Commissioner Schouten. However, he did work with Mr. Dancer on a number of occasions. Chairman Brian remarked that his record of distinction in the community—both professionally and civically—was to a level rarely seen. He thanked Mr. Dancer for all of his distinguished career and offered condolences to the Dancer family.

Commissioner Schouten noted that there will be a service at the Beaverton Christian Church on Saturday at 2:00 p.m. He mentioned that when he spoke to Mr. Dancer a couple of weeks before his death, Mr. Dancer made it clear that he wanted lots of people to come and for the event to be well organized.

3. BOARDS AND COMMISSIONS
3.a.
Suspend Board Rules; Appoint Members to the Rural Road Operations and Maintenance Advisory Committee (RROMAC) (All CPOs)

Lawrence O’dell stated that because the Rural Road Operations and Maintenance Advisory Committee (RROMAC) is not a state-required committee and its bylaws are
established by the Washington County Board of Commissioners, the Board has the ability
to suspend those rules from time to time. He explained that in this case, RROMAC has
requested and recommended (and staff concurs) that the two year terms be suspended and
four year terms be provided. Mr. O’dell went on to say that, in addition, there are
proposed reappointments listed on page 11 of the agenda packet.

Commissioner Duyck asked if the terms would expire just one year after what is shown
in the packet, i.e., December 1, 2012.

Lawrence O’dell verified that this is correct.

It was moved to suspend Board Rules to allow four year terms for RROMAC staggered
two years and to not require reapplication by the member if they desire reappointment
and are in good standing. Included in the motion were the following appointments and
reappointments:

- Lanny Garland
- Matt Pihl (Alternate)
- Ken Moyle
- James Burns
- Bill Ewers
- Gary Virgin
- Dave Vanasche
- Lars Wahlstrom

Motion – Duyck
2nd – Strader
Vote – 4-0

Commissioner Schouten clarified that the expiration of terms would be 12/01/11.

Commissioner Duyck observed that this is what appears in the packet. However, he
noted that the request from RROMAC was to extend those to four year terms, which
would differ from what appears in the packet.

4. PUBLIC HEARING – CLEAN WATER SERVICES
4.a.
CWS MO 08-7
Authorize Exemption from the Competitive Bidding Process for Fanno Creek Greenway Enhancement Project (All CPOs)

Bill Gaffi stated that this is a request to exempt the District from a competitive bidding
process. He explained that there would be advertisement and it would be a competitive
process but Requests for Proposals would be submitted. Mr. Gaffi pointed out that
construction will take place in a very environmentally sensitive area. He reasoned,
therefore, that the experience and approach of the individual proposers are very important to the outcome and to compliance with regulatory requirements. Mr. Gaffi summarized that this is the reason for the Request for Proposals as opposed to a straight, conventional bid. He added that the District has taken this approach on other previous projects in environmentally sensitive areas, such as Dawson Creek Trunk and others.

Commissioner Schouten asked if this is the stretch of Fanno Creek immediately south of Allen Boulevard between Hall Boulevard and Scholls Ferry.

Bob Cruz affirmed that it is that portion of Fanno Creek that is located between Hall Boulevard and Scholls Ferry Road.

Commissioner Schouten wanted to know if this includes the part south of Allen, between Highway 217 and further east.

Mr. Cruz responded that it roughly parallels Highway 217.

Commissioner Schouten asked about the plans of the Tualatin Hills Park and Recreation District and the City of Beaverton with respect to boardwalk construction or any trail work.

Mr. Cruz stated that Clean Water Services has been coordinating that type of work, when inside of a city, with both Tualatin Hills Park and Recreation District (when they have a role) and also with the appropriate city. He was not personally familiar with any boardwalk construction that will be included in this project.

Peter Guillozet, Project Manager, told the Board that the only changes proposed by the Park District for the reach between Hall Boulevard and Scholls Ferry Road are a new bridge and a short realignment of trail to get it out of the way of the creek. Mr. Guillozet verified that there has been no discussion of boardwalks so far.

Commissioner Schouten was aware that for some time, the Park District and City of Beaverton have been talking about the next stage in the ongoing extension and construction of the regional Fanno Creek trail—particularly from the Greenwood Inn (where the trail now ends) out to Scholls Ferry. He hoped and assumed that whatever work Clean Water Services does is coordinated with plans of the Park District and City. Commissioner Schouten did not know of any work scheduled for this summer but reflected that there has been talk of this for years. He hoped that at a point not too far in the future, the trail segment will be constructed there.

Peter Guillozet corrected the misconception that the portion upstream from Hall is in this project; it is not.

The public hearing was opened.
No public testimony was offered.

The public hearing was closed.

It was moved to authorize exemption from the competitive bidding process for Fanno Creek Greenway Enhancement Project (Project No. 6275).

Motion – Schouten
2nd – Duyck
Vote – 4-0

REVISITING AGENDA ITEM 3.a.

 Commissioner Duyck wished to clarify that his motion for item 3.a. should not include the expiration date of 2012 for the terms. He intended that the terms be for four years.

Dan Olsen’s understanding was that Commissioner Duyck’s motion was to adopt the department’s recommended action. He felt that the record would be clear.

5. LAND USE AND TRANSPORTATION
5.a.
MO 08-10
Introduction and First Reading of Proposed Ordinance No. 688, an Ordinance Adopting a New Process for Review of Claims Under Measure 49 (All CPOs)

There was a motion to read Proposed Ordinance No. 688 by title only.

Motion – Duyck
2nd – Schouten
Vote – 4-0

Dan Olsen read the proposed ordinance by title.

Chairman Brian commented that this ordinance will be back for second and third readings, as well as eventual public hearing(s).

The Chair received concurrence from the rest of the Board to continue this matter to January 22, 2008 for second reading.
6. COUNTY COUNSEL

6.a. MO 08-11
Second Reading of Proposed Ordinance No. 687 Amending WCC 8.12 Alarm Systems (All CPOs)

There was a motion to read Proposed Ordinance No. 687 by title only.

Motion – Schouten
2nd – Strader
Vote – 4-0

Dan Olsen read the proposed ordinance by title.

It was moved to continue this item to January 22, 2008 for third reading, first public hearing.

Motion – Duyck
2nd – Strader
Vote – 4-0

7. ORAL COMMUNICATION (5 MINUTE OPPORTUNITY)

Sharon Cornish, P. O. Box 312, Hillsboro, Oregon, provided a handout for the Board, a copy of which may be found in the Meeting File. She indicated that this is a flyer sent out by Metro Councilor Kathryn Harrington dated January 2, 2008. Mrs. Cornish said that the top portion of the flyer gives the history of CRAG and Metro. She read from the publication, “So why would anyone brought into the UGB also want to be in the Metro boundary?” Mrs. Cornish responded by saying that most people do not want to be in the Metro boundary. She went on to say that people do not want to pick up Metro’s debt or to have anything to do with Metro. Mrs. Cornish referred to properties on Evergreen Industrial Corridor and Helvetia and said that there will be public hearings tonight at Hillsboro City Council relative to these two industrial areas that Metro has placed in the UGB. She submitted that these properties are not in Metro and never have been. Mrs. Cornish continued to read from the publication where she had left off, “The answer is that even though these areas are inside the UGB, the county is prohibited by state law from making zone changes until the area is brought into the Metro boundary.”

Mrs. Cornish commented that the county did rezone these areas. She wanted to know what law Kathryn Harrington is talking about and why the County rezoned this. Mrs. Cornish wondered what law would give the County permission to do this if it is prohibited by State law. She told the Board that most people will say “no” unless they are ready to get out of rural living. Mrs. Cornish emphasized that these people do not need the services of the city. She recalled that she came to Oregon, bought 2 acres or more, built a house, put a road in, and that she maintains the road, septic tank and well.
Mrs. Cornish said that people are happy where they are. She remarked that people do not like it when something comes along that is not their government (Metro) and places them in the UGB and then the County changes their zone. Mrs. Cornish believed that the only plus to this is that Hillsboro is not an aggressive annexation city; people can say “no”.

Mrs. Cornish read from a different paragraph of her submittal, “Property owners who live outside the Metro boundary and inside the UGB have a defined path to join the Metro boundary and vote in Metro elections—that path is annexation. If 50 percent of the voters and owner of 50 percent of the property, or 100 percent of the voters in an area petition the Metro Council and request to be brought into the Metro boundary by ‘consent annexation’, the Metro Council can vote to bring that area in.” She stated that the City is trying to advise people by letter what to ask for their property. Mrs. Cornish did not like this. She concluded that you can get what you want for your property; it is not up to the government to set the price.

Mrs. Cornish reiterated her question: what is the law that prohibits the County from rezoning property in the UGB?

Chairman Brian asked County Counsel if he has a comment at this time about this testimony.

Dan Olsen was not sure exactly what statute Kathryn Harrington is referring to but offered to check on this and report back to both the Board and Sharon Cornish.

Chairman Brian thought this was a good idea. He observed that two or three points in the submittal are familiar. The Chair appreciated the offer by Counsel to provide factual information.

Lawrence O’dell believed that Brent Curtis could shed some light on this matter, if so desired.

Chairman Brian noted that Oral Communication is not the time, generally, to engage in a dialogue. He did not want to get into all of Councilor Harrington’s points at this time. Chairman Brian pinpointed the relevant issue as the zoning of the property while it is in the UGB but not in Metro.

Brent Curtis reviewed that Metro has jurisdiction over the Urban Growth Boundary. He said that a typical set of abilities that any government has (when it has jurisdiction) is to establish conditions under which they exercise their jurisdiction. Mr. Curtis explained that when Metro brings land into the Urban Growth Boundary, they typically require properties that were once outside the boundary and outside the Metro Service District to be conditioned. He summarized that the UGB action to bring them inside the UGB is conditioned to do several things, the first of which is that they have to join Metro. Mr. Curtis reiterated that there has to be an annexation into Metro to fall under Metro’s jurisdiction.
Regarding the zoning question, Mr. Curtis said that this is a requirement of Title XI (which is a Metro set of requirements concerning the UGB) to do a number of things; concept planning is one of them. He stated that another prominent one is for the County or City (whichever has immediate land use jurisdiction) to protect the land from urbanization until concept planning is done. Mr. Curtis went on to say that it was under that authority that the County originally changed the designations for the property that was once outside the UGB to FD-20, a holding zone. He summarized that the County was complying with the Metro requirements—conditions that Metro can rightfully enact as part of their authority to adjust the UGB and manage the Urban Growth Boundary.

Chairman Brian explained that it is not the ultimate zone for the property.

Brent Curtis agreed and said it is commonly thought of as a holding zone while concept planning is done. In this case, he commented that this gives the city time to figure out what should happen with the land and how it should happen. Mr. Curtis informed the Board that while it is in this holding zone, very few things can occur other than a single family dwelling by right or certain kinds of repairs to dwellings, and the like.

Chairman Brian reasoned that if an owner wished to develop, they would have to annex to the Metro boundary.

Mr. Curtis responded that in order to be lawfully inside the Urban Growth Boundary, you have to annex to the Metro district and the County, in this case, then has to protect it. He said that ultimately, if the city, in this case, is preparing a concept plan, the concept plan would be completed and that property owner who wished to proceed to develop under Hillsboro’s plan would annex to the city and would ask for a zone change consistent with the concept plan. Mr. Curtis remarked that the County is taking an interim action and the action emanates from Metro’s ability to condition the UGB adjustments to manage the Urban Growth Boundary.

Sharon Cornish remarked that Mr. Curtis’ statement is not an absolute. She provided an example, namely, the 200 acres on Shute Road and Evergreen. Mrs. Cornish said that with that example, people refused to annex and that was allowed. She went on to say that they ended up having to sell their property due to Genentech and to the fact that Dawson Road would have gone through their house for that development. Mrs. Cornish added that those people came out very rich.

Brent Curtis wished to clarify that he was not commenting on anyone’s action or on pricing or selling land. Rather, he was talking about conditions associated with the County redesignating the property to FD-20 and the underlying rationale for the process.

Mrs. Cornish charged that Mr. Curtis inferred that annexation is an absolute. She did not agree.
Chairman Brian felt that some of Mrs. Cornish’s questions would best be directed to Metro and Councilor Harrington. He was trying to get her an answer as to why the County took action on a zone change prior to it being in. Chairman Brian explained that the answer is that Metro, as a condition, requires that property to annex in and the County places a holding or protection zone on it.

Mrs. Cornish reiterated that Mr. Curtis makes it sound like annexation is automatic and it is not.

Chairman Brian explained that if they want to develop, they have to annex.

8. BOARD ANNOUNCEMENTS

None.

9. ADJOURNMENT: 10:41 a.m.

Motion – Duyck
2nd – Strader
Vote – 4-0

MINUTES APPROVED THIS ____ DAY ______________________________________ 2008

__________________________________  ________________________________
RECORDING SECRETARY  CHAIRMAN
MINUTES
WASHINGTON COUNTY BOARD OF COMMISSIONERS
JANUARY 22, 2008

CONVENED: 6:38 p.m.

BOARD OF COMMISSIONERS:
Chairman Tom Brian
Vice Chair Dick Schouten
Commissioner Roy Rogers
Commissioner Andy Duyck

Commissioner Desari Strader was ill and therefore absent on this date.

STAFF:
Robert Davis, County Administrator
Dan Olsen, County Counsel
Bill Gaffi, General Manager, CWS
Bob Cruz, Deputy General Manager, CWS
Jeff Friend, Audiovisual Specialist
Barbara Hejtmanek, Recording Secretary

PRESS:
Kathy Gorman, The Oregonian

APPROVAL OF MINUTES:
January 8, 2008

1. CONSENT AGENDA

Chairman Brian announced the following modifications to the Consent Agenda:

- Item 1.a. is removed, at the request of staff. It will return on February 5, 2008.
- An off docket item from the County Administrative Office entitled “Authorize Omnibus Intergovernmental Agreement with Several Oregon Counties for Disaster-Related Emergency Assistance” is added to the Consent Agenda. (MO 08-34)
- An off docket item from the Sheriff’s Office entitled “Authorize Letter of Commitment with the Oregon Partnership for Disaster Resilience to Develop a FEMA Pre-Disaster Mitigation Planning Grant in Support of an Update of the County’s Mitigation Plan” is added to the Consent Agenda. (MO 08-32)
• An off docket item from Support Services entitled “Approval of the 2008-2011 Collective Bargaining Agreement with the Federation of Oregon Parole and Probation Officers” is added to the Consent Agenda. (MO 08-33)
• An off docket item from County Counsel entitled “Cox v. Washington County – Settlement of Lawsuit” is added to the Consent Agenda. (MO 08-35)

It was moved to adopt the Consent Agenda, as modified.

Motion – Rogers
2nd – Schouten
Vote – 4-0

CLEAN WATER SERVICES

1.a.
CWS MO 08-8
Receive Clean Water Services Fiscal Year 2006-07 Comprehensive Annual Financial Report (CAFR) and Related Documents (Removed From Today’s Agenda)

1.b.
CWS MO 08-9
Approve Amendment to Contract with AKS Engineering & Forestry, LLC for Erosion Control Inspection Services (Approved Under Consent Agenda)

1.c.
CWS MO 08-10
Quitclaim Portion of a Storm Sewer, Surface Water, Drainage and Detention Easement to Riverside Homes, Inc. (CPO 4) (Approved Under Consent Agenda)

1.d.
CWS MO 08-11
Quitclaim Portion of a Storm Sewer, Surface Water, Drainage and Detention Easement to Riverside Homes, Inc. (CPO 4) (Approved Under Consent Agenda)

COUNTY ADMINISTRATIVE OFFICE

1.e.
MO 08-28
Approve an Intergovernmental Agreement with the City of Hillsboro for Distribution of Other Fees from the 2006 SIP Agreement with Genentech Inc. (All CPOs) (Approved Under Consent Agenda)
1.f.  
MO 08-29  
Approve an Intergovernmental Agreement with the City of Hillsboro for Distribution of Other Fees from the 2005 SIP Agreement with Intel Corporation (All CPOs) (Approved Under Consent Agenda)

**HEALTH AND HUMAN SERVICES**

1.g.  
MO 08-30  
Approve Amendment to the 2007-2008 Contract with Court Appointed Special Advocates (CASA) to Provide Support and Advocacy for Abused and Neglected Children (Approved Under Consent Agenda)

**OFFICE OF CONSOLIDATED EMERGENCY MANAGEMENT**

1.h.  
MO 08-31  
Amend the 2007-2008 Washington County Position and Salary Report Increasing the Number of Positions by 1.0 FTE Emergency Management Coordinator in the Sheriff’s Office (Approved Under Consent Agenda)

2. ORAL COMMUNICATION (2 MINUTE OPPORTUNITY)

None.

3. **BOARDS AND COMMISSIONS**

3.a.  
MO 08-24  
Announce Vacancies on Boards and Commissions (All CPOs)

Chairman Brian announced vacancies on the following Boards and Commissions:

- Commission on Children and Families
- Developmental Disabilities Council
- Fair Board
- Housing Advisory Committee
- Solid Waste Advisory Committee

The Chair spoke of the importance of the work done by the people who serve on these Boards and Commissions and encouraged interested citizens to apply for these—and other—vacancies. He indicated that persons can request an application form from the County Administrative Office or access it online. Chairman Brian expressed appreciation to all those who serve in this capacity.
3.b.
MO 08-25
Appoint Members to Washington County Public Safety Coordinating Council (All CPOs)

There was a motion to reappoint Dennis Griffiths, William Wood, Logan Altiere, Dawn Phillips and Mary Nunnenkamp for two-year terms ending January 1, 2010.

Motion – Schouten
2nd – Duyck
Vote – 4-0

3.c.
MO 08-26
Appoint Members to Washington County Arts, Heritage and Humanities Coalition (All CPOs)

It was moved to appoint Dawn Holt to the Washington County Arts, Heritage and Humanities Coalition for a term ending December 31, 2010.

Motion – Rogers
2nd – Duyck
Vote – 4-0

4. COUNTY COUNSEL – PUBLIC HEARING
4.a.
Third Reading, First Public Hearing of Proposed Ordinance No. 687 Amending WCC 8.12 Alarm Systems

There was a motion to read Ordinance 687 by title only.

Motion – Duyck
2nd – Rogers
Vote – 4-0

Dan Olsen read the proposed ordinance by title.

Mr. Olsen provided a staff report on this ordinance. He summarized that this ordinance makes several modifications to the Alarm Systems Control Ordinance, at the request of the Sheriff. Mr. Olsen reported that the Sheriff’s Office has been working with the Alarm Companies and the False Alarm Reduction Association. He stated that the ordinance amendments accomplish the following goals:

1. The ordinance requires Alarm Companies to provide customer lists to the Sheriff’s Office monthly.
2. The ordinance implements enhanced call verification, which requires the Alarm Company to take steps to verify that alarms are not false before a Deputy is dispatched.
3. The ordinance requires all new alarm systems to use control panels designed to reduce false alarms.
4. The ordinance provides notice that installing an alarm system does not guarantee law enforcement response and clarifies that response depends on the call load, staffing and other conditions.
5. The ordinance provides for a charge if the alarm user fails to pay the required fees and penalties within 60 days.

Members of the Sheriff’s Office were present in the audience to answer questions, if any.

The public hearing was opened.

No public testimony was offered.

The public hearing was closed.

It was moved to adopt Ordinance No. 687.

Motion – Rogers
2nd – Duyck
Vote – 4-0
Roll Call: All Aye

Chairman Brian thanked the Sheriff’s Office very much for its work on this ordinance. He recognized that it can be difficult to address the false alarm issues associated with alarm system ordinances. Chairman Brian believed that it is helpful overall to have people with good alarm systems.

5. LAND USE AND TRANSPORTATION
5.a.
MO 08-27
Second Reading of Proposed Ordinance No. 688, an Ordinance Adopting a New Process for Review of Claims Under Measure 49 (All CPOs)

There was a motion to read Proposed Ordinance No. 688 by title only.

Motion – Duyck
2nd – Schouten
Vote – 4-0

Dan Olsen read the proposed ordinance by title.
It was moved to continue this item to February 5, 2008 for third reading and first public hearing.

Motion – Rogers  
2nd – Schouten  
Vote – 4-0  

6. ORAL COMMUNICATION (5 MINUTE OPPORTUNITY)  
None.  

7. BOARD ANNOUNCEMENTS  
Commissioner Rogers announced that there will be no Board meeting next week on the fifth Tuesday of the month.  

8. ADJOURNMENT: 6:48 p.m.  
Motion – Schouten  
2nd – Duyck  
Vote – 4-0  

MINUTES APPROVED THIS ____ DAY _______________________________ 2008  

_______________________________ ___________________________________  
RECORDING SECRETARY CHAIRMAN
MINUTES
HOUSING AUTHORITY OF WASHINGTON COUNTY
JANUARY 8, 2008

CONVENEDE: 10:10 a.m.

BOARD OF DIRECTORS:
Director Tom Brian
Director Roy Rogers
Director Dick Schouten
Director Desari Strader
Director Andy Duyck
Director Carol Gakin

Director Sydney Sherwood was absent on this date.

STAFF:
Robert Davis, County Administrator
Dan Olsen, County Counsel
Val Valfre, Assistant Director, Housing Services
Linda Gray, CPO Coordinator
Jeff Friend, Audiovisual Specialist
Barbara Hejtmanek, Recording Secretary

PRESS:
Kathy Gorman, The Oregonian

APPROVAL OF MINUTES:
November 6, 2007

1. CONSENT AGENDA

Director Brian announced the following modifications to the Consent Agenda:

- Item c. is removed from today’s agenda, at the request of staff.
- There is award of bid on item d. to Quality Plus Roofing for an amount not to exceed $131,298.00 through July 31, 2008.

It was moved to adopt the Consent Agenda, as modified.

Motion – Rogers
2nd – Strader
Vote – 6-0
HA 1.a.
HA MO 08-1
Reappointment of Housing Authority Director to a Third Term (CPO All) (Approved Under Consent Agenda)

HA 1.b.
HA MO 08-2
Authorize Payment not to Exceed $132,000 in Property and Earthquake Insurance c. Premiums to the Housing Authority Risk Retention Pool (CPO All) (Approved Under Consent Agenda)

HA 1.c.
HA MO 08-3
ADA Remodel for Public Housing (CPO All) (Removed from the agenda)

HA 1.d.
HA MO 08-4
Holly Tree Apartments Roof Replacement Project (CPO All) (Approved Under Consent Agenda)

1.e.
HA MO 08-5
Roofing Services for Affordable Housing (CPO All) (Approved Under Consent Agenda)

2. ORAL COMMUNICATION (2 MINUTE OPPORTUNITY)
None.

3. ORAL COMMUNICATION (10 MINUTE OPPORTUNITY)
None.

4. BOARD OF DIRECTOR ANNOUNCEMENTS
Director Brian thanked Director Gakin for her hard work on this Board and in the community.
5. **ADJOURNMENT:** 10:14 a.m.

Motion – Gakin
2nd – Duyck
Vote – 6-0

MINUTES APPROVED THIS ___ DAY ____________________________ 2008

_________________________________ _________________________________
RECORDING SECRETARY DIRECTOR
AGENDA

BOARD OF DIRECTORS
HOUSING AUTHORITY OF WASHINGTON COUNTY

Agenda Category: Consent – Housing Authority (CPO All)

Agenda Title: ACCEPT FISCAL YEAR 2006-07 HOUSING AUTHORITY ANNUAL FINANCIAL REPORT

Presented by: Susan A. Wilson, Executive Director

SUMMARY (Attach Supporting Documents if Necessary)

The audit firm of Talbot Korvola and Warwick completed their audit field work for the Housing Authority’s 2006-07 fiscal year on January 16, 2008. The Financial Statements and Supplementary Information meets the reporting requirements of the GFOA and the GASB and includes the unqualified opinion of the auditors. There were no findings or management recommendations reported. The Audit Committee met with the Auditors and Management staff on January 30, 2008 to review the financial reports and the required disclosures.

This request is being submitted concurrent with the submission of the Housing Authority and other county audit reports to the County Board of Commissioners, and copies of the report were distributed to the County Board with the other audit materials. Copies were distributed to other Housing Authority Board members on January 31, 2008.

DEPARTMENT’S REQUESTED ACTION:

Request that your Board accept the Housing Authority’s Report on Audit of Financial Statements for fiscal year 2006-07.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

H.A.
Agenda Item No. 1.a.
Date: 2/5/08
SUMMARY (Attach Supporting Documents if Necessary)
Each year the Department of Housing Services (DHS) implements its capital improvement program, the “Capital Fund Program”. The Capital Fund Program is federal funding that the Authority receives to improve or modernize its inventory of Public Housing.

On January 8, 2008 DHS issued an “Invitation to Bid” for “ADA Remodels for Public Housing for the Housing Authority of Washington County-Bid No 28007B”. HUD requires that 5% of Public Housing units per project be accessible to people with disabilities. The bids were evaluated by the lowest “Average Unit Cost” for each of the sixteen work components, worth 65% of the award and by the overall cost of the proposed remodel based on architects drawings and pre-bid walk thru of the property, worth 35% of the award. The contract amount will allow the Housing Authority to complete at least four units to help comply with the 5% requirement. The Department received four bids in response to this solicitation.

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Bid Totals (Sum of 65%/35% Criteria)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nomarco Construction</td>
<td>$ 21,260.25</td>
</tr>
<tr>
<td>Hood to Coast Construction</td>
<td>$ 23,084.62</td>
</tr>
<tr>
<td>Robert Evans Company</td>
<td>$ 33,433.73</td>
</tr>
<tr>
<td>Rose Construction</td>
<td>$ 51,661.30</td>
</tr>
</tbody>
</table>

Nomarco Construction submitted the lowest bid; the bid documents allowed for additional contracts to be awarded in the event that the primary contractor is unable to manage the volume of work or meet mutually agreed upon deadlines. Staff recommends awarding the primary contract to Nomarco Construction and a secondary to Hood to Coast Construction.

DEPARTMENT’S REQUESTED ACTION:

1. That your Board accept the bids and authorize contracts in response to Invitation to Bid #28007B; with the primary contractor being Nomarco Construction and secondary contractor being Hood to Coast Construction. Total combined expenditure for all contracts shall not exceed $250,000 through January 31, 2011.

2. Authorize the Chair, or designee, to execute requirement(s) contracts as needed, following the County’s contract review process.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

H.A.
Agenda Item No. 1.b.
Date: 2/05/08
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.

Housing Authority Agenda
Board Agenda
Worksession Agenda
Meeting Schedules and Procedures
Meeting Calendar

1. CONSENT AGENDA

   Approval of Minutes – January 8, 2008 (PDF, 26 KB)
   a. Accept Fiscal Year 2006-07 Housing Authority Annual Financial Report (CPO All) (PDF, 16 KB)
   b. ADA Remodel for Public Housing (CPO All) (PDF, 20 KB)

2. ORAL COMMUNICATION (2-Minute Opportunity)

3. ORAL COMMUNICATION (10-Minute Opportunity)

4. BOARD OF DIRECTORS ANNOUNCEMENTS

5. ADJOURNMENT
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. PRESENTATION
   a. Overview of Washington County Visitors Association Strategic Plan for Tourism Development (PDF, 25 KB)

4. BOARDS AND COMMISSIONS
   a. Appoint Members to the County Budget Committee (PDF, 15 KB) (PDF, 22 KB)
   b. Appoint Members to the Land Use Ordinance Advisory Commission (LUOAC) (PDF, 17 KB) (PDF, 11 KB)

5. PUBLIC HEARING – LAND USE AND TRANSPORTATION
   a. Third Reading and First Public Hearing of Proposed Ordinance No. 688; an Ordinance Adopting a New Process for Review of Claims Under Measure 49 (CPO All) (PDF, 17 KB) (PDF, 68 KB) (PDF, 48 KB)
   b. Consider the Annexation of 79 Parcels Encompassing Approximately 66.38 Acres to the Tualatin Hills Park & Recreation District (WA-3907) (CPOs 1, 6, 7) (PDF, 20 KB) (PDF, 54 KB) (PDF, 18 KB) (PDF, 5372 KB)

6. ENHANCED SHERIFF'S PATROL DISTRICT (ESPD)
   a. Establish Election Date, Adopt ESPD Local Option Levy Ballot Title and Explanatory Statement (PDF, 46 KB) (PDF, 49 KB)

7. LAND USE AND TRANSPORTATION
   a. Authority to File Ordinance Establishing Requirements for Site Development Grading (PDF, 16 KB)
   b. Order Utility Relocation at 197th Avenue and Alexander Street (CPO 6) (PDF, 22 KB)
   c. Authorize Filing of Ordinances to Amend and Increase Traffic Impact Fee (TIF) (CPO All) (PDF, 17 KB)

8. ORAL COMMUNICATION
9. BOARD ANNOUNCEMENTS

10. ADJOURNMENT

CONSENT AGENDA

APPROVAL OF MINUTES
   January 15, 2008 (PDF, 54 KB)
   January 22, 2008 (PDF, 38 KB)

CLEAN WATER SERVICES
   a. Acquire Easements for Sanitary Sewer, Temporary Construction and Water Quality Preservation and Storm and Surface Water Drainage (PDF, 32 KB)
   b. Receive Clean Water Services Fiscal Year 2006-07 Comprehensive Annual Financial Report (CAFR) and Related Documents (PDF, 22 KB)
   c. Accept Hillsboro Facility Biotower and Pump Station Demolition Project (Project No. 6317) as Complete and Authorize Release of Retainage to RC Landworks, Inc. (CPO 9) (PDF, 23 KB)
   d. Accept Nyberg Pump Station Upgrade Project (Project No. 6070) as Final and Release Retainage to Stettler Supply Company (PDF, 22 KB)
   e. Approve Second Amendment to the Agreement for Purchase of Bare Root Native Plant Supply with Sara Kral, dba Scholls Valley Native Nursery (PDF, 26 KB)
   f. Award Contract for Purchase of Sewer Jetter Truck to HCS Group, LLC (PDF, 23 KB)
   g. Approve Sixth Amendment to the Master Contract for Professional Services with CH2M Hill, Inc. for NPDES Permit Renewal Application Assistance (PDF, 24 KB)

LAND USE AND TRANSPORTATION
   h. Approve Bid Award and Execute Contract for the SW Farmington Road - SW 170th Avenue to SW Kinnaman Road Improvement Project (CPO 6) (PDF, 18 KB)
   i. Approve Bid Award, Execute Contract for the SW Beef Bend Road / SW 131st Avenue Signal Project (CPO 4B & 4C) (PDF, 17 KB)
   j. Approve Work Order Contract 4.0 for Professional Services with CH2M Hill for Martin - Cornelius Schefflin Corridor: Phase 3 Realignment Project (CPO 11, 12, 14) (PDF, 21 KB)
   k. Approve Work Order Contract 5.0 with CH2M Hill for Cornelius Schefflin Bridge at Council Creek Project (CPO 11, 12, 14) (PDF, 20 KB)
   l. Authorize Signing IGA with Beaverton School Dist. for Public Assurances (CPO 1, 6, 7, 3) (PDF, 16 KB)
   m. Establish the Road in Kaiser Gardens Subdivision, as County Road No. 3251 (CPO 7) (PDF, 25 KB)
   n. Establish the Roads in Cooper Mountain Estates Subdivision, as County Road No. 3252 (CPO 6) (PDF, 25 KB)
   o. Establish the Roads in Wood Hollow Subdivision, as County Road No. 3253 (CPO 6) (PDF, 25 KB)
p. Approve Establishment of a Road Maintenance Local Improvement District (MLID) for Stewart Crossing (CPO 3) (PDF, 71 KB)
q. Approve Extended Closures on Pottratz and Cochran Roads and Restriction on Meacham Bridge (CPO 8) (PDF, 14 KB)

**DISTRICT ATTORNEY**
r. Authorize Acceptance of Funds from State Department of Justice for Juvenile Dependency Representation (PDF, 17 KB)

**HEALTH AND HUMAN SERVICES**
s. Approve Amendment to the County Financial Assistance Contract to Provide Human Services (PDF, 16 KB)
t. Update List of Mental Health Director Designees (PDF, 16 KB)

**SUPPORT SERVICES**
u. Accept Proposal/Award Contract for Forestry Consulting Services (PDF, 17 KB)
v. Accept Fiscal Year 2006-07 Comprehensive Annual Financial Report, Single Audit and Other Related Financial Reports (PDF, 40 KB)

**SERVICE DISTRICT FOR LIGHTING NO. 1**
w. Form Assessment Area, Authorize Maximum Annual Assessment, and Impose a First Year Assessment for Sunrise Heights (CPO 6) (PDF, 66 KB)
x. Form Assessment Area, Authorize Maximum Annual Assessment, and Impose a First Year Assessment for Woodcreek Estates (CPO 7) (PDF, 64 KB)

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**Board of Commissioners Meeting Calendar**

**Tuesday, February 5, 2008**
- Worksession – 8:30 a.m.
- Board Meeting – 10:00 a.m.

**Tuesday, February 12, 2008**
- Extended Worksession – 8:30 a.m.
- Jail Inspection – 11:00 a.m.

**Tuesday, February 19, 2008**
- Worksession – 8:30 a.m.
- Board Meeting – 10:00 a.m.

**Tuesday, February 26, 2008**
- Worksession – 2:00 p.m.
- Board Meeting – 6:30 p.m.
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<tr>
<th>Washington County Administrative Office</th>
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<tbody>
<tr>
<td>155 N. First Avenue, Suite 300</td>
</tr>
<tr>
<td>Hillsboro, OR 97124</td>
</tr>
<tr>
<td>Phone: 503-846-8681</td>
</tr>
<tr>
<td>Fax: 503-846-4545</td>
</tr>
<tr>
<td>E-Mail: <a href="mailto:cao@co.washington.or.us">cao@co.washington.or.us</a></td>
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