

**WASHINGTON COUNTY
BOARD OF COMMISSIONERS
WORKSESSION**



**ROOM 140
PUBLIC SERVICES CENTER
JANUARY 6, 2004**

REVISED

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

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

- 9:05 a.m. **3. Update on Boards and Commissions**
(5 min.)
 - Gerald Kubiak, County Administrative Office

- 9:10 a.m. **4. Summary of Changes to the Design and Construction Standards**
(15 min.)
 - Bill Gaffi, Clean Water Services
 - Robert Cruz, Clean Water Services, Conveyance Systems Department
 - Nora Curtis, Clean Water Services, Engineering Division

- 9:25 a.m. **5. Executive Session under ORS 192.660(1)(h)**
(30 min.)
 - Elmer Dickens, Office of County Counsel

Jail Inspection for Month of January:
Chair Brian



**AGENDA
CLEAN WATER SERVICES
BOARD OF DIRECTORS**

Agenda Category: Consent

Agenda Title: ACQUIRE EASEMENTS TO PROVIDE SANITARY AND STORM
SEWER SERVICE TO PROPERTIES IN CLEAN WATER
SERVICES' SERVICE DISTRICT

Presented by: Bill Gaffi, General Manager (nmc)

SUMMARY (Attach Supporting Documents if Necessary)

The following easements are necessary to provide sanitary and storm sewer service to properties in Clean Water Services' service district:

I. SANITARY SEWER

<u>PROPERTY OWNER</u>	<u>PROJECT</u>	<u>AREA</u>	<u>VALUE</u>
Venture Properties Inc.	McDaniel #2 LID (6098)	347 sf	\$625
Robert Evans Company, Carl T. Coffman, and W'East Properties, Ltd., as tenants in common, each with a 33 1/3% interest	Bendemeer Trunk (6010)	1,334 sf	\$1,214
Dr. Toivo T. Sepp	Sepp Sanitary Extension (8725)		-0-

CONTINUED

FISCAL IMPACT: \$1,839

REQUESTED ACTION: Acquire easements to provide sanitary and storm sewer service to properties in Clean Water Services' service district.

Agenda Item No.	<u>1.a.</u>
Date:	1/6/04

I. SANITARY SEWER (Continued)

<u>PROPERTY OWNER</u>	<u>PROJECT</u>	<u>AREA</u>	<u>VALUE</u>
Dr. Toivo T. Sepp	Sepp Sanitary Extension Project (8725) granted by Quitclaim		-0-

II. STORM SEWER

<u>PROPERTY OWNER</u>	<u>PROJECT</u>	<u>AREA</u>	<u>VALUE</u>
Myles Cluff and Marah Cluff	Project No. 8635	140 sf	-0-

1 **BEFORE THE BOARD OF DIRECTORS OF CLEAN WATER SERVICES**

2
3 In the Matter of Acquisition of) RESOLUTION AND ORDER
4 Easements Needed for District Purposes.)
5) NO. _____

6 The above-entitled matter came before the Board of Directors of Clean Water Services
7 (Board) at its regular meeting of January 6, 2004; and

8 It appearing to the Board that Clean Water Services (District) requires certain easements to
9 provide construction of sanitary and storm sewer service to properties in the District’s service
10 district; and

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

13 It appearing to the Board that District representatives have secured duly executed easements
14 to provide sanitary and storm sewer services from the property owners named in Exhibit A, which
15 recites therein an appropriate amount of consideration for acquisition of the easements; and

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

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1 RESOLVED AND ORDERED that the easements granted by the property owners named in
2 Exhibit A to this Resolution and Order be, and hereby are, accepted by the Board of Directors of the
3 District.

4 DATED this 6th day of January, 2004.

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CLEAN WATER SERVICES
By its Board of Directors

Chairman

Recording Secretary

EXHIBIT A

I. SANITARY SEWER

<u>PROPERTY OWNER</u>	<u>PROJECT</u>	<u>AREA</u>	<u>VALUE</u>
Venture Properties Inc.	McDaniel #2 LID (6098)	347 sf	\$625
Robert Evans Company, Carl T. Coffman, and W'East Properties, Ltd., as tenants in common, each with a 33 1/3% interest	Bendemeer Trunk (6010)	1,334 sf	\$1,214
Dr. Toivo T. Sepp	Sepp Sanitary Extension (8725)		-0-
Dr. Toivo T. Sepp	Sepp Sanitary Extension Project (8725) granted by Quitclaim		-0-

II. STORM SEWER

<u>PROPERTY OWNER</u>	<u>PROJECT</u>	<u>AREA</u>	<u>VALUE</u>
Myles Cluff and Marah Cluff	Project No. 8635	140 sf	-0-



**AGENDA
CLEAN WATER SERVICES
BOARD OF DIRECTORS**

Agenda Category: Consent CPO 6

Agenda Title: DECLARE NECESSITY AND PURPOSE FOR ACQUISITION OF EASEMENTS ACROSS CERTAIN REAL PROPERTY AND AUTHORIZE CLEAN WATER SERVICES TO PROCEED WITH CONDEMNATION ACTION FOR THE COMPLETION OF WOODS NO. 2 LSI PROJECT (6162)

Presented by: Bill Gaffi, General Manager (dt)

SUMMARY (Attach Supporting Documents if Necessary)

On August 26, 2003 Clean Water Services (District) Board of Directors (Board) held a public hearing and authorized implementation of the Woods No. 2 Local Sewer Improvement project (Project). The Project is scheduled for construction in the summer of 2004. The District is in negotiation for easements necessary to construct this project, and will make every effort to reach agreements with property owners before any condemnation action. Staff is seeking authority to proceed with condemnation, if necessary, for easements over the properties listed in Exhibit A.

FISCAL IMPACT: N/A

REQUESTED ACTION: Declare by resolution and order, the necessity and purpose for acquisition of certain easements necessary to complete the Woods No. 2 LSI Project (6162) and authorize staff to proceed with condemnation action as required to obtain the easements.

Agenda Item No. <u>1.b.</u>

Date: <u>1/6/04</u>

1 **BEFORE THE BOARD OF DIRECTORS OF CLEAN WATER SERVICES**

2 In the Matter of Declaring the Necessity)
3 And Purpose for Acquisition of Easements) RESOLUTION AND ORDER
4 For the Woods No. 2 Local Sewer Improvement)
5 Project (6162); Directing that Staff Attempt)
6 to Negotiate Settlement with the Property Owners;) NO. _____
7 and Authorizing Legal Proceedings to Acquire the)
8 Property.)

9 The above-entitled matter came before the Board of Directors (Board) of the Clean Water
10 Services (District), at its regular meeting of January 6, 2004; and

11 It appearing to the Board that Clean Water Services (District) Ordinance No. 36 establishes
12 a procedure for constructing local sewer improvements within the District; and

13 It appearing that on August 26, 2003, in accordance with District Ordinance No. 36, the
14 Board authorized the implementation of the Woods No. 2 Local Sewer Improvement project
15 (Woods No. 2 LSI); and

16 It appearing to the Board that the District has authority under ORS Chapter 451.550(3) to
17 acquire easements necessary to construct the Woods No. 2 LSI by condemnation proceedings or
18 by other means; and

19 It appearing to the Board that it is consistent with the powers and purposes of the District,
20 and necessary for the continued growth, safety and welfare of the community, that the Woods No.
21 2 LSI be constructed and that easements over the property described in Exhibit A, attached hereto
22 and by this reference incorporated herein, be acquired; and

23 It appearing to the Board that the proposed alignment and plans for construction of the
24 Woods No. 2 LSI, as shown on a map attached hereto as Exhibit B and by this reference
25 incorporated herein, is most compatible with the greatest public good and causes the least private
26 injury, the Board being fully advised, it is, therefore,

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Page 1 – RESOLUTION AND ORDER

1 RESOLVED AND ORDERED that it is necessary for the preservation of the public health,
2 safety and welfare that the District acquire temporary construction and permanent sanitary sewer
3 easements over the property described in Exhibit A for the purpose of construction the Woods No.
4 2 LSI; and it is further

5 RESOLVED AND ORDERED that the governing body of the District does hereby find
6 and determine that the Woods No. 2 LSI is planned in a manner which will be compatible with
7 the greatest public good and the least private injury; and it is further

8 RESOLVED AND ORDERED that the immediate possession of the easements is
9 necessary; and it is further

10 RESOLVED AND ORDERED that the District staff shall negotiate with the owners of the
11 property described in Exhibit A to be burdened by the easements, and attempt to agree upon the
12 just compensation to be paid for said easements; and it is further

13 RESOLVED AND ORDERED that should District staff and the property owners be
14 unable to reach an agreement, Counsel for the District shall be and hereby is, authorized and
15 directed to institute all necessary proceedings for the condemnation of the easements over the
16 property described in Exhibit A consistent with applicable provisions of law including all
17 necessary steps for immediate possession of said easements.

18 DATED this 6th day of January, 2004.

19 CLEAN WATER SERVICES
20 By its Board of Directors

21 _____
22 Chairman

23 _____
24 Recording Secretary

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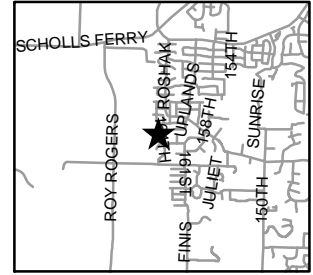
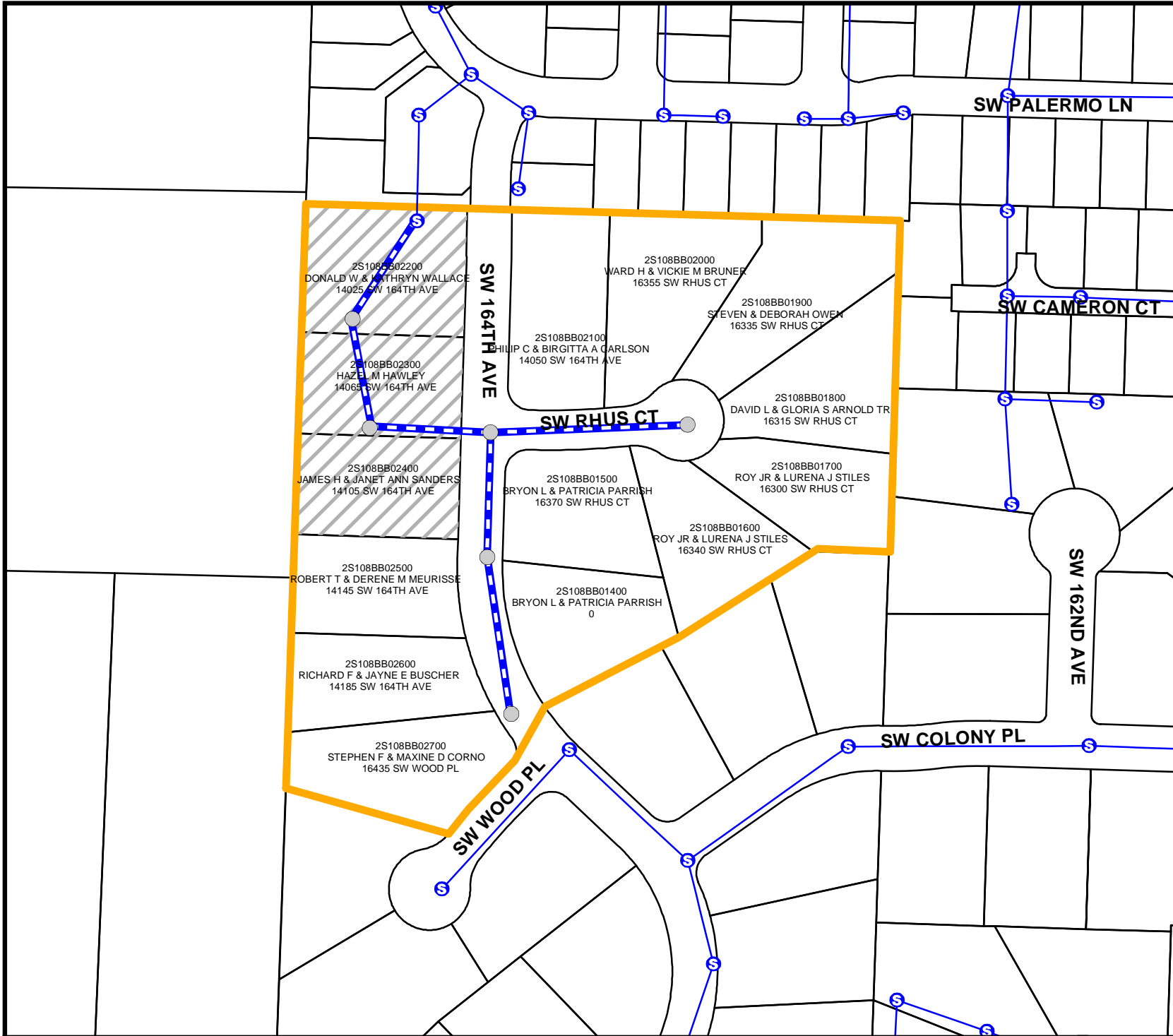
**DECLARATION OF NECESSITY
WOODS NO. 2 LSI PROJECT (6162)**

Hawley, Hazel M.
14065 SW 164th Ave.
Tigard, OR 97224
2S108 BB TL 2300

Wallace, Donald W. & Kathryn
14025 SW 164th Ave.
Tigard, OR 97224
2S108 BB TL 2200

Sanders, James H. & Janet Ann
14105 SW 164th Ave.
Tigard, OR 97224
2S108BB0240

Woods #2 LSI



Legend:

- Tax Lots
- Existing Sanitary Sewer
- Proposed Sanitary Sewer
- Woods #2 LSI Study Area
- Subject Properties with Easements Needed



1 inch equals 150 feet



**AGENDA
CLEAN WATER SERVICES
BOARD OF DIRECTORS**

Agenda Category: Consent CPO 9

Agenda Title: **ENDORSE BOUNDARY CHANGE NO. WA-6103 FOR
ANNEXATION TO CLEAN WATER SERVICES' SERVICE
DISTRICT**

Presented by: Bill Gaffi, General Manager (rcc)

SUMMARY (Attach Supporting Documents if Necessary)

The 1997 Legislature abolished the Boundary Commission and shifted the boundary change function back to the local level. Effective January 1, 1999, Washington County (County) became responsible for district boundary changes within its jurisdiction. Cities are responsible for handling boundary changes within their jurisdictions. The governing bodies of county service districts, such as Clean Water Services (District), must endorse proposed annexations to their boundaries.

The County has received the following request to annex property to the District:

WA-6103: The property is located at the southwest corner of SW 229th Avenue and SW Alexander Street in the City of Hillsboro and is further identified as tax map and lot numbers 1S210DB/900 and 1000. The property to be annexed consists of two parcels: one parcel currently supports a single family residence (900) while the other supports a church and a single-family residence (1000). The petitioners desire sanitary sewer service to facilitate two existing residences and the existing church (Calvary Chapel). The property must be brought into the District in order to be provided the necessary sanitary sewer service. The property was annexed into the City of Hillsboro on August 5, 2003.

District staff has reviewed the request and recommends endorsing the annexation. County staff has a public hearing scheduled for the proposed annexation on January 6, 2004.

FISCAL IMPACT: N/A

REQUESTED ACTION: Endorse Boundary Change Proposal No. WA-6103 for annexation into Clean Water Services' service district.

Agenda Item No. 1.c.

Date: 1/6/04

1 **BEFORE THE BOARD OF DIRECTORS OF CLEAN WATER SERVICES**

2 In the Matter of Endorsing) RESOLUTION AND ORDER
3 Boundary Change Proposal)
4 No. WA-6103.) NO. _____

5 The above-entitled matter came before the Board of Directors for Clean Water Services
6 (Board) at its regular meeting of January 6, 2004; and

7 It appearing that the Board is charged with endorsing proposed boundary changes pursuant
8 to ORS 198.850(1); and

9 It appearing that the Board has received an annexation petition which meets the double
10 majority requirements of ORS 198.855(3); and

11 It appearing that the property is within Metro’s jurisdictional boundary, the regional Urban
12 Growth Boundary and has been annexed into the City of Hillsboro; and the Board being fully
13 advised in the premises, it is therefore

14 **RESOLVED AND ORDERED** that the Board endorses proposed annexation number WA-
15 6103 having the boundaries depicted in Exhibit A attached hereto and by this reference
16 incorporated herein; and it is further

17 **RESOLVED AND ORDERED** that this Resolution and Order shall be immediately filed
18 with the Washington County Board of Commissioners for further action to approve boundary
19 change proposal WA-6103.

20 **DATED** this 6th day of January, 2004.

21 **CLEAN WATER SERVICES**
22 By its Board of Directors

23 _____
24 Chairman

25 _____
26 Recording Secretary

EXHIBIT A




WASHINGTON COUNTY

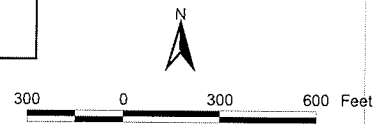
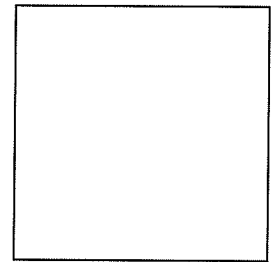
GEOGRAPHIC INFORMATION SYSTEM

Proposal No. WA-6103

**Annexation to
Clean Water Services**



-  Subject Taxlots
-  Clean Water Services Service Area
-  Urban Growth Boundary



This map was derived from several databases. The County cannot accept responsibility for any errors. Therefore, there are no warranties for this product. However, notification of errors would be appreciated.



**AGENDA
CLEAN WATER SERVICES
BOARD OF DIRECTORS**

Agenda Category: Consent

Agenda Title: **APPROVE AMENDMENT 4 TO MASTER AGREEMENT FOR
ENGINEERING SERVICES WITH MURRAY, SMITH &
ASSOCIATES, INC. FOR THE RIVER ROAD PUMP STATION
AND FORCE MAIN PROJECT (6060)**

Presented by: Bill Gaffi, General Manager (sw)

SUMMARY (Attach Supporting Documents if Necessary)

On February 4, 2003, the Board of Directors of Clean Water Services (Board) authorized a Second Amendment to the 2002 Master Agreement between Clean Water Services (District) and Murray, Smith & Associates, Inc. to provide engineering services for design and construction administration of the River Road Pump Station and Force Main Project (Project) in the amount of \$348,936.

The Project was originally intended to be designed and bid as one construction contract; however, the Project was divided into two construction phases. Schedule A allowed the early completion of the force main and temporary pumping to accommodate the occupancy of the new Witch Hazel Elementary School. Schedule B is for the new River Road Pump Station to provide service for development in the South Hillsboro Planning Area.

CONTINUED

FISCAL IMPACT: \$140,524
Budget Information: 112.0.0.52210.0 (Project 6060)

REQUESTED ACTION: Approve Amendment 4 to the Master Agreement for Engineering Services with Murray, Smith & Associates, Inc. for the River Road Pump Station and Force Main Project (6060) in the amount of \$140,524.

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

Agenda Item No. <u>1.d.</u>
Date: 1/6/04

Amendment No. 4 provides for additional design and project management to divide the Project into two construction schedules and to add onsite inspection to the services during construction. The amount of the amendment is \$140,524 for a total consultant compensation not to exceed \$489,460.



**AGENDA
CLEAN WATER SERVICES
BOARD OF DIRECTORS**

Agenda Category: Consent

Agenda Title: **APPROVE A THREE-YEAR CONTRACT WITH NORTHSTAR
CHEMICAL INC. FOR THE PURCHASE OF SODIUM BISULFITE**

Presented by: Bill Gaffi, General Manager (cs)

SUMMARY (Attach Supporting Documents if Necessary)

Clean Water Services (District) uses a solution of sodium bisulfite (bisulfite) at its Rock Creek and Durham facilities as a chlorine-neutralizing agent in the wastewater treatment process. In June 2001, the current contract with Northstar Chemical Inc. (Northstar) was established with a price of \$0.142 per dry pound of active sodium bisulfite. Because of stringent National Pollution Discharge Elimination System permit requirements, the District must use significant quantities of bisulfite. The estimated value of the current contract was \$355,000. The new contract would result in a reduction to \$0.1395 per dry pound of active sodium bisulfite.

The District recently solicited bids for a new three-year contract for bisulfite. The bid results are as follows:

Vendor	Price (per dry lb. active bisulfite)
Northstar	\$0.1395
Teck Cominco American Inc.	No Bid
Olympic Chemical Inc.	\$0.1450
Thatcher Chemical Company	\$0.1500

Staff recommends the District’s Board of Directors award the three-year contract to Northstar.

FISCAL IMPACT: \$334,800 (estimate for three-year contract period)
Budget Information: 101.072.8311.0.52850 (Durham)
101.073.8312.0.52850 (Rock Creek)

REQUESTED ACTION: Approve three-year contract with Northstar Chemical Inc. for purchase of sodium bisulfite.

(A copy of the agreement is available at the Clerk’s desk.)

Agenda Item No.	<u>1.e.</u>
Date:	1/6/04



**AGENDA
CLEAN WATER SERVICES
BOARD OF DIRECTORS**

Agenda Category: Consent

Agenda Title: **AWARD PRIMARY CONTRACT FOR PURCHASE OF SODIUM
HYPOCHLORITE TO PIONEER AMERICAS LLC**

Presented by: Bill Gaffi, General Manager (cs)

SUMMARY (Attach Supporting Documents if Necessary)

Clean Water Services (District) uses sodium hypochlorite (hypochlorite) at each of its four treatment facilities to disinfect and/or deodorize treated wastewater. In September 2001 the current contract with Pioneer Americas LLC was established with a price per gallon of \$0.429. Because of stringent NPDES permit requirements, the District must use significant quantities of hypochlorite. The estimated value of the current contract was \$643,500.

The District recently solicited bids for a new 36-month contract. The bid results are as follows:

<u>Vendor</u>	<u>Price (per gallon)</u>
Pioneer Americas LLC	\$0.409
Jones Chemicals	\$0.520

Staff recommends that the primary contract be awarded to Pioneer Americas LLC, the low bidder. Pioneer Americas' bid price of \$0.409 per gallon is 4.7 percent lower than the current contract price. The difference in prices will decrease the District's sodium hypochlorite costs by an estimated \$30,000 over the life of the contract.

FISCAL IMPACT: \$736,200 (estimate for the three year contract period)
Budget Information: 101.073.8312.0.52840 (Rock Creek),
101.073.8314.0.52840 (Hillsboro), 101.073.8315.0.52840 (Forest
Grove), 101.072.8311.0.52840, (Durham)

REQUESTED ACTION: Award the 36-month contract for purchase of sodium hypochlorite to Pioneer Americas LLC.

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

Agenda Item No. 1.f.

Date: 1/6/04



**AGENDA
CLEAN WATER SERVICES
BOARD OF DIRECTORS**

Agenda Category: Consent CPO 3

Agenda Title: **ACCEPT CONSTRUCTION OF HARVEST HILLS LOCAL IMPROVEMENT DISTRICT (6001) AS FINAL AND RELEASE RETAINAGE TO LANDIS & LANDIS CONSTRUCTION, LLC**

Presented by: Bill Gaffi, General Manager (dt)

SUMMARY (Attach Supporting Documents if Necessary)

On August 20, 2002, the Board of Directors (Board) of Clean Water Services (District) approved Minute Order No. 02-78, which awarded the contract for the construction of the Harvest Hills Local Improvement District (Project) to Landis & Landis, LLC in the amount of \$90,728. The District's General Manager has approved Change Order Nos. 1 and 2. The change orders covered additional work associated with slurry seal application to meet Washington County requirements and additional plants for landscape restoration. Change Order Nos. 1 and 2 increased the contract amount by \$4,130.00, equal to 4.6 percent, to a total of \$94,858.00.

All Project work is complete and in conformance with the specifications of the contract. The final actual construction cost is \$88,352, a saving of 6.9% from the contract price. Staff recommends the Board accept the Project as final and authorize release of the final payment and retainage in the amount of \$11,726.20 to Landis & Landis, LLC.

FISCAL IMPACT: N/A
112.000.0000.52204 Project 6001

REQUESTED ACTION: Accept construction of the Harvest Hills LID (6001) as final and release final payment and retainage in the amount of \$11,726.20 to Landis & Landis, LLC.

Agenda Item No. 1.g.

Date: 1/6/04



**AGENDA
CLEAN WATER SERVICES
BOARD OF DIRECTORS**

Agenda Category: Consent

Agenda Title: **APPROVE THE MASTER AGREEMENT CONTRACTS FOR LAND USE PLANNING SERVICES FOR ENGINEERING AND WATER QUALITY PROJECTS**

Presented by: Bill Gaffi, General Manager (ab)

SUMMARY (Attach Supporting Documents if Necessary)

During the next three years, Clean Water Services (District) will need the assistance of land use planning consultants for a variety of engineering and water quality improvement projects.

The District recently issued a request for proposals (RFP) to establish a list of eligible consultants to provide land use planning services. The consultants were selected for the list on the basis of qualifications, experience, and labor and expense reimbursement rates. Each listed consultant will sign a three-year master agreement contract. The District received 12 proposals. Staff recommends that five consultants be placed on the land use planning services list. These consultants are as follows:

Dorman & Company
David Evans and Associates, Inc.
LDC Design Group, Inc.
Moore Iacofano Goltsman, Inc.
Adolfson Associates, Inc.

Upon being selected for a particular project, a consultant will be required to sign an amendment to the master agreement that contains the agreed price and scope of work. Any amendment over \$50,000 will be subject to Board of Directors approval. Listed consultants will not be assured a minimum amount of work.

FISCAL IMPACT: Budget Information: The consultants will be paid with funds budgeted for the projects for which they are hired. No payment obligation is created by the master contracts.

REQUESTED ACTION: Approve three-year master agreements for land use planning services with the above-referenced consultants.

Agenda Item No.	<u> 1.h. </u>
Date:	1/6/04



**AGENDA
CLEAN WATER SERVICES
BOARD OF DIRECTORS**

Agenda Category: Consent

Agenda Title: **AWARD THE CONTRACT FOR ROCK CREEK PHASE 6A
EXPANSION AND UPGRADE PROJECT TO SLAYDEN
CONSTRUCTION, INC. (6093)**

Presented by: Bill Gaffi, General Manager (ps)

SUMMARY (Attach Supporting Documents if Necessary)

Clean Water Services (District) requested bids for the Rock Creek Phase 6A Expansion and Upgrades Project (Project) on November 6, 2003. The Project consists of additions and modifications to the east filtration system, upgrades to the existing west tertiary system and west surge basin pumps, conversion of existing Digester No. 1 for centrate equalization, and miscellaneous civil, mechanical, electrical, and control work. The Project is located at the District Rock Creek Facility.

The Engineer's estimate for the Project was \$9.5 million. Bids for the construction of the Project were received and opened on December 11, 2003. The following five bids were submitted:

<u>Contractor</u>	<u>Bid</u>
Slayden Construction, Inc.	\$5,848,000
Contractors, Inc.	\$5,987,000
Stellar J Construction	\$6,157,544
Wildish Building Company	\$7,318,000
McClure and Sons	\$7,223,063

District staff recommends awarding the contract to Slayden Construction, Inc. (Slayden), the low bidder. Slayden disclosed Team Electric and R2M2 Rebar as its only subcontractors.

FISCAL IMPACT: \$5,848,000
Budget Information: 075.8211.52310 (Project 6093)

REQUESTED ACTION: Award the contract for constructing the Rock Creek Wastewater Treatment Facility Phase 6A Expansion and Upgrades Project to Slayden Construction, Inc. for \$5,848,000.

Agenda Item No.	<u>1.i.</u>
Date:	1/6/04



**AGENDA
CLEAN WATER SERVICES
BOARD OF DIRECTORS**

Agenda Category: Consent

Agenda Title: **ACCEPT THE SHERWOOD PUMP STATION REHABILITATION PROJECT (6101) AS FINAL AND AUTHORIZE FINAL RELEASE OF RETAINAGE TO TRIAD MECHANICAL, INC.**

Presented by: Bill Gaffi, General Manager (sw)

SUMMARY (Attach Supporting Documents if Necessary)

On July 1, 2003, the Board of Directors (Board) of Clean Water Services (District) awarded the contract for the Sherwood Pump Station Rehabilitation Project (Project) to Triad Mechanical, Inc. by Minute Order No. 03-86.

The original contract amount was \$137,236. The District approved Change Order No. 1 to the contract in the amount of \$2,165.66 due to a change in conditions during construction. The change order increased the original contract amount by 1.6 percent increase bringing the actual Project cost to \$139,401.66.

The Project is now complete. There are no outstanding claims in connection with the Project. Staff recommends the Board accept the Project as final and authorize the final release of retainage in the amount of \$6,970.08 to Triad Mechanical, Inc.

FISCAL IMPACT: N/A

REQUESTED ACTION: Accept the Sherwood Pump Station Rehabilitation Project (6101) as final and authorize the final release of retainage to Triad Mechanical, Inc. in the amount of \$6,970.08.

Agenda Item No.	<u>1.j.</u>
Date:	1/6/04

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Land Use and Transportation (CPO 6,7,9)

Agenda Title: AUTHORIZE THE EXECUTION OF THE QUITCLAIM DEED FOR EXCHANGE OF PROPERTIES FOR BASELINE ROAD - 201ST TO 231ST - PHASE 3 PROJECT

Presented by: Dan Brown, Capital Project Management Manager

SUMMARY (Attach Supporting Documents if Necessary)

As part of the Baseline Road / 201st to 231st project, the County acquired a parcel of land (1S2 2BB, Tax Lot 00600), in its entirety. Said transaction was recorded September 19, 2003, as Document #2003-0159977, in the Washington County Book of Records. After the completion of the project, there is a remnant parcel of 8,602 square feet, (0.197 acres) more or less, northerly outside of the road right-of-way.

Through the right-of-way acquisition process, adjacent property owner Paul Gabrilis Inc., a Profit Sharing Plan, has agreed to convey the additional right-of-way dedication to be taken from his property in exchange for the remainder parcel now owned by the County, as identified above. The adjacent owner has also agreed to project design modifications that will save the County from constructing additional infrastructure improvements. ORS 271.300 grants the Board of Commissioners the authority to proceed with the exchange. ORS 271.310 defines the procedure for the Board of Commissioners to follow to exchange interest in real property for equal or superior useful value for public use. ORS 271.340 defines that the value for the exchanged property shall be not less than the value of the property relinquished, said value to be determined by appraisal. This exchange meets the requirements of ORS 271.300, 271.310, and 271.340.

Attachment: 1. Agenda Addendum
2. Quitclaim Deed
3. Vicinity Map

DEPARTMENT'S REQUESTED ACTION:

Authorize the execution of the Quitclaim Deed and direct the Right-of-Way Section to record said deed and complete the exchange of the real property for dedicated right-of-way.

cpm\shared\row\002295 baseline phase 3\2295-exchange agenda.doc

KXR:SE

12/29/03

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>1.k.</u>
Date:	1/6/04

**AUTHORIZE THE EXECUTION OF THE QUITCLAIM DEED
FOR EXCHANGE OF PROPERTIES FOR BASELINE ROAD/
201ST TO 231ST – PHASE 3 PROJECT
BCC 01/06/04**

AGENDA ADDENDUM

Washington County purchased the subject site September 19, 2003, for the sum of \$85,000.00. An independent appraiser established this value on August 25, 2003, and an offer to purchase was presented to the owner on September 4, 2003. Subsequent to the acquisition, the owner conveyed additional roadway dedication for right-of-way purposes totaling 3,236 sf (300.6 sm). The dedicated right-of-way is valued at \$16,402.00. The remainder value of the subject is then \$68,598.00.

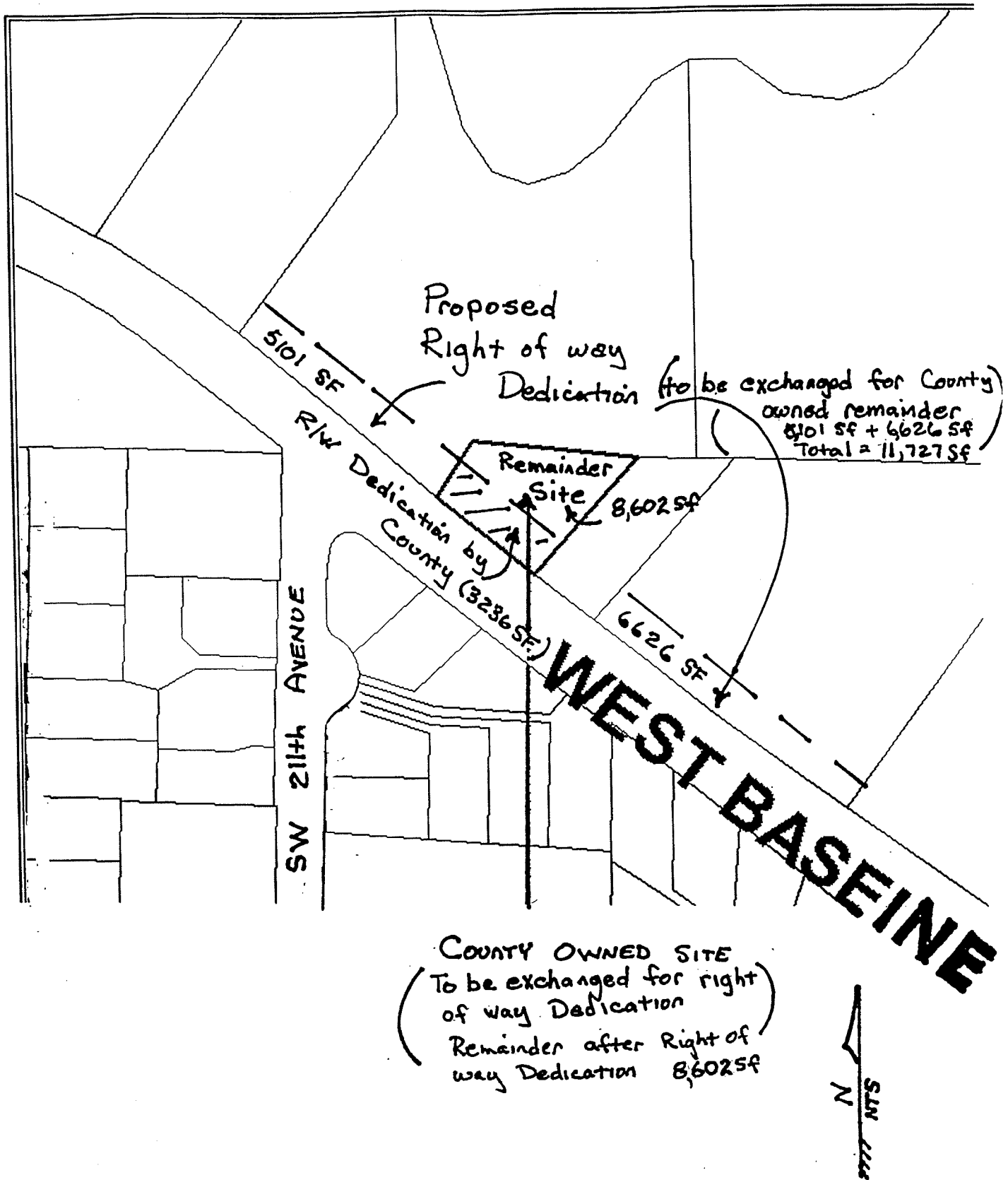
Washington County needs to acquire additional right-of-way dedication from two (2) parcels owned by Paul Gabrilis Inc., a Profit Sharing Plan. The area of the right-of-way dedication is 5,101 sf (473.9 sm) and 6,626 sf (615.6 sm) for a total area of 11,727 sf (1,089.5 sm). The value for the right-of-way acquisition and improvements located in the area to be acquired total \$57,200.00. An independent appraiser established this value on October 21, 2003, and an offer to acquire the additional dedication was presented to the owner on November 21, 2003.

The adjacent owner, Paul Gabrilis Inc., a Profit Sharing Plan, has agreed to waive the acquisition offer of \$57,200.00 in exchange for the remainder parcel owned by Washington County. In addition he has agreed to project design modifications that do not require the County to construct four (4) private driveway connections, four (4) sanitary sewer connections, and public water meter connections (valued at \$14,400.00). He has also agreed to consolidate the tax lots and access points in conformance with Washington County Development Code upon development.

County Owned Property	
Purchase Price	\$85,000.00
Dedication of right-of-way	<u>-\$16,402.00</u>
Remainder Value	\$68,598.00
Adjacent Owner	
Right-of-way Donation	\$57,200.00
Project design & construction savings	<u>+\$14,400.00</u>
Total value saved	\$71,600.00
Exchange Ratio	
Gabrilis	\$71,600.00
County	<u>-\$68,598.00</u>
Differential (savings to County)	\$ 3,002.00

Additional savings and benefits to the public are that the County owned property will be placed back on the tax role immediately, instead of after the project improvements are completed (estimated to be 2006). Thus the exchange of the remainder County owned property for the proposed dedication, as well as project design and construction savings, meet the requirements of ORS 271.300, 271.310, and 271.340.

VICINITY MAP



After recording, please return to:

Washington County
LUT, CPM Division, Right-of-Way
1400 SW Walnut St., MS 18
Hillsboro, OR 97123-5625

Until a change is requested, all tax
Statements shall be sent to the
Following address: Colton-Fettig Partnership, LLC
2245 SW Canyon Road
Portland, OR 97201

QUITCLAIM DEED

WASHINGTON COUNTY, a political subdivision of the State of Oregon, Grantor, releases and quitclaims to Paul Gabrillis, Trustee of the Paul Gabrillis, Inc. Profit Sharing Plan, Grantee, all rights, title and interest, to all that certain real property situated in the County of Washington and State of Oregon, *shown on the attached Exhibit "A" and being more particularly described as follow, to wit:

SUBJECT PARCEL

That certain tract of land described in Warranty Deed recorded as Microfilm Document 2003-159977, Microfilm Records of Washington County, Oregon further described on the attached Exhibit "A" and shown on the attached Exhibit "B".

Excepting therefrom that portion lying within the existing right of way of SW Baseline Road

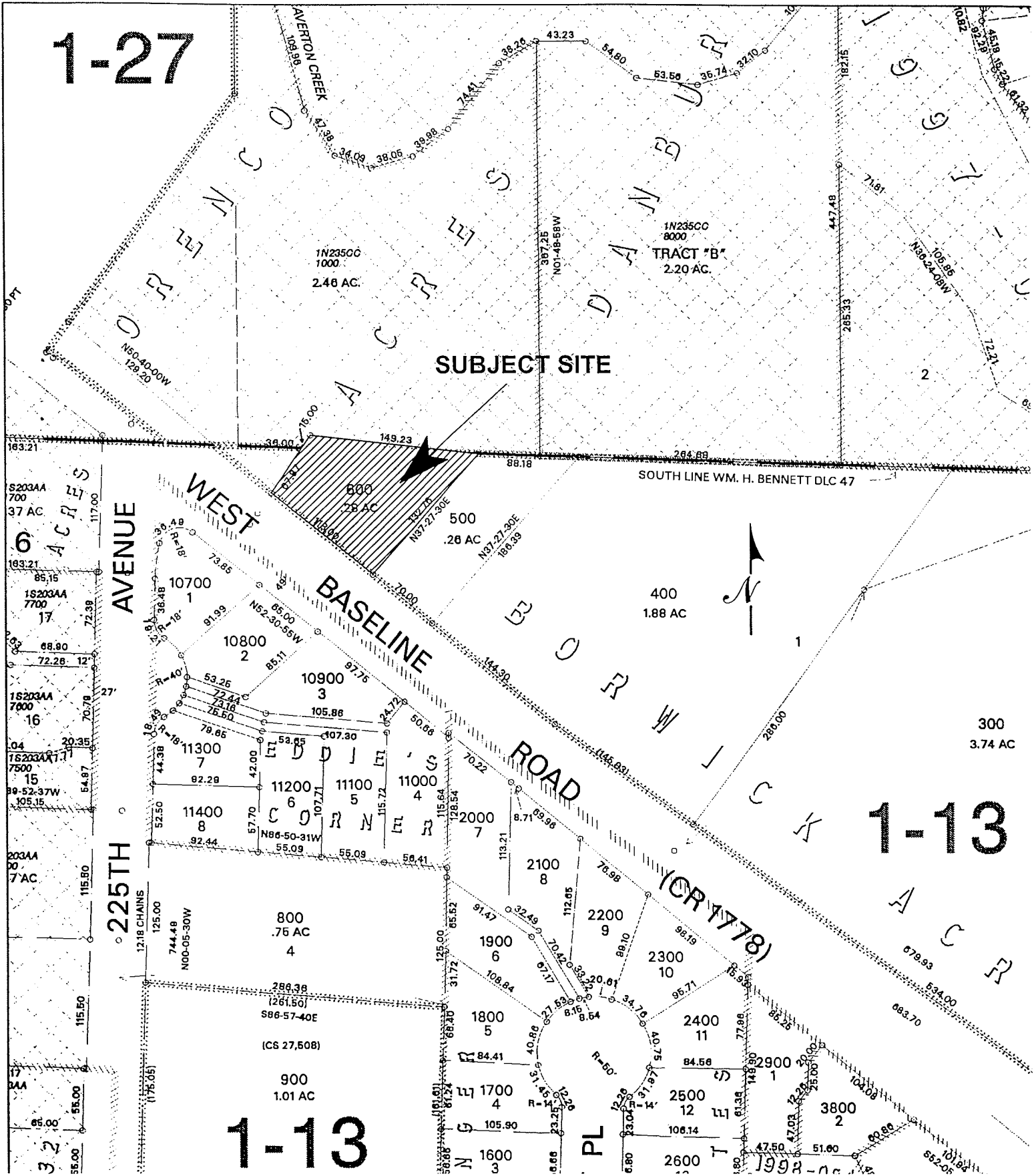
The true consideration for this conveyance is \$ NONE .

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OF FOREST PRACTICES AS DEFINED IN ORS 30.930.

EXHIBIT "A"
Legal Description

Beginning at a point on the North line of Lot 1, BORWICK ACRES, in Section 2, Township 1 South, Range 2 West of the Willamette Meridian, in the County of Washington and State of Oregon, which is West 625.40 feet from the Northeast corner of said lot; thence North $85^{\circ}07'$ West, 149.23 feet to the most Northerly corner of that tract conveyed to Alvin M. Gepford by deed recorded in Deed Book 442, Page 735, on April 10, 1961; thence South $32^{\circ}02'$ West, 15.0 feet to the most Easterly corner of that tract conveyed to Ingeborg Hansen by deed recorded in Deed Book 442, Page 734, on April 10, 1961; thence South $32^{\circ}02'$ West, 67.87 feet along the East line of said Hansen tract to a point in the center of the county road; thence South $52^{\circ}32'-1/2'$ East, 118.0 feet along the center of said county road; thence North $37^{\circ}27'-1/2'$ East, 162.76 feet to the point of beginning.

EXHIBIT "B"



AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Land Use and Transportation (CPO 4M)

Agenda Title: **APPROVE DECLARATION OF NECESSITY AND PROTECTIVE RENT PAYMENTS FOR RIGHT-OF-WAY ACQUISITION FOR LOWER BOONES FERRY/BOONES FERRY TO BRIDGEPORT**

Presented by: Dan Brown, Capital Project Management Manager

SUMMARY (Attach Supporting Documents if Necessary)

The Washington County voters approved the Major Streets Transportation Improvement Program 3 (MSTIP 3) in May 1995. MSTIP 3 includes a project to improve Lower Boones Ferry Road, from Boones Ferry Road to south of Bridgeport Road. The project will improve the existing 2-lane facility to a 3-lane facility with on street bike lanes and also include curb, gutter, sidewalks, street trees, street lighting, and storm drainage.

The project is scheduled for construction in 2004. In order to construct the roadway improvements as designed, additional right-of-way and ancillary easements are required. Right-of-Way acquisition for the project will follow Oregon State Department of Transportation guidelines and policies adopted by the Board.

There may be opportunities to acquire right-of-way for the project, which may require protective rent payments. Accordingly, the Board is requested to approve protective rent payments for this project as necessary, which has been done on other similar projects.

A Resolution and Order has been prepared for the Board, which would allow the County to acquire the right-of-way and easements by condemnation, if necessary.

Attachments: 1. Resolution & Order with Exhibit "A"
2. Vicinity Map

DEPARTMENT'S REQUESTED ACTION:

Approve the attached Resolution and Order authorizing the staff to acquire the necessary right-of-way acquisition and protective rent payments for the Lower Boones Ferry/Boones Ferry to Bridgeport project.

shared\row\002550 lower boones ferry rd\decnec12-8-03.doc

KXR:SE

12/29/2003

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>1.1.</u>
Date:	1/6/04

IN THE BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

In the Matter of Declaring the Necessity and Purpose for Acquisition of Certain Right-of-Way For the Lower Boones Ferry/Boones Ferry to Bridgeport Project, Directing an Attempt to Agree With Owners as to Compensation; And Authorizing Condemnation Proceedings to Acquire the Said Rights-of-Way.)))))))	RESOLUTION AND ORDER NO. _____
---	---------------------------------	-----------------------------------

The above-entitled matter came on before the Board of Commissioners of Washington County, Oregon, at its regular meeting of January 6, 2004; and

It appearing to the Board that funding has been approved for an improvement project for the Lower Boones Ferry/Boones Ferry to Bridgeport Project, Project No. 002550, which provides for the construction of the proposed improvements; and

It appearing to the Board that the Board of Commissioners has authority under ORS Chapter 35 to acquire right-of-way by purchase or condemnation proceedings; and

It appearing to the Board that it is consistent with the powers and purposes of County government, and necessary for the continued growth, safety and welfare of the community, that the Lower Boones Ferry/Boones Ferry to Bridgeport Project be constructed and that the necessary right-of-way and easements be acquired; and

It appearing to the Board that the proposed construction of the Lower Boones Ferry/Boones Ferry to Bridgeport Project is planned and located in a manner which is most compatible with the greatest public good and causes the least private injury; it is therefore

RESOLVED AND ORDERED that it is necessary for the preservation of the public health, safety and welfare of Washington County that the County, in connection with the construction of the Lower Boones Ferry/Boones Ferry to Bridgeport Project, immediately start the acquisition process for the necessary right-of-way and easements for the Lower Boones Ferry/Boones Ferry to Bridgeport Project, through exercise of the power of eminent domain; and it is further

RESOLVED AND ORDERED that the right-of-way and easements to be acquired are described as follows: the centerline is described in the attached Exhibit "A"; the width of right-of-way will be in accordance with the current Washington County Transportation Plan; ancillary easements including slope, sidewalk, utility, wetland mitigation, storm water treatment, storm

water detention, and temporary construction purposes; together with such incidental additional right-of-way at intersections, and due to topography, as may be reasonably necessary in order to accommodate project design; and any uneconomic remnants, as determined by appraisal; and it is further

RESOLVED AND ORDERED that the Department of Land Use and Transportation and the Office of County Counsel are authorized to retain real estate appraisers and negotiators, said appraisals to be prepared under the auspices of the Office of County Counsel and submitted to said Office for initiation of proceedings as described below; and it is further

RESOLVED AND ORDERED that the Department of Land Use and Transportation shall in good faith, attempt to negotiate an agreement as to just compensation with affected property owners, but the Board recognizes that there is a reasonable likelihood that formal litigation will be necessary for a substantial number of properties and, therefore, hereby authorizes the Office of County Counsel to file complaints in condemnation and take said other steps as it determines are necessary for the immediate possession and condemnation of the right-of-way described herein.

DATED this 6th day of January 2004.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

CHAIR

RECORDING SECRETARY

Approved as to form:

Loretta Skurdahl
Senior Assistant County Counsel

Date and Signed: March 28, 2000

Page 2 – R&O# _____

Declaration of Necessity For Right-of-Way

F:/shared/ROW/002550Lower Boones/ R&O1-6-04
12/29/03

EXHIBIT "A"

SW LOWER BOONES FERRY ROAD COUNTY ROAD PROJECT NO. 2550
December 4, 2003 ROAD CENTERLINE DESCRIPTION

CENTERLINE DESCRIPTION FOR SW LOWER BOONES FERRY ROAD

A road centerline situated in the Southeast one-quarter of Section 13 and in the North one-half of Section 24, T2S, R1W, W.M., Washington County, Oregon, being more particularly described as follows:

Beginning at 10+00.00, a point being on the centerline of SW Upper Boones Ferry Road (County Road No. A-138) at centerline station 3+62.84, also being a point in SW Lower Boones Ferry Road at station 0+25.25, 39.99 feet left with reference to Survey Number 29,145. Said beginning point bears S 60°59'35" W, 628.58 feet from a 3-1/4" aluminum disk at the one-quarter corner common to Sections 13 and 24, T2S, R1W, W.M., Washington County, Oregon.

thence N 87°59'12" E, 46.59 feet to centerline station 10+46.59 P.C.;

thence following the arc of a 300.00 foot radius curve to the left through a central angle of 22°15'18" (Chord bears N 76°51'33" E, 115.80 feet) 116.53 feet to centerline station 11+63.12 P.T.;

thence N 65°43'54" E, 527.01 feet to centerline station 16+90.13 P.C.;

thence following the arc of a 630.00 foot radius curve to the left through a central angle of 19°46'54" (Chord bears N 55°50'27" E, 216.43 feet) 217.51 feet to centerline station 19+07.64 P.T.;

thence N 45°57'00" E, 999.94 feet to centerline station 29+07.58 P.C.;

thence following the arc of a 630.00 foot radius curve to the right through a central angle of 5°39'16" (Chord bears N 48°46'38" E, 62.15 feet) 62.17 feet to centerline station 29+69.75 P.T.;

thence N 51°36'16" E, 226.27 feet to centerline station 31+96.02 P.C.;

thence following the arc of a 420.00 foot radius curve to the left through a central angle of 51°55'21" (Chord bears N 25°38'35" E, 367.72 feet) 380.61 feet to centerline station 35+76.63 P.T.;

thence N 00°19'05" W, 419.73 feet to centerline station 39+96.36 P.C.;

thence following the arc of a 420.00 foot radius curve to the left through a central angle of 34°40'49" (Chord bears N 17°39'30" W, 250.36 feet) 254.22 feet to centerline station 42+50.58 P.T.;

thence N 34°59'54" W, 200.52 feet to and terminating at a point at centerline station 44+51.10. Said station being equal to SW Bridgeport Road (C.R. 1387) station 17+54.25, 100.64 feet right per survey number 29,145. Said terminating point bears N 29°22'41" E, 2400.80 feet from said 3-1/4" aluminum disk at the one-quarter corner common to Sections 13 and 24, T2S, R1W, W.M., Washington County, Oregon and bears S 17°16'13"E, 564.80 feet from a 2" brass disk set in survey number 20,956 and stamped "CITY OF TIGARD SURVEY CONTROL POINT DEHASS & ASSOC. INC."

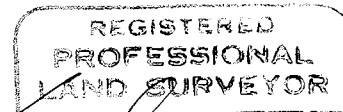
Centerline Stationing was established by holding 10+00.00 at the beginning point of said alignment.

BASIS OF BEARINGS:

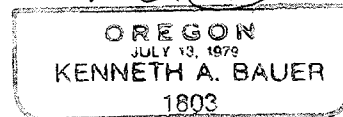
N 45°57'00" E on SW Lower Boones Ferry Road between a 5/8" iron rod with destroyed yellow plastic cap at station 19+35.40, 5.00 feet left (shown on survey number 29,145 at centerline station 9+52.20 P.T.) and a 5/8" iron rod with destroyed yellow plastic cap at station 29+38.67, 5.77 feet left (shown on survey number 29,145 at centerline station 19+55.74 angle point), per survey number 29,145.

Prepared by:
Washington County Surveyors Office
1400 S.W. Walnut Street
Hillsboro, Oregon 97123

Scott Young 12-9-03
Scott Young, Survey Tech. III Date



Kenneth A. Bauer

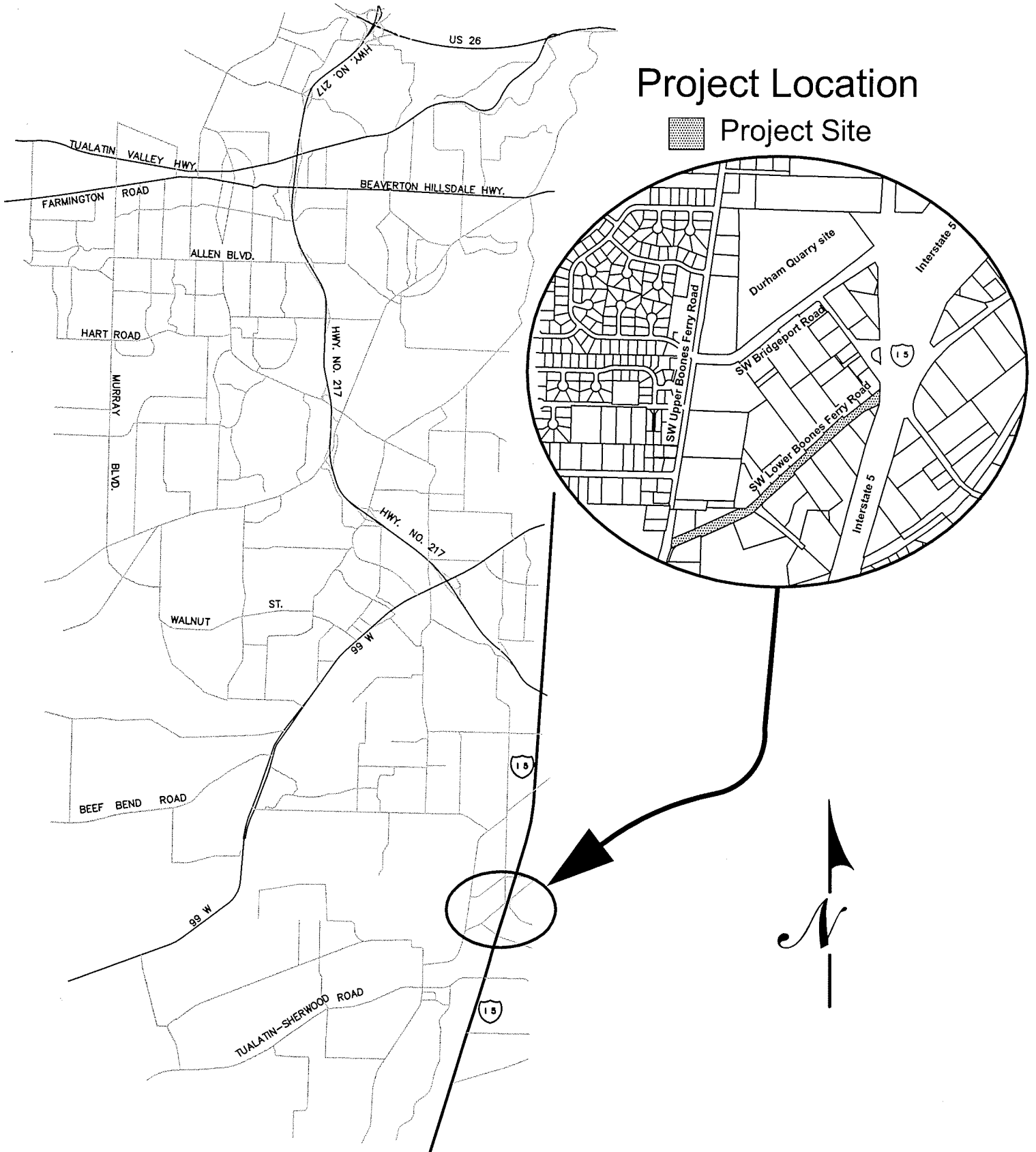


EXPIRES 12-31-03

Vicinity Map

Lower Boones Ferry Road

Project # 002550



AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Land Use and Transportation (CPO 7)

Agenda Title: APPROVE ESTABLISHMENT OF A ROAD MAINTENANCE LOCAL IMPROVEMENT DISTRICT (MLID) FOR CASCADIAN HEIGHTS NO. 2

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:

	<u>No. Lots</u>	<u>Maximum Annual Assessment</u>	
		<u>Per Lot</u>	<u>Total</u>
CASCADIAN HEIGHTS NO. 2	35	\$88.46	\$3,096.10

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.

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

DEPARTMENT'S REQUESTED ACTION:

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

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>1.m.</u>
Date:	1/6/04

IN THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

In the Matter of Receiving a Petition, Approving)
a Feasibility Report, Establishing a Road) RESOLUTION AND ORDER
Maintenance Local Improvement District (MLID))
and Authorizing the Proposed Work, Imposing a) NO _____
Maximum Annual Assessment, Receiving an)
Assessment Roll for, but not Limited to,)
Maintenance and Repair of Local Public Streets)
Serving **CASCADIAN HEIGHTS NO. 2**)
sub-division.)

This matter having come before the Board at its meeting of January 6, 2004: 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 **Cascadian Heights No. 2** 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 **Cascadian Heights No. 2** 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 **\$88.46** 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 **\$88.46** for each lot, that the assessment roll described in Exhibit D is approved and the assessment imposed but not levied; and it is further

RESOLVED AND ORDERED that the Board may levy annual assessments within the maximum at such point in the future as it deems necessary.

Dated this 6th day of January, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

Chairman

Recording Secretary

Approved as to Form
/s/ Dan R. Olsen
Chief Assistant County Counsel
Date: 04/11/94

Page 2
MLID R&O, No Hearing

PETITION
 STREET MAINTENANCE LOCAL IMPROVEMENT DISTRICT
 IN THE BOARD OF COUNTY COMMISSIONERS
 FOR WASHINGTON COUNTY, OREGON

In the Matter of the Establishment of a Washington County Code Chapter 3.20 Local Improvement District for, but not limited to, the Maintenance and Repair of Streets including Roadway Drainage Facilities which lie inside of Public Road Right-of- Ways Serving <u>Cascadian Heights No. 2</u>)))))))	PETITION <u>Cascadian Heights No. 2</u> (Name of Improvement) Washington County Local Improvement District
--	---------------------------------	--

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

I.

That the Board of County Commissioners establish a Local Improvement District serving Cascadian Heights No. 2.

II.

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

III.

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

IV.

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

V.

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

1. A map or plat showing the general nature, location and extent of the improvements to be maintained and of the proposed Local Improvement District; and
2. A description of the maintenance work to be done; and
3. An estimate of the cost of the proposed maintenance work, including any legal, administrative and engineering costs attributable thereto. The report shall include an estimated assessment for maintenance or operation and include an estimated budget for the first fiscal year or portion thereof, and projected budgets for subsequent years so far as is reasonably possible; and

4. A recommendation as to the method or methods of assessment to be used to arrive at a fair apportionment of the whole or any portion of the cost of the improvement to the properties specially benefited; and
5. The description of each lot, parcel of land, or portion thereof to be specially benefited by the maintenance work, with the names of the owners or reputed owners thereof and the estimated assessment or assessments against each such lot or parcel.

VII.


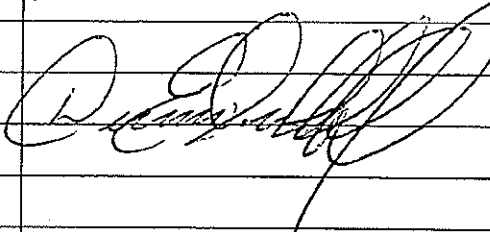
That the Board, upon receipt of the report, enact an order creating and describing the Local Improvement District and directing that it be processed in accordance with provisions of WCC Chapter 3.20, unless provisions thereof have been waived.

VIII.

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

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

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

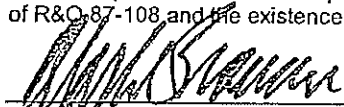
DATE	PETITIONER NAME	ADDRESS
11-17-03		15500 SW Jay St. Beaverton, Ore. 97006
11-17-03		15500 SW Jay St. Beaverton, Ore. 97006

APPROVED AS TO FORM
 By Dan R. Olsen
 Chief Assistant County Counsel, August 18, 1987
 Street Maintenance LID Petition

Form for Subdivider/Developer
 p:\ASSUREMLID.PET/ac1

After recording please return to:
Land Development Services
155 North First Avenue, Suite 350-13
Hillsboro, OR 97124

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

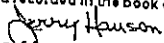


Bill Avery
Principal Planner

Washington County, Oregon
11/25/2003 08:24:20 AM 2003-196862
D-PPS Crk=1 Str=4 A DUYCK
\$10.00 \$6.00 \$11.00 - Total = \$27.00



I, Jerry Hanson, Director of Assessment and Taxation
and Ex-Officio County Clerk for Washington County,
Oregon, do hereby certify that the within instrument of
writing was received and recorded in the book of
records of said county.


Jerry R. Hanson, Director of Assessment and Taxation,
Ex-Officio County Clerk



RESTRICTIVE COVENANT TO WAIVE
REMONSTRANCE AND HEARING
FOR PUBLIC ROADS
(Form for Corporation)

The undersigned, referred to herein as "owner", are all of the owners of certain lots in the Cascadian Heights No. 2 subdivision, said property being more particularly described on the attached legal description.

In accordance with County Policy, this consent and waiver is given in consideration of Development Approval Action No. 01-286-S/PLA/FP; 01-526-MR; 02-493-MR and to fulfill the conditions therein imposed, the owner has caused to be executed and recorded this restrictive covenant. The owner, therefore, agrees and covenants as follows:

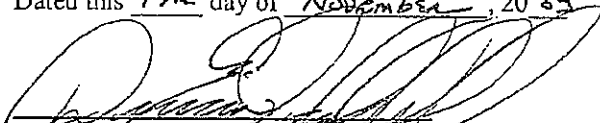
1. In the event that a local improvement district is formed at any time within twenty years of the date of this restrictive covenant, for, but not limited to, the maintenance and repair of streets including roadway drainage facilities which benefit the subdivision and lie inside of public road rights-of-way,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


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

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

IN WITNESS WHEREOF, the Grantor(s) below named, by and through its PRESIDENT and VICE PRESIDENT, has caused this instrument to be duly signed hereto.

Dated this 17TH day of November, 2003


Dennis E. Sackhoff, President
West Hills Development Company


Walter E. Remmers, Vice-President
West Hills Development Company

STATE OF OREGON)
County of Washington) ss.

BE IT REMEMBERED that on this 17TH day of November, 2003 personally appeared Dennis E. Sackhoff and Walter E. Remmers who, being duly sworn, did each say that he is the PRESIDENT and VICE PRESIDENT, respectively, of WEST HILLS DEVELOPMENT and that the foregoing instrument was signed in behalf of said corporation by authority of its board of directors; and said person(s) acknowledged said instrument to be its voluntary act and deed.

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



APPROVED AS TO FORM
By Dan R. Olson
Chief Assistant County Counsel, August 1997

Notary Public for Oregon Terry P. Kinney
My commission expires: 3-7-2007



DESCRIPTION FOR "CASCADIAN HEIGHTS NO. 2"

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 21 AND THE NORTHWEST QUARTER OF SECTION 28, T. 1 N., R. 1 W., W.M., WASHINGTON COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT THE NORTHEAST CORNER OF LOT 12, "CASCADIAN HEIGHTS", THENCE N89°21'42"E, 839.79 FEET ALONG THE SOUTH LINES OF THE TRACTS OF LAND TO SCHMIDT DESCRIBED IN DOCUMENT NO. 94000387 OF THE DEED RECORDS OF SAID COUNTY TO A POINT ON THE NORTH-SOUTH CENTERLINE OF SECTION 21; THENCE S00°42'15"E, 871.72 FEET ALONG SAID SECTION CENTERLINE TO THE SOUTH QUARTER CORNER OF SAID SECTION 21; THENCE N89°32'55"W, 20.00 FEET ALONG THE SOUTH LINE OF THE SW1/4 OF SAID SECTION 21; THENCE N00°42'15"W, 411.55 FEET; THENCE S89°21'42"W, 143.17 FEET; THENCE N00°38'18"W, 174.05 FEET; THENCE N51°07'35"W, 102.24 FEET; THENCE S89°21'42"W, 450.07 FEET; THENCE S00°38'18"E, 432.00 FEET; THENCE S89°21'42"W, 103.96 FEET; THENCE S00°45'58"E, 91.00 FEET TO THE NORTHEAST RIGHT OF WAY CORNER OF N.W. HOGAN STREET IN "CASCADIAN HEIGHTS"; THENCE S89°21'42"W, 26.25 FEET ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID N.W. HOGAN STREET TO THE SOUTHEAST CORNER OF LOT 38, SAID "CASCADIAN HEIGHTS"; THENCE N00°38'18"W, 91.00 FEET ALONG THE EAST LINE OF LOT 38 TO THE NORTHEAST CORNER THEREOF; THENCE N89°21'42"E, 10.00 FEET ALONG THE SOUTH LINE OF LOT 27 TO THE SOUTHEAST CORNER THEREOF; THENCE N00°38'18"W, 91.00 FEET ALONG THE EAST LINE OF SAID LOT 27 TO THE NORTHEAST CORNER THEREOF; THENCE N89°21'42"E, 15.84 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF N.W. TREVINO STREET TO A POINT ON THE EAST BOUNDARY LINE OF SAID "CASCADIAN HEIGHTS"; THENCE N00°45'58"W, 34.00 FEET ALONG SAID BOUNDARY LINE TO A POINT ON THE NORTH RIGHT OF WAY LINE OF SAID N.W. TREVINO STREET; THENCE S89°21'42"W, 5.76 FEET ALONG SAID NORTH RIGHT OF WAY LINE TO THE SOUTHEAST CORNER OF LOT 26, SAID "CASCADIAN HEIGHTS"; THENCE N00°38'18"W, 91.00 FEET ALONG THE EAST LINE OF SAID LOT 26 TO THE NORTHEAST CORNER THEREOF; THENCE S89°21'42"W, 10.00 FEET ALONG THE NORTH LINE OF SAID LOT 26 TO THE SOUTHEAST CORNER OF LOT 18; THENCE N00°38'18"W, 91.00 FEET ALONG THE EAST LINE OF SAID LOT 18 TO THE NORTHEAST CORNER THEREOF; THENCE N89°21'42"E, 15.36 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF N.W. HENNINGER LANE TO A POINT ON THE EAST BOUNDARY LINE OF SAID "CASCADIAN HEIGHTS"; THENCE N00°45'58"W, 34.00 FEET ALONG SAID BOUNDARY LINE TO A POINT ON THE NORTH RIGHT OF WAY LINE OF SAID N.W. HENNINGER LANE; THENCE S89°21'42"W, 5.28 FEET ALONG SAID NORTH RIGHT OF WAY LINE TO THE SOUTHEAST CORNER OF LOT 17, SAID "CASCADIAN HEIGHTS"; THENCE N00°38'18"W, 187.00 FEET ALONG THE EAST LINE OF LOT 17 AND THE EAST LINE OF LOT 13 TO THE NORTHEAST CORNER THEREOF; THENCE N89°21'42"E, 4.87 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF N.W. MEISNER DRIVE TO A POINT ON THE EAST BOUNDARY LINE OF SAID "CASCADIAN HEIGHTS"; THENCE N00°45'58"W, 34.00 FEET ALONG SAID BOUNDARY LINE TO A POINT ON THE NORTH RIGHT OF WAY LINE OF SAID N.W. MEISNER DRIVE; THENCE S89°21'42"W, 42.99 FEET ALONG SAID NORTH RIGHT OF WAY LINE TO THE SOUTHEAST CORNER OF LOT 12, SAID "CASCADIAN HEIGHTS"; THENCE N00°38'18"W, 91.00 FEET ALONG THE EAST LINE OF LOT 12 TO THE POINT OF BEGINNING.
CONTAINING 6.46 ACRES

4/28/03 2867SK7.DOC



FEASIBILITY REPORT
CASCADIAN HEIGHTS NO. 2
ROAD MAINTENANCE LOCAL IMPROVEMENT DISTRICT

PROJECT DESCRIPTION

The road maintenance local improvement district (MLID) provides for ongoing maintenance and repair of local streets serving the **CASCADIAN HEIGHTS NO. 2** 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

	<u>Total Cost</u>	<u>Total Assessment</u>	<u>Per Lot Assessment</u>
Maximum Annual Assessment	\$3,096.10	\$3,096.10	\$88.46 (35 lots)

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

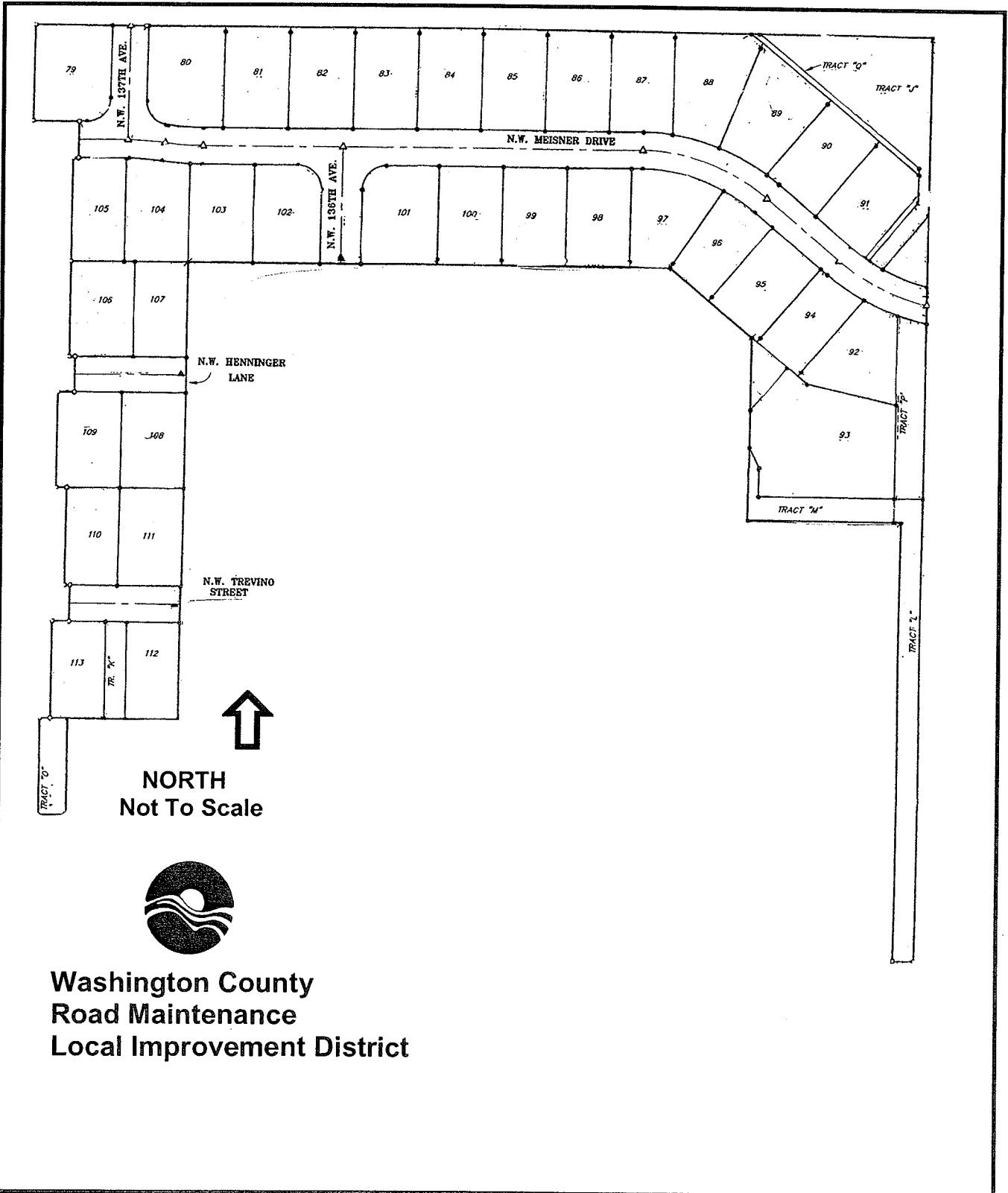
The MLID as described above is found to be feasible and should be established.

ASSESSMENT ROLL
CASCADIAN HEIGHTS NO. 2
ROAD MAINTENANCE LOCAL IMPROVEMENT DISTRICT

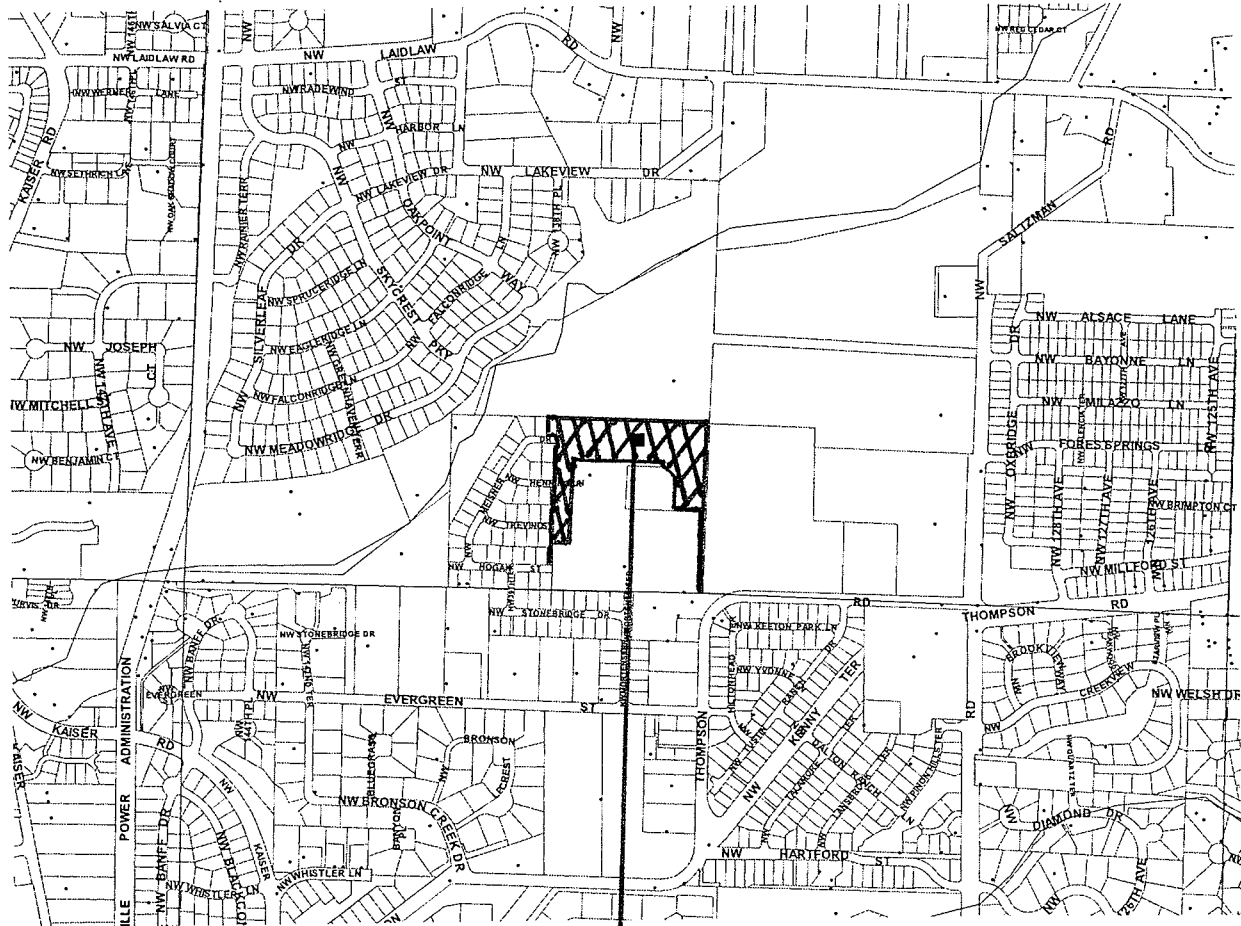
<u>TAX LOT</u>	<u>OWNER NAME/ADDRESS</u>	<u>LEGAL DESCRIPTION</u>	<u>MAXIMUM ANNUAL ASSESSMENT</u>	
			<u>Lot</u>	<u>Total</u>
1N121CD-01300	West Hills Development Co.	CASCADIAN HEIGHTS NO. 2	\$88.46	\$3,096.10
1N121CD-08300	15500 SW Jay Street	*35 lots		
1N121CD-08400	Beaverton, OR 97006			
1N121CD-08500				
1N121CD-08600				

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

ASSESSMENT MAP
Cascadian Heights No. 2
WASHINGTON COUNTY
ROAD MAINTENANCE LOCAL IMPROVEMENT DISTRICT



VICINITY MAP
Cascadian Heights No. 2
WASHINGTON COUNTY
ROAD MAINTENANCE LOCAL IMPROVEMENT DISTRICT



NORTH
Not To Scale

PROJECT SITE



Washington County
Road Maintenance
Local Improvement District

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

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

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

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:

	<u>No. Lots</u>	<u>Maximum Annual Assessment</u>	
		<u>Per Lot</u>	<u>Total</u>
WILD ROSE	17	\$45.92	\$780.64

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.

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

DEPARTMENT'S REQUESTED ACTION:

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

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No. 1.n.

Date: 1/6/04

IN THE BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

In the Matter of Receiving a Petition, Approving)	
a Feasibility Report, Establishing a Road)	RESOLUTION AND ORDER
Maintenance Local Improvement District (MLID)	
and Authorizing the Proposed Work, Imposing a)	NO _____
Maximum Annual Assessment, Receiving an)	
Assessment Roll for, but not Limited to,)	
Maintenance and Repair of Local Public Streets)	
Serving WILD ROSE sub-division.)	

This matter having come before the Board at its meeting of January 6, 2004: 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 **Wild Rose** 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 **Wild Rose** 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 **\$45.92** 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 **\$45.92** for each lot, that the assessment roll described in Exhibit D is approved and the assessment imposed but not levied; and it is further

RESOLVED AND ORDERED that the Board may levy annual assessments within the maximum at such point in the future as it deems necessary.

Dated this 6th day of January, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

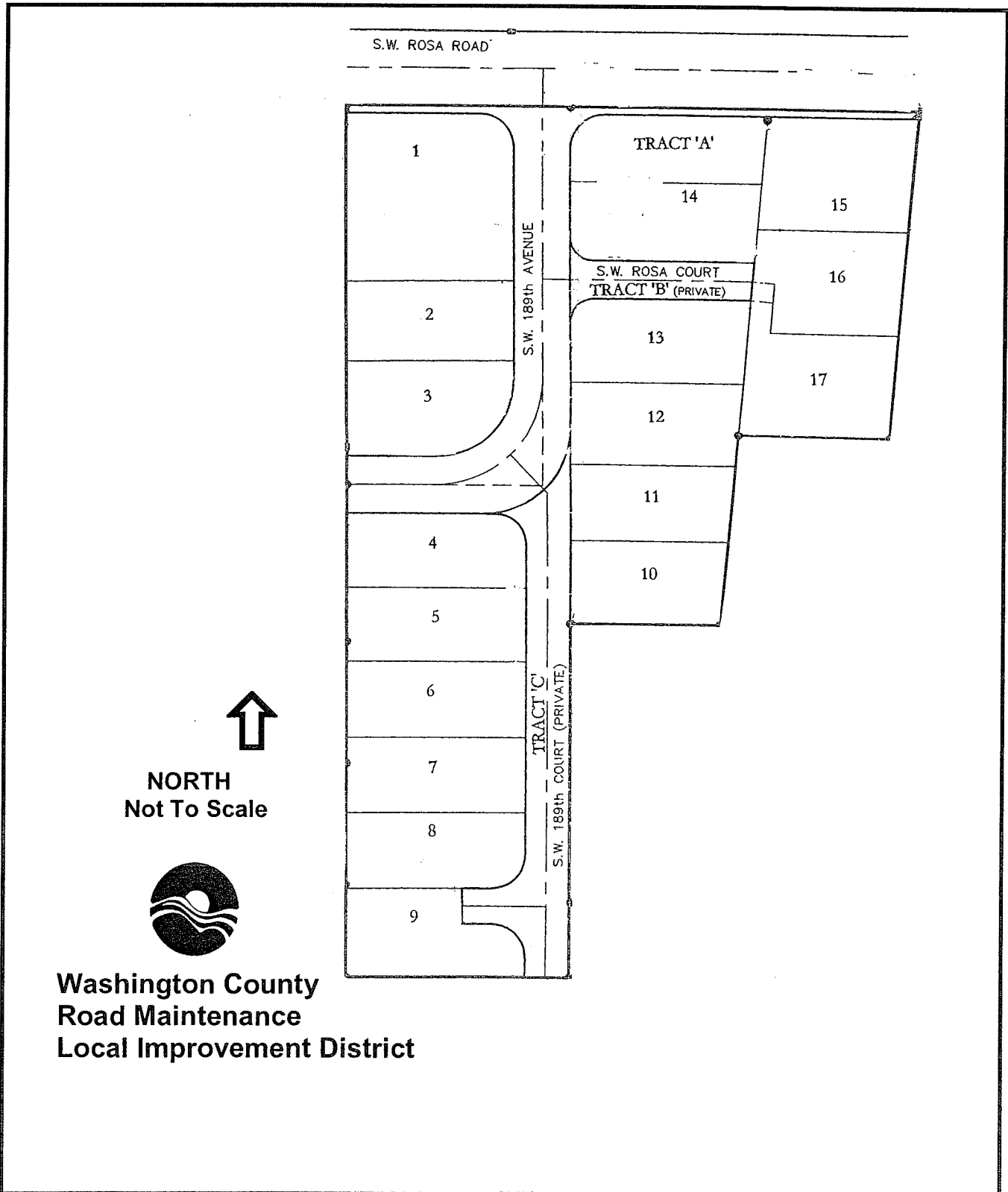
Chairman

Recording Secretary

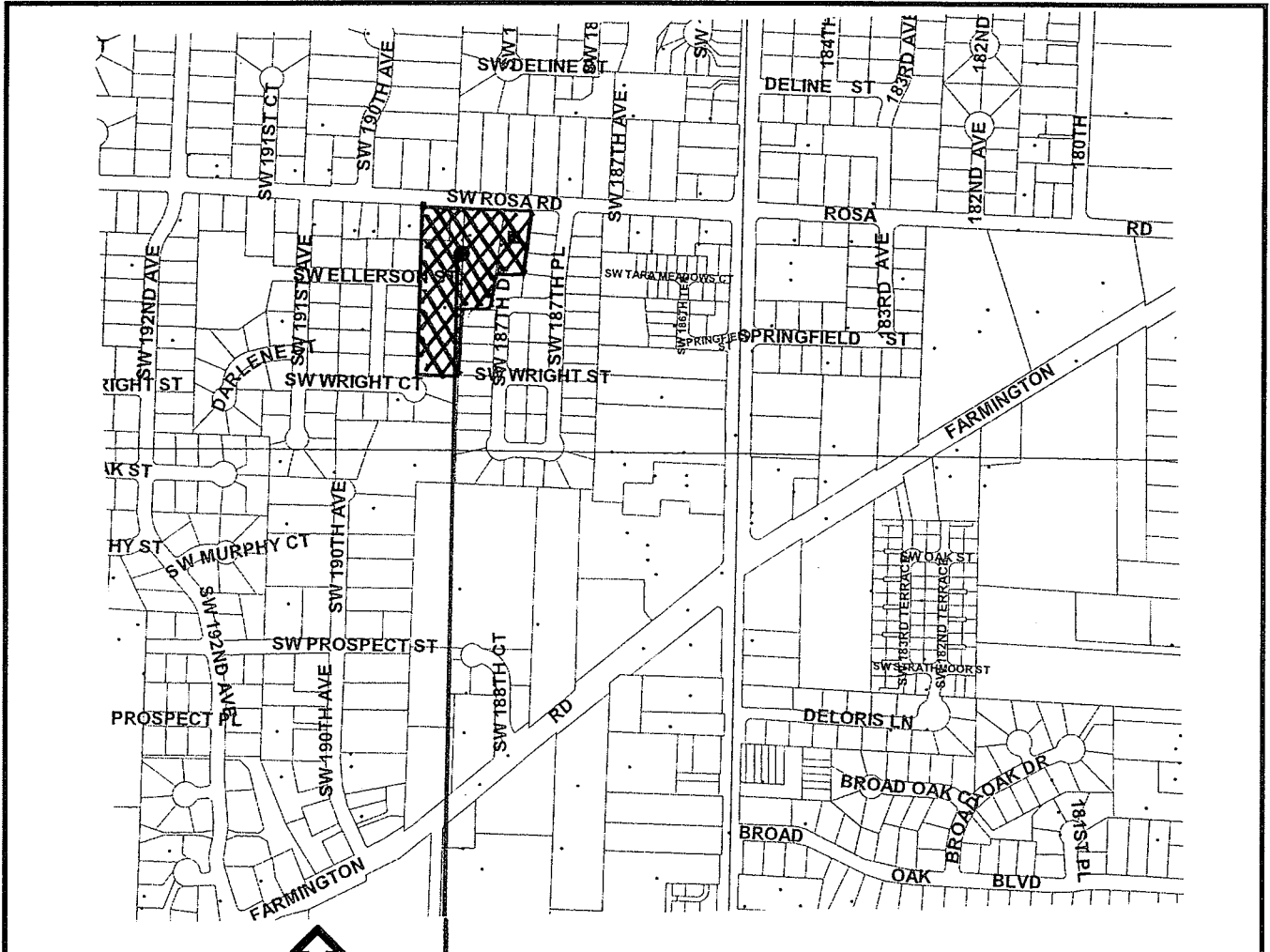
Approved as to Form
/s/ Dan R. Olsen
Chief Assistant County Counsel
Date: 04/11/94

Page 2
MLID R&O, No Hearing

ASSESSMENT MAP
Wild Rose
WASHINGTON COUNTY
ROAD MAINTENANCE LOCAL IMPROVEMENT DISTRICT



VICINITY MAP
Wild Rose
WASHINGTON COUNTY
ROAD MAINTENANCE LOCAL IMPROVEMENT DISTRICT



NORTH **PROJECT SITE**
 Not To Scale



Washington County
Road Maintenance
Local Improvement District

PETITION
 STREET MAINTENANCE LOCAL IMPROVEMENT DISTRICT
 IN THE BOARD OF COUNTY COMMISSIONERS
 FOR WASHINGTON COUNTY, OREGON

In the Matter of the Establishment of a Washington)	PETITION
County Code Chapter 3.20 Local Improvement)	
District for, but not limited to, the Maintenance)	
and Repair of Streets including Roadway Drainage)	<u>Wild Rose</u>
Facilities which lie inside of Public Road Right-of-)	(Name of Improvement)
Ways Serving <u>Wild Rose</u>)	Washington County Local Improvement District

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

I.

That the Board of County Commissioners establish a Local Improvement District serving Wild Rose.

II.

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

III.

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

IV.

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

V.

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

1. A map or plat showing the general nature, location and extent of the improvements to be maintained and of the proposed Local Improvement District; and
2. A description of the maintenance work to be done; and
3. An estimate of the cost of the proposed maintenance work, including any legal, administrative and engineering costs attributable thereto. The report shall include an estimated assessment for maintenance or operation and include an estimated budget for the first fiscal year or portion thereof, and projected budgets for subsequent years so far as is reasonably possible; and

4. A recommendation as to the method or methods of assessment to be used to arrive at a fair apportionment of the whole or any portion of the cost of the improvement to the properties specially benefited; and
5. The description of each lot, parcel of land, or portion thereof to be specially benefited by the maintenance work, with the names of the owners or reputed owners thereof and the estimated assessment or assessments against each such lot or parcel.

VII.

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

VIII.

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

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

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


<u>DATE</u>	<u>PETITIONER NAME</u>	<u>ADDRESS</u>
12-1-03	RIGERT LANDSQUAD INC COMPANY D/B/A RIGERT HOMES VINCENTS RIGERT, PRESIDENT	21200 S.W. MURPHY LAKE ALPHA, OR 97007
	Vincent S. Rigert PRES.	

APPROVED AS TO FORM
 s/ Dan R. Olsen
 Chief Assistant County Counsel, August 18, 1987
 Street Maintenance LID Petition

Form for Subdivider/Developer
 g:\ASSURE\MLID.PET\acl

After recording please return to:
Land Development Services
155 North First Avenue, Suite 350-13
Hillsboro, OR 97124

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



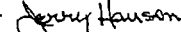
Bill Avery
Principal Planner

Washington County, Oregon **2003-202868**
12/09/2003 08:46:41 AM
D-I PPS Crt=1 Stn=4 A DUYCK
\$10.00 \$6.00 \$11.00 - Total = \$27.00



00500652200302028680020020

I, Jerry Hanson, Director of Assessment and Taxation
and Ex-Officio County Clerk for Washington County,
Oregon, do hereby certify that the within instrument of
writing was received and recorded in the book of
records of said county.



Jerry R. Hanson, Director of Assessment and Taxation,
Ex-Officio County Clerk



RESTRICTIVE COVENANT TO WAIVE
REMONSTRANCE AND HEARING
FOR PUBLIC ROADS
(Form for Corporation)

The undersigned, referred to herein as "owner", are all of the owners of certain lots in the Wild Rose subdivision, said property being more particularly described on the attached legal description.

In accordance with County Policy, this consent and waiver is given in consideration of Development Approval Action No. 03-139-S and to fulfill the conditions therein imposed, the owner has caused to be executed and recorded this restrictive covenant. The owner, therefore, agrees and covenants as follows:

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

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

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

IN WITNESS WHEREOF, the Grantor(s) below named, by and through its PRESIDENT and SECRETARY, has caused this instrument to be duly signed hereto. Dated this 15TH day of DECEMBER, 2003

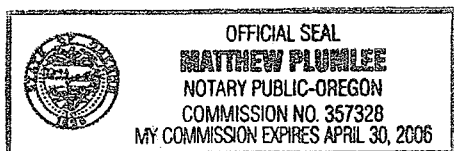
Rigert Landscaping Co., Inc.
Name

Vincent S. Rigert
By: Vincent S. Rigert, President

STATE OF OREGON)
County of Washington) ss.

BE IT REMEMBERED that on this 15TH day of DECEMBER, 2003 personally appeared VINCENT S. RIGERT and _____, who, being duly sworn, did each say that he is the PRESIDENT and SECRETARY, respectively, of RIGERT LANDSCAPING Co, Inc. and that the foregoing instrument was signed in behalf of said corporation by authority of its board of directors; and said person(s) acknowledged said instrument to be its voluntary act and deed.

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



Matthew Plumlee
Notary Public for Oregon
My commission expires: 4-30-06

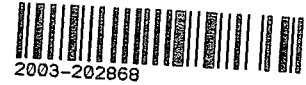


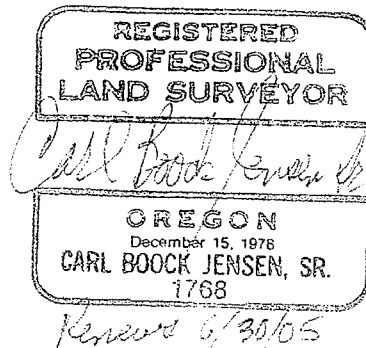
EXHIBIT "A"

A TRACT OF LAND BEING LOCATED IN THE SOUTHEAST ONE QUARTER OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON. THE BOUNDARY OF SAID SUBDIVISION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE 3-1/4" ALUMINUM DISK MARKING THE NORTHEAST CORNER OF THE DAVID ELLERSON DLC NO. 39, USBT BOOK 5, PAGES 366-371, WASHINGTON COUNTY SURVEY RECORDS; SAID CORNER BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF S.W. ROSA ROAD (COUNTY ROAD NO. 946); THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE NORTH 88°30'00" WEST A DISTANCE OF 2400.80 FEET TO A 5/8" IRON ROD WITH ORANGE PLASTIC CAP INSCRIBED "CES NW INC", SAID POINT BEING 25 FEET SOUTHERLY OF, WHEN MEASURED AT RIGHT ANGLES TO, THE CENTERLINE OF SAID ROAD, SAID POINT ALSO BEING THE INITIAL POINT; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE AND CONTINUING ALONG THE WESTERLY LINE OF THE PLAT "GLENORA", WASHINGTON COUNTY PLAT RECORDS, SOUTH 06°07'23" WEST A DISTANCE OF 220.98 FEET; THENCE NORTH 87°56'58" WEST A DISTANCE OF 100.86 FEET; THENCE SOUTH 06°08'58" WEST A DISTANCE OF 128.70 FEET; THENCE NORTH 88°30'00" WEST A DISTANCE OF 101.60 FEET; THENCE SOUTH 00°51'39" WEST A DISTANCE OF 235.43 FEET TO THE NORTHEAST CORNER OF LOT 20, PLAT OF "DARLENE TERRACE", WASHINGTON COUNTY PLAT RECORDS; THENCE ALONG THE NORTH LINE OF SAID LOT 20, NORTH 88°30'00" WEST A DISTANCE OF 149.93 FEET TO THE NORTHWEST CORNER OF SAID LOT 20; THENCE CONTINUING ALONG THE EASTERLY LINE OF SAID "DARLENE TERRACE" NORTH 00°49'43" EAST A DISTANCE OF 583.02 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF S.W. ROSA ROAD (COUNTY ROAD NO. 946); SAID POINT BEING 25 FEET SOUTHERLY OF, WHEN MEASURED AT RIGHT ANGLES TO, THE CENTERLINE OF SAID ROAD; THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE SOUTH 88°30'00" EAST A DISTANCE OF 384.84 FEET TO THE INITIAL POINT.

CONTAINING 150,573 SQUARE FEET OR 3.46 ACRES, MORE OR LESS.

BASIS OF BEARING IS PER SURVEY NUMBER 29,265 WASHINGTON COUNTY SURVEY RECORDS.



FEASIBILITY REPORT
WILD ROSE
ROAD MAINTENANCE LOCAL IMPROVEMENT DISTRICT

PROJECT DESCRIPTION

The road maintenance local improvement district (MLID) provides for ongoing maintenance and repair of local streets serving the **WILD ROSE** 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

	<u>Total Cost</u>	<u>Total Assessment</u>	<u>Per Lot Assessment</u>
Maximum Annual Assessment	\$780.64	\$780.64	\$45.92 (17 lots)

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
WILD ROSE
ROAD MAINTENANCE LOCAL IMPROVEMENT DISTRICT

<u>TAX LOT</u>	<u>OWNER NAME/ADDRESS</u>	<u>LEGAL DESCRIPTION</u>	MAXIMUM ANNUAL ASSESSMENT	
			<u>Lot</u>	<u>Total</u>
1S213DD-05100	Rigert Landscaping Co. Inc.	WILD ROSE	\$45.92	\$780.64
1S213DD-05200	21800 SW Murphy Lane	*17 lots		
1S213DD-05300	Aloha, OR 97007			
1S213DD-05301				

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

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Land Use and Transportation (CPO 8,9)

Agenda Title: APPROVE AGREEMENT WITH CITY OF HILLSBORO FOR CONSTRUCTION MANAGEMENT SERVICES

Presented by: Dan Brown, Capital Project Management Manager

SUMMARY (Attach Supporting Documents if Necessary)

Washington County (County) and City of Hillsboro (City) are entering into an Intergovernmental Agreement to design and construct an eastbound to southbound right-turn lane and associated curb, gutter, sidewalk, street lighting, landscaping, and traffic signal modifications at NW Evergreen Parkway and NW 229th Avenue intersection.

County and City have determined that rapid growth in traffic volumes in and around the proposed project location require that capacity and safety improvements are made. The design of this work has been completed and construction of these improvements is a critical need. These lane improvements will improve the safety for vehicles, pedestrians, and bicyclists at this intersection.

The City will fund the design and construction portions of this project including the construction management and inspection services provided by the County. This agreement identifies the obligations between the City and County and allows for the County to recover cost from the City.

The Intergovernmental Agreement is available at the clerk's desk.

Attachment: Vicinity Map

DEPARTMENT'S REQUESTED ACTION:

Approve Agreement with the City of Hillsboro and authorize its execution upon completion of the County's contract review process.

cpm\shared\projects\xxxx-evergreen-229th\agendaiga dec1103.doc

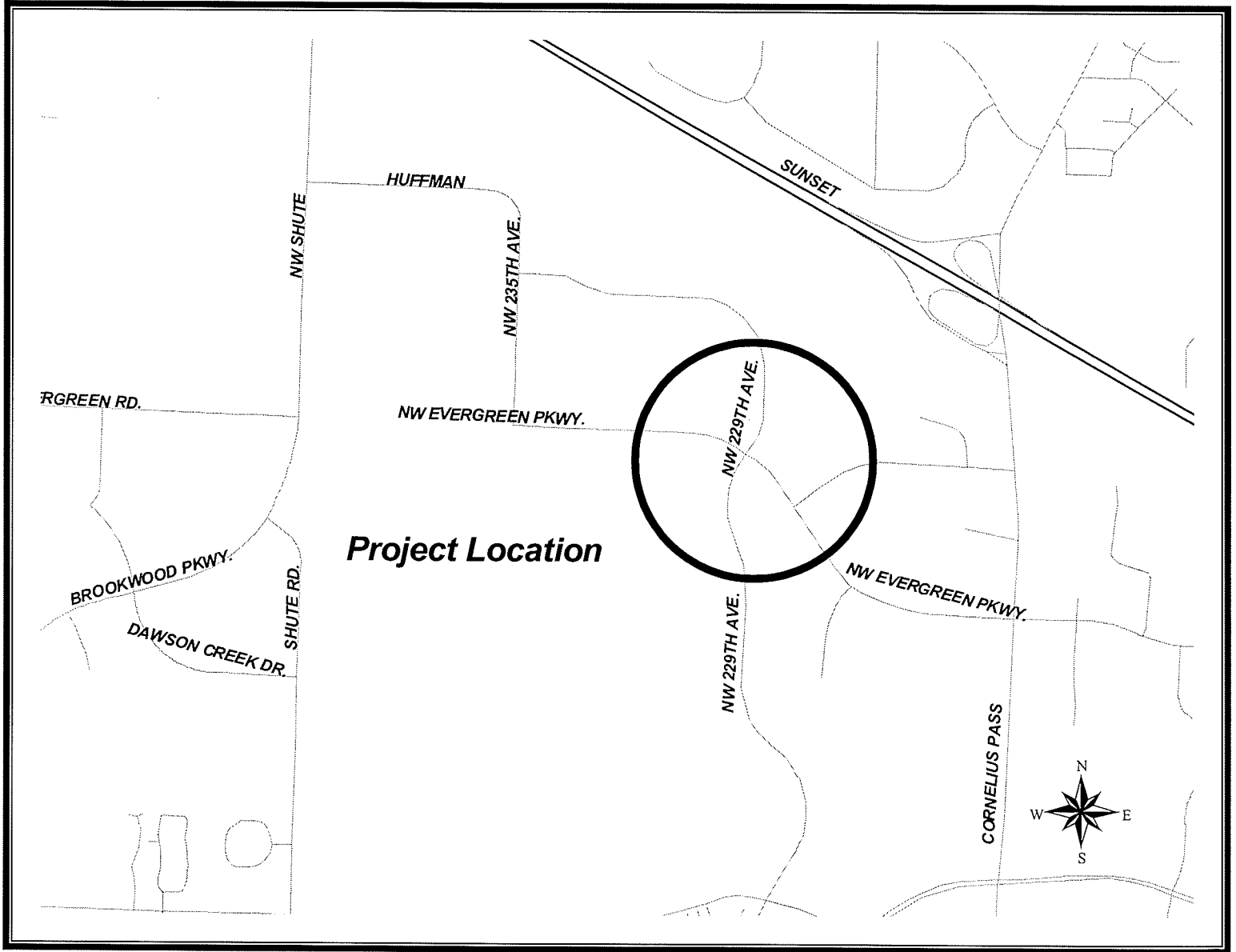
Kxr:SE 12/11/03

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>1.0.</u>
Date:	1/6/04

Vicinity Map NW Evergreen Parkway and NW 229th Avenue Intersection



AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Land Use and Transportation (CPO 3)

Agenda Title: DELEGATION OF SUBDIVISION PLAT SIGNATURE
AUTHORITY—DIRECT COUNTY COUNSEL TO DRAFT AND
FILE ORDINANCE

Presented by: Gregory S. Miller, County Engineer

SUMMARY (Attach Supporting Documents if Necessary)

House Bill 3061 was approved by the Legislature and signed into law by the Governor. It will take effect January 1, 2004. This Bill gives the County Board of Commissioners the authority to delegate their approval of subdivision plats to other persons. This bill was introduced at the request of the Oregon Building Industry Association. Developers and homebuilders were being delayed because, at times, their subdivision plats could not record due to delays in getting plat signoffs. Adopting an ordinance delegating the Board's plat approval authority will benefit the developers, the homebuilders and homebuyers. The Department recommends that the Board delegate its plat approval authority to the Director of Land Use and Transportation, the County Surveyor and the County Engineer.

DEPARTMENT'S REQUESTED ACTION:

Approve the Minute Order directing County Counsel to draft and file an ordinance granting plat approval authority to the Director, the County Surveyor or the County Engineer.

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COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No. 1.p.

Date: 1/6/04

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Land Use and Transportation (CPO 2, 3, 6)

Agenda Title: APPROVE SETTING A PUBLIC HEARING TO TRANSFER JURISDICTION OF CERTAIN COUNTY ROADS TO THE CITY OF BEAVERTON

Presented by: Gregory S. Miller, County Engineer

SUMMARY (Attach Supporting Documents if Necessary)

The City of Beaverton by City Resolution No. 3738, requested the Transfer of Jurisdiction of Certain County Roads from the County to the City of Beaverton. ORS 373.270 requires the County to hold a public hearing on this matter. Therefore, we ask the Board to set the date of February 17, 2004 for the public hearing. ORS 373.270 requires public notification of this hearing.

Attachment: 1. Description "Exhibit A"
2. Map "Exhibit B"

DEPARTMENT'S REQUESTED ACTION:

Approve and set February 17, 2004, at 10:00am, in the Auditorium of the Washington County Public Services Building, Hillsboro, Oregon, at your regularly scheduled meeting as the time and place for a public hearing on the requested Transfer of Jurisdiction to the City of Beaverton (C.R. 3175T/J). Direct that notification to the public be made by posting pursuant to ORS 373.270.

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COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>1.q.</u>
Date:	1/6/04

EXHIBIT "A"
PAGE 1 OF 2

1. **SW DENNEY ROAD**
FROM SW OAKWOOD DRIVE TO SW SCHOLLS FERRY ROAD

SEE PAGE 1 OF EXHIBIT "B"

All that portion of County Road No. 326 lying between that portion of said road transferred to the City of Beaverton in County Road 2437 T/J and the westerly right-of-way of SW Scholls Ferry Road (County Road 348). Said road being situated in the West one-half of Section 23, T1S, R1W, W.M.

2. **SW KOLDING LANE**
FROM ± 100 FEET WEST OF 169TH AVENUE
SW 169TH AVENUE
FROM SW KOLDING LANE SOUTH TO END OF STREET

SEE PAGE 2 OF EXHIBIT "B"

All of County Road No. 3064. Said road being situated in the Southeast One-quarter of Section 30, T1S, R1W, W.M.

3. **SW SEXTON MOUNTAIN DRIVE**
FROM SW NORA ROAD TO A POINT ± 120 NORTHERLY OF SW WINSTON COURT

SW CATHEDRAL DRIVE
FROM SW SEXTON MOUNTAIN DRIVE TO A POINT ± 180 FEET
EASTERLY

SW BRYCE COURT
FROM SW SEXTON MOUNTAIN DRIVE TO A POINT ± 210 FEET
EASTERLY

SW WINSTON COURT
FROM SW SEXTON MOUNTAIN DRIVE TO A POINT ± 200 FEET
EASTERLY

SW CORNELIAN WAY
ALL OF SW CORNELIAN WAY LYING WESTERLY OF SW SEXTON
MOUNTAIN DRIVE

EXHIBIT "A"
PAGE 2 OF 2

SW HORSESHOE WAY

ALL OF SW HORSESHOE WAY LYING WESTERLY OF SW SEXTON MOUNTAIN DRIVE

SEE PAGE 3 OF EXHIBIT "B"

All of County Road 3024. Said road being situated in the West One-half of Section 29, T1S, R1W, W.M.

4. SW WEIR ROAD

FROM A POINT ± 250 FEET EASTERLY OF THE CENTERLINE OF SW MOUNT ADAMS DRIVE TO SW 170TH AVENUE

SEE PAGE 4 OF EXHIBIT "B"

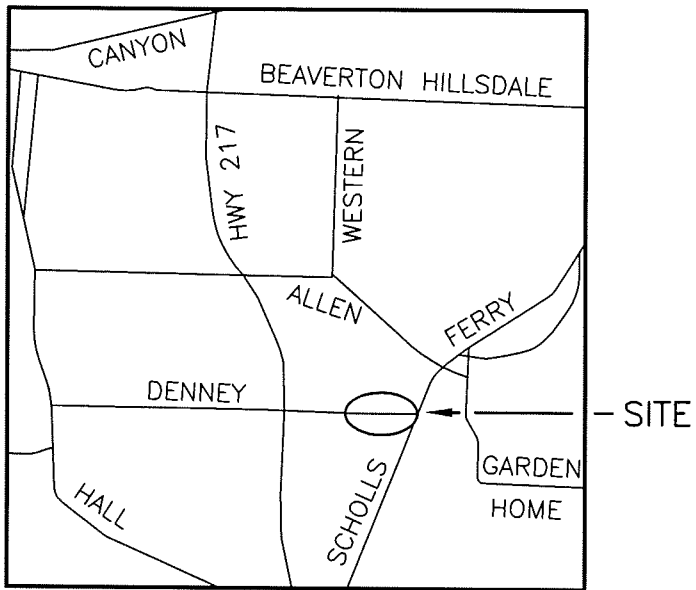
All of County Road 273 lying between that portion of said road transferred to the City of Beaverton in County Road 2437 T/J and the westerly right of way of County Road 2031. Said road being situated in the Southeast one-quarter of Section 30 and in the Northeast one-quarter of Section 31, T1S, R1W, W.M.

5. SW 170TH AVENUE

FROM A POINT ± 135 FEET SOUTHERLY OF THE CENTERLINE OF SW SPELLMAN DRIVE TO SW WEIR ROAD

SEE PAGE 4 OF EXHIBIT "B"

All of County Road 2031 lying between the westerly extension of the northerly line of Murray Hill Park and the Terminus of said road. Said road being situated in the Southeast one-quarter of Section 30 and in the Northeast one-quarter of Section 31, T1S, R1W, W.M.



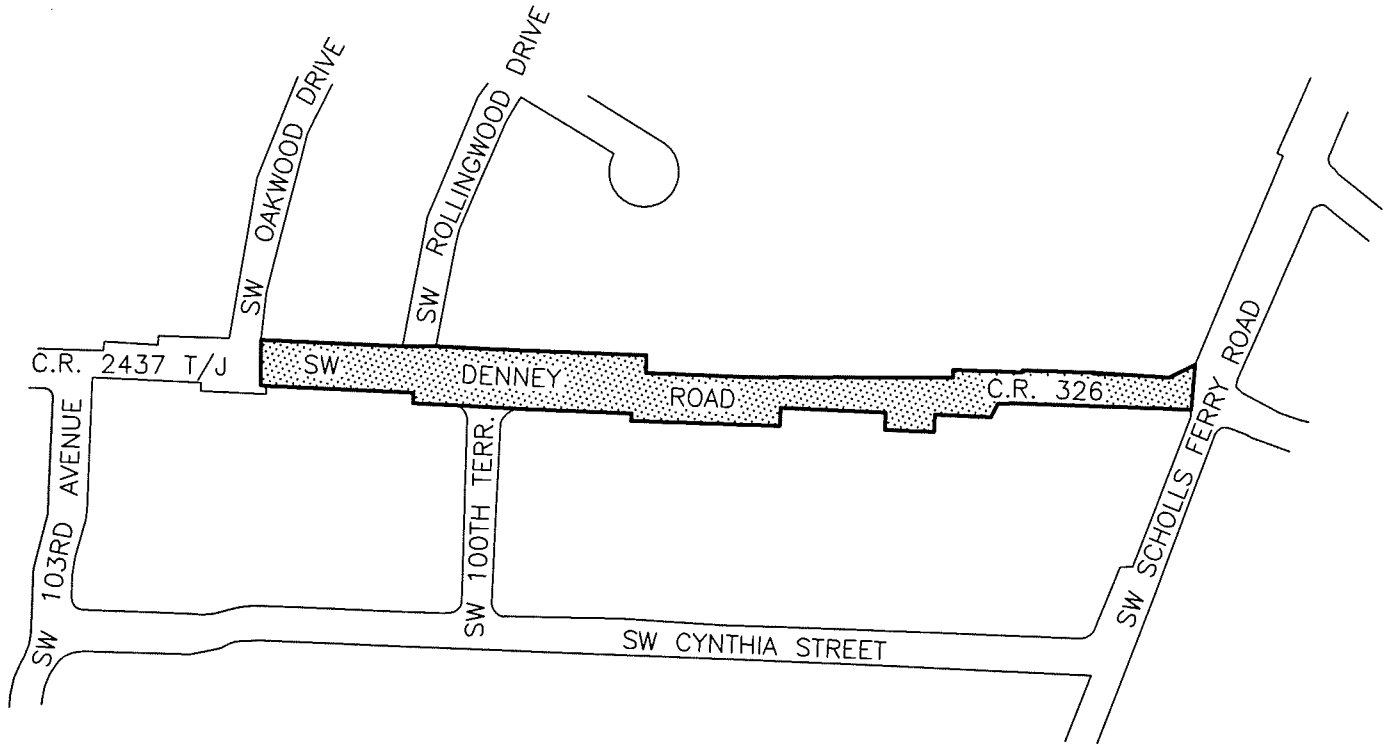
VICINITY MAP

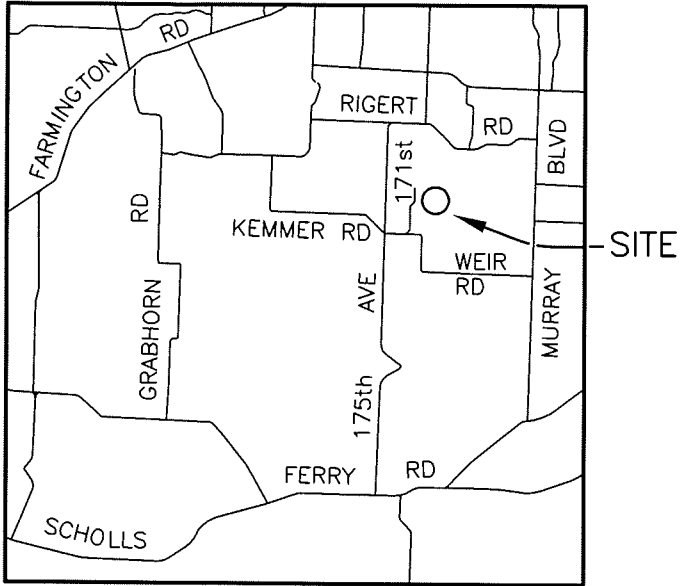
PROPOSED TRANSFER

① SW DENNEY ROAD



NOT TO SCALE





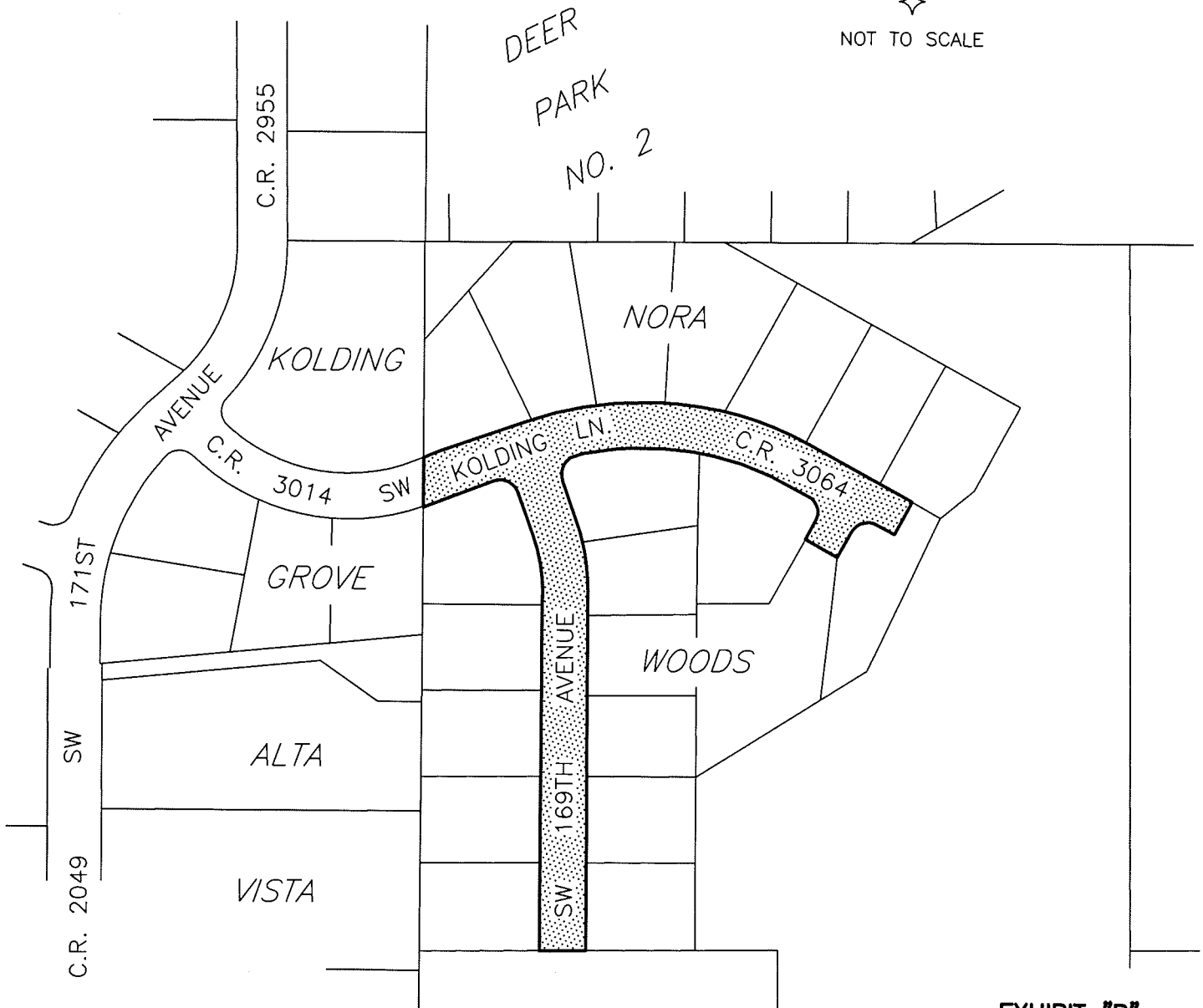
VICINITY MAP

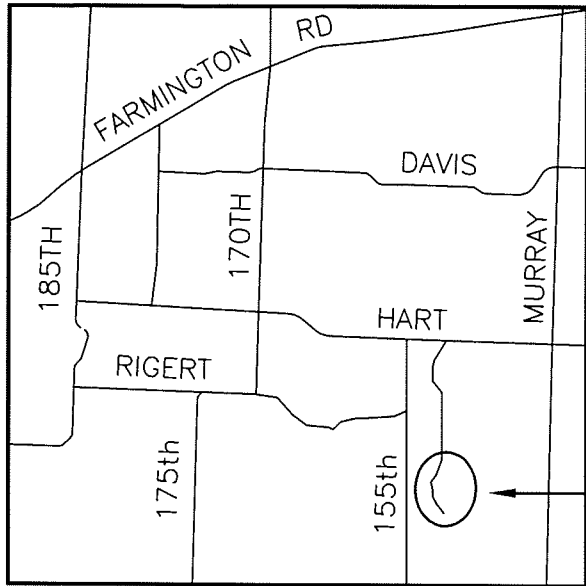
PROPOSED TRANSFER

② SW KOLDING LANE
SW 169TH AVENUE



NOT TO SCALE





VICINTY MAP

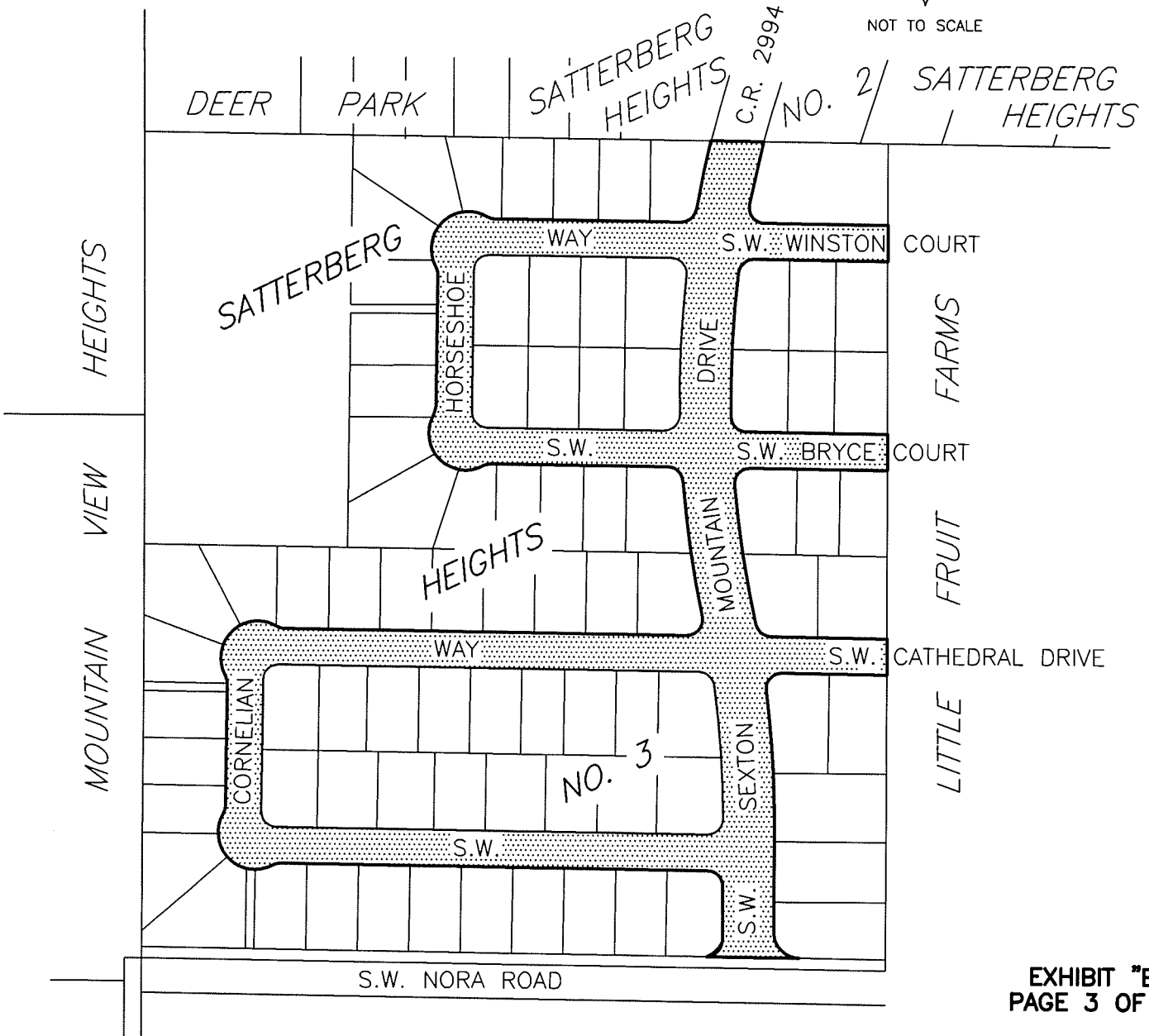
PROPOSED TRANSFER

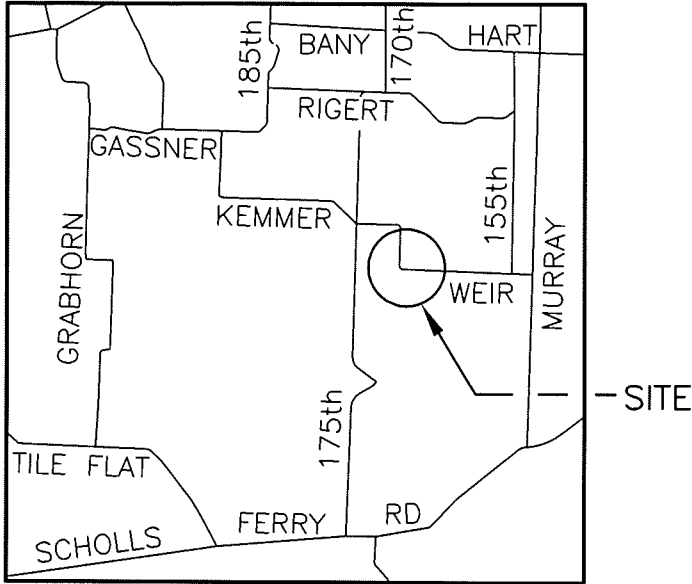
③

- SW SEXTON MOUNTAIN DRIVE
- SW CATHEDRAL DRIVE
- SW BRYCE COURT
- SW WINSTON COURT
- SW CORNELIAN WAY
- SW HORSESHOE WAY



NOT TO SCALE





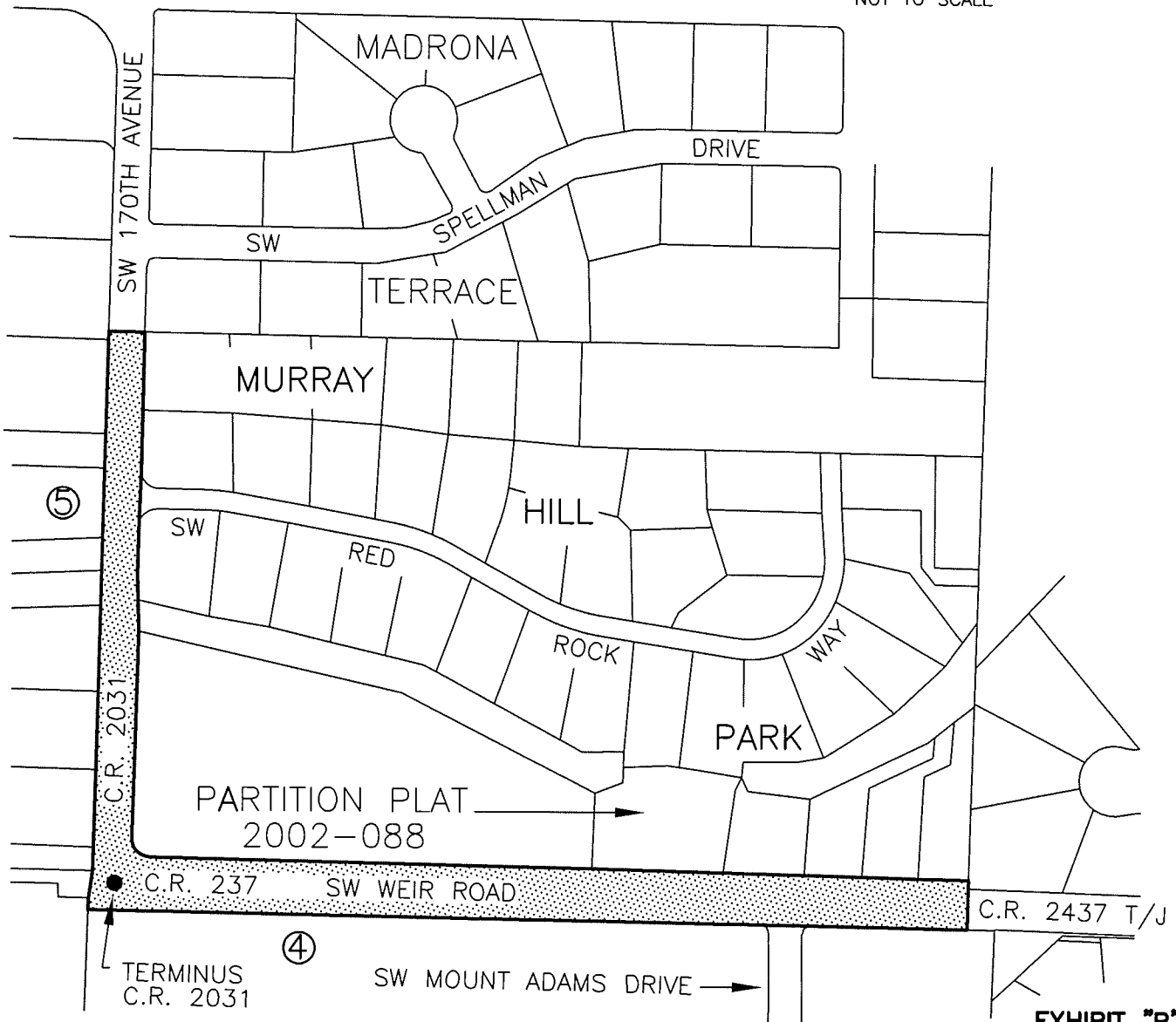
VICINITY MAP

PROPOSED TRANSFER

- ④ SW WEIR ROAD
- ⑤ SW 170TH AVENUE



NOT TO SCALE



AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Land Use and Transportation (CPO 4B, 5)

Agenda Title: APPROVE MODIFICATION OF EASEMENT AGREEMENT WITH THE UNITED STATES FISH AND WILDLIFE DEPARTMENT

Presented by: Dan Brown, Capital Project Management Manager

SUMMARY (Attach Supporting Documents if Necessary)

On April 12, 2000, the Secretary of the Interior, by his authorized representative, the Regional Director, United States (U.S.) Fish and Wildlife, Grantor, granted to Washington County, Grantee, an easement to use certain lands of the Tualatin River National Wildlife Refuge, Oregon. This easement was granted for the purposes of relocating, constructing, operating, maintaining, and repairing a County public roadway and slope and drainage easements, which traverse a portion of Grantor's parcel along Roy Rogers Road. This resulted in a strip of ground just east of our right-of-way line and U.S. Fish and Wildlife's easterly property line being a slope and drainage easement on our Right-of-Way File #64. U.S. Fish and Wildlife, in conjunction with their easterly neighbor, Fisher Farms, Inc., are asking that we change the slope and drainage easement on Parcel III of File #64 to a roadway easement as we own the right-of-way across their property. Also, in the Modification of Easement Agreement Washington County is requesting permission to grant roadway access to the easterly side of roadway easement all along the U.S. Fish and Wildlife's property on our Right-of-Way File #64.

U.S. Fish and Wildlife have stated they will not charge a fee to modify the easement.

Modification of Easement Agreement is available at the clerk's desk.

Attachment: Vicinity Map

DEPARTMENT'S REQUESTED ACTION:

Approve the Modification of Easement Agreement with U.S. Fish and Wildlife and authorize its execution upon completion of County Counsel and U.S. Fish and Wildlife's review.

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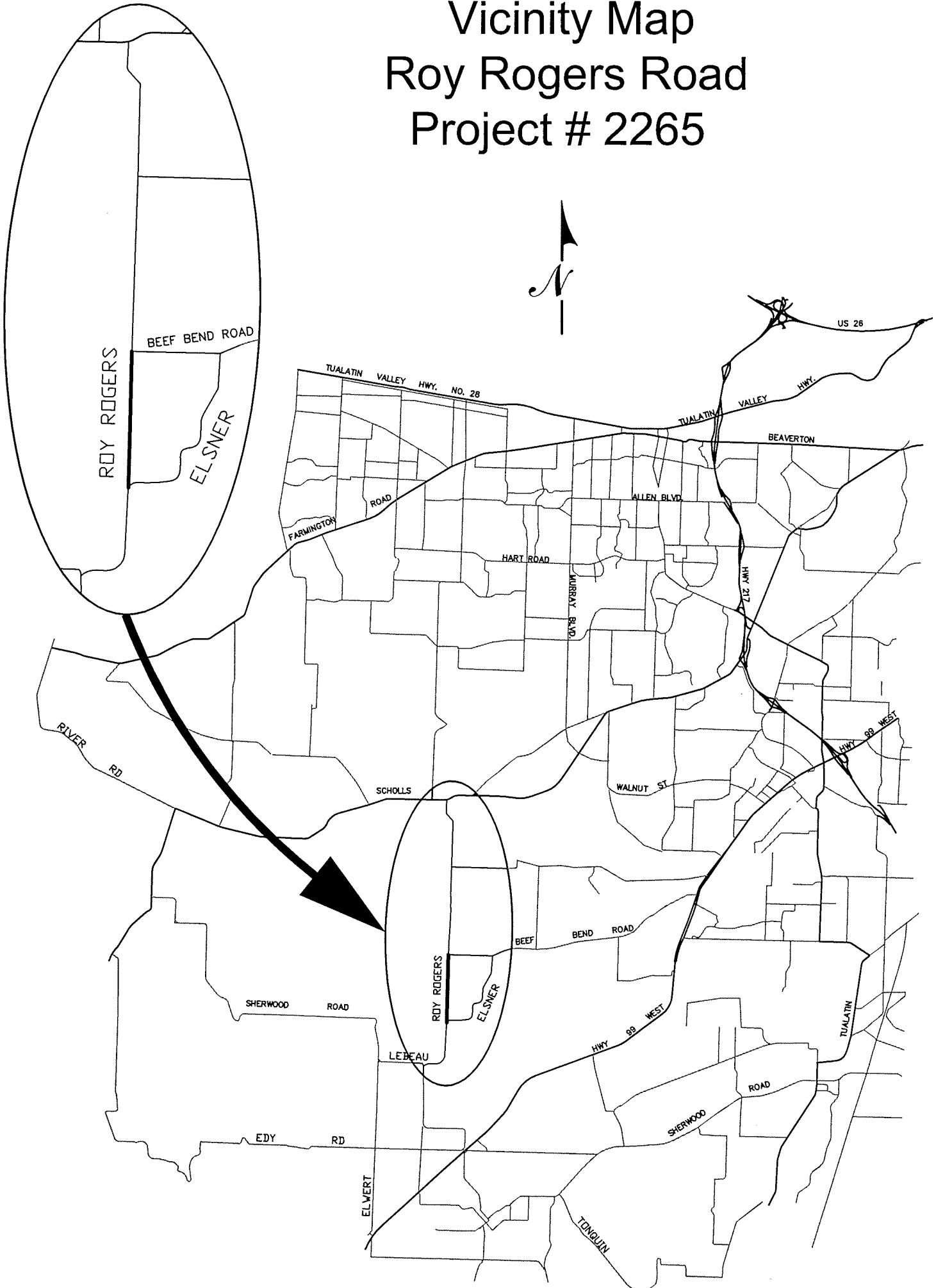
12/29/03

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>1.r.</u>
Date:	1/6/04

Vicinity Map Roy Rogers Road Project # 2265



AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Land Use and Transportation (CPO 4B)

Agenda Title: APPROVE AGREEMENT WITH THE CITY OF TIGARD FOR UTILITY WORK FOR THE SW WALNUT STREET IMPROVEMENT PROJECT: SW 121st AVENUE TO SW 135th AVENUE

Presented by: Dan Brown, Capital Project Management Manager

SUMMARY (Attach Supporting Documents if Necessary)

The SW Walnut Street project is part of the Washington County Major Streets Transportation Improvement Program (MSTIP 3) approved by voters on May 16, 1995. On June 23, 1998, by MO# 98-280, the Board authorized funding and approved the schedule for the MSTIP 3 Program.

This project will reconstruct SW Walnut Street between SW 121st and SW 135th Avenues. The project includes roadway widening from two existing travel lanes to three lanes (two travel lanes and a center turn lane), bikelanes, sidewalks, illumination, and storm drainage improvements.

As part of this project, the City of Tigard (City) desires to make improvements to their water distribution and sanitary sewer systems as well as to underground existing overhead utilities. The City has requested that the water distribution, sanitary sewer, and undergrounding of overhead utilities be included in the SW Walnut Street improvement project. The City has agreed to pay for the design, easement acquisition (if any), construction, contract, and project administration of the requested work. This agreement identifies the obligations between the City and Washington County and establishes a method of payment by the City for the requested design and construction work, estimated at \$156,302 and \$1,140,750, respectively.

The Intergovernmental Agreement is available at the clerk's desk.

Attachment: Vicinity Map

DEPARTMENT'S REQUESTED ACTION:

Approve Agreement with the City of Tigard and authorize its execution upon completion of the County's contract review process.

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12/29/03

COUNTY ADMINISTRATOR'S RECOMMENDATION:

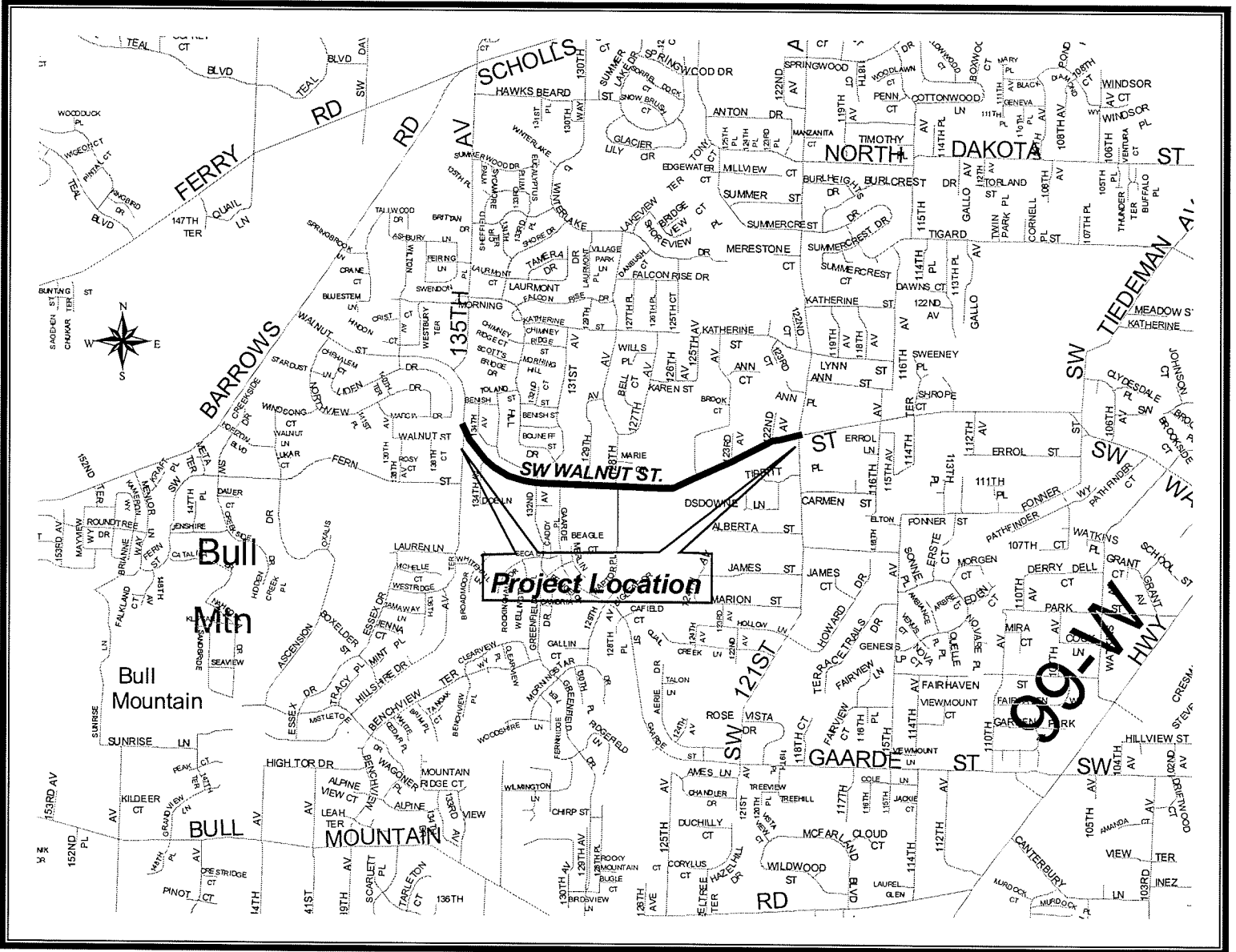
I concur with the requested action.

Agenda Item No.	<u>1.s.</u>
Date:	1/6/04

Vicinity Map

SW Walnut Street Improvement Project / SW 121st Avenue to SW 135th Avenue

Project 2549



AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Land Use and Transportation

Agenda Title: APPROVE USAGE OF THE WATER RESOURCES
MODEL/FLOOD MODEL INFORMATION

Presented by: Kathy Lehtola, Director

SUMMARY (Attach Supporting Documents if Necessary)

The Department of Land Use and Transportation, having land use authority over development in unincorporated Washington County, is the FEMA acknowledged jurisdiction charged with regulating flood hazard areas.

The Department, Clean Water Services, and the Cities, have new flood plain information that was developed during the Watershed's 2000 project.

This information has been reviewed by the public, the Cities, and FEMA, and represents the best available flood data. This data will be used to design drainage facilities and review developments.

DEPARTMENT'S REQUESTED ACTION:

Approve the new input/output data for Tualatin Basin hydrology and hydraulic models.

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COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>1.t.</u>
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Date:	1/6/04
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AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – County Administrative Office

Agenda Title: **GRANT WAIVER/AUTHORIZE EXECUTION OF CONTRACT
AMENDMENT/CONSULTING SERVICES FOR THE URBAN
RENEWAL PROJECT (#23123W)**

Presented by: Charles D. Cameron, County Administrator

SUMMARY (Attach Supporting Documents if Necessary)

This agenda item requests that your Board grant a waiver from the competitive proposal process and authorize amendments to an existing contract with Tashman Johnson LLC. The amendments will increase the dollar value of the contract to \$195,660 and extend it through September 30, 2004.

Tashman Johnson LLC is currently providing consulting services to the County Administrative Office under contract #02-0195, which became effective February 11, 2002. The contract has been amended twice to extend the expiration date through June 30, 2004. The services provided under the contract pertain to a possible urban renewal project(s) involving the Highway 217 Corridor and/or Peterkort property. The original scope of the project was to evaluate the viability of such a project including identifying specific issues that needed to be addressed and initiate discussions with impacted taxing jurisdictions.

Work on the original scope is nearly completed. Based on discussions with the other agencies, there is interest in developing a more detailed feasibility analysis for the project. The proposed waiver with Tashman Johnson LLC would provide for this work. Given the current contractor's knowledge and familiarity with the details of this project, their continued involvement is considered important to moving the project forward in an efficient and timely manner.

(Continued on Page 2)

COUNTY ADMINISTRATOR'S RECOMMENDATION:

That your Board grant a waiver from the competitive proposal process and authorize execution of contract amendments with Tashman Johnson LLC to provide consulting services through September 30, 2004 for the estimated total expenditure amount of \$195,660.

Agenda Item No. 1.u.

Date: 1/6/04

County purchasing rules require that professional services contracts exceeding \$50,000 in value be obtained through a Request for Proposal process. This contract was originally for the amount of \$25,000 and is currently set to terminate on June 30, 2004. At the time the contract was developed, it was not known if an urban renewal project in this area would be viable. Approximately \$30,000 is available for this project in the current Non-departmental budget. An adjustment from the general fund contingency will likely be necessary for the remainder.

INFORMATION REQUIRED TO GRANT WAIVER

County Purchasing Rule #10-150 states that your Board may grant a waiver from the competitive Request for Proposal process that normally applies. The request for the waiver shall contain the following:

(a) The nature of the project:

Response: The original project has determined that an urban renewal district, or districts, is potentially viable for the areas studied. Further, the affected jurisdictions have indicated they are interested in proceeding to the next phase of the process. Therefore, the County is proposing to amend its existing contract to provide for a more detailed analysis of the study area that would be summarized in a final report. Specific project tasks include:

- Develop and refine work programs with affected jurisdictions (partners). Facilitate workshops with partners.
- Establish corridor study area, inventory area, and identify boundaries for the redevelopment areas.
- Analysis of land use policies and regulations relative to the redevelopment areas.
- Analysis of market conditions.
- Development of a concept plan for the redevelopment areas and estimation of public improvement costs.
- Analysis of growth in real market value and assessed value. Project tax increment revenues.
- Analysis of project feasibility and conceptual funding.
- Evaluation of scope of changes to development regulations (if any).

Tashman Johnson LLC was originally chosen for this project for the following reasons:

- It has extensive experience developing urban renewal projects for local governments in the state.
- It has exhibited excellence in its work in its present and prior undertakings with the County and other local governments in the region.
- It has a working familiarity with Washington County elected officials and staff and is familiar with the larger Washington County community.
- Its mix of experience and attributes make it uniquely well suited to this role.
- Its rates are competitive with those of similarly qualified consulting firms.

Consent Agenda – County Administrative Office
GRANT WAIVER/AUTHORIZE EXECUTION OF CONTRACT AMENDMENT
CONSULTING SERVICES (#23123W)
Page 3

- (b) The estimated cost of the project:

Response: The original contract was for the expenditure amount of \$25,000. This contract amendment is for \$170,660 for a total contract amount of \$195,660.

- (c) A narrative description of the cost savings anticipated by the waiver from competitive bidding, and the reasons why a competitive proposal process would be inappropriate:

Response: This waiver and amendment of the existing contract will result in a substantial cost savings to Washington County. Project continuity and cohesiveness would be sacrificed by putting the necessary consulting services out to bid at this time. The current consultant's familiarity with the details of this project is important to the project's overall success. Project delays could mean that the approximate \$15,000 in consulting expenses, in addition to staff time, already invested would be wasted. In addition, the proposal process would result in a delay in the overall time frame for the project, which could have financial implications for the renewal district.

The rationale for obtaining this waiver is based on the unusual nature and circumstances of urban renewal projects. It is therefore unlikely that this waiver will encourage favoritism in the awarding of public contracts by Washington County.

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

Response: With this waiver and contract amendment, Tashman Johnson LLC will be able to strategically and quickly select and subcontract with other consultants in response to changeable project demands. Every effort will be made to utilize existing county contracts with consultants providing such services as become needed.

- (e) The estimated date by which it would be necessary to let the contract:

Response: As soon as possible.

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – County Counsel

Agenda Title: DESIGNATE NEWSPAPERS OF GENERAL CIRCULATION IN WASHINGTON COUNTY

Presented by: Dan R. Olsen, County Counsel

SUMMARY (Attach Supporting Documents if Necessary)

The Board is required to designate each year the newspapers of general circulation in Washington County as the papers in which certain items are published. The Resolution and Order before your Board does so and provides for notification of the Director of Assessment and Taxation of such selection, also required by statute.

The identified statutes require the designated newspapers to do the following:

1. Publish facsimile ballots under ORS 254.205 in two newspapers.
2. Publish in two County newspapers a notice stating that information regarding claims and expenditures is available for review at the County Courthouse or public libraries, as provided in ORS 294.250.
3. Publish notices of real property tax foreclosure proceedings under ORS 312.040 and 312.190 in one newspaper.

The Resolution and Order designates the Hillsboro Argus, the Community Newspapers (known as the Forest Grove News Times, Beaverton Valley Times, Tigard Times, and Tualatin Times) and the Oregonian as newspapers of general circulation.

DEPARTMENT'S REQUESTED ACTION:

Designate the Hillsboro Argus, the Community Newspapers (known as the Forest Grove News Times, Beaverton Valley Times, Tigard Times, and Tualatin Times) and the Oregonian as newspapers of general circulation in Washington County.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>1.v.</u>
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Date:	1/6/03
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1 IN THE BOARD OF COUNTY COMMISSIONERS

2 FOR WASHINGTON COUNTY, OREGON

3 In the Matter of Designating Newspapers) RESOLUTION AND ORDER
4 for Publication of Notices Required by)
5 ORS 254.205, 294.250, 312.040 and 312.190) No. _____

6 The above-entitled matter came on regularly before the Board at its meeting of
7 January 6, 2004 and

8 It appearing to the Board that ORS 254.205 requires Boards of Commissioners of
9 counties with a population in excess of 10,000 to select two newspapers published in the
10 county, in which facsimile ballots may be published and requires notification of the county
11 clerk of such selections; and

12 It appearing to the Board that ORS 294.250 requires the County to publish at least
13 once each month, in a newspaper of general circulation, a notice stating that the information
14 required to be published under ORS 294.250 is available for review at the County Courthouse
15 and public libraries; and

16 It appearing to the Board that ORS 312.040 and ORS 312.190 require the Board to
17 designate a newspaper of general circulation in the County for the purpose of publishing the
18 legal notices required pursuant to the tax foreclosure proceedings; and

19 It appearing to the Board that four newspapers are published within Washington
20 County and each constitutes a newspaper of general circulation; those newspapers being the
21 Hillsboro Argus, the Community Newspapers (known as the Forest Grove News Times,

22 ////

1 Beaverton Valley Times, Tigard Times, and Tualatin Times) and the Oregonian; and
2 the Board being fully advised in the premises; now, therefore, it is

3 RESOLVED AND ORDERED that the Hillsboro Argus, the Community Newspapers
4 (known as the Forest Grove News Times, Beaverton Valley Times, Tigard Times, and
5 Tualatin Times) and the Oregonian be, and hereby are, each designated as a newspaper of
6 general circulation in Washington County designated by this Board as authorized to publish
7 the notice of availability of claims for review, as set forth in ORS 294.250; and it is further

8 RESOLVED AND ORDERED that the Hillsboro Argus, the Community Newspapers
9 (known as the Forest Grove News Times, Beaverton Valley Times, Tigard Times, and
10 Tualatin Times) and the Oregonian be, and hereby are, each designated as a newspaper of
11 general circulation in Washington County designated by this Board as authorized to publish
12 facsimile ballots, pursuant to ORS 254.205; and it is further

13 RESOLVED AND ORDERED that the Hillsboro Argus, the Community Newspapers
14 (known as the Forest Grove News Times, Beaverton Valley Times, Tigard Times, and
15 Tualatin Times) and the Oregonian each are a newspaper of general circulation in Washington
16 County designated by this Board as authorized to publish the notices of tax foreclosure
17 proceedings; and it is further

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1 RESOLVED AND ORDERED that this designation shall apply to any other statutory
2 or other legal requirement for publication; and it is further

3 RESOLVED AND ORDERED that the Director of Assessment and Taxation be, and
4 hereby is, notified of said selection.

5 DATED this 6th day of January, 2004.

6 BOARD OF COUNTY COMMISSIONERS
7 FOR WASHINGTON COUNTY, OREGON

8 _____
CHAIRMAN

9 _____
10 *RECORDING SECRETARY*

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Support Services

Agenda Title: **AUTHORIZE INCREASE OF 3.00 FULL TIME EQUIVALENT (FTE) FACILITIES MAINTENANCE TECHNICIAN POSITIONS IN THE DEPARTMENT OF SUPPORT SERVICES, FACILITIES AND PARKS SERVICES DIVISION**

Presented by: Don Bohn, Senior Deputy County Administrator
Bob Osip, Human Resources Manager

SUMMARY (Attach Supporting Documents if Necessary)

The purpose of this agenda item is to request that your Board approve the addition of three full time equivalent (3.00 FTE) Facilities Maintenance Technicians in the Department of Support Services, Facilities and Parks Services Division.

Background

The Facilities and Parks Services Division provides a wide array of technical services, including maintenance and repair of core building systems such as security, heating/ventilation and air conditioning (HVAC), electrical, plumbing, etc. Over the last several years, the Division has experienced an increase in HVAC work orders and related service demands. This is due mainly to an increase in the number and complexity of HVAC units (new buildings), as well as the age and condition of other units.

Currently, County personnel perform basic HVAC troubleshooting and repair (approximately 1.4 FTE). Outside contractors provide the balance of services at a cost of approximately \$480,000 per year. These additional services include programming, balancing, filter & belt changes and adjustments. Staff refers to the current service delivery approach as a blended contract model (70% contract labor hours/30% in-house labor hours).

(Continued on Page 2.)

DEPARTMENT'S REQUESTED ACTION:

That your Board approves the addition of three full time equivalent (3.00 FTE) Facilities Maintenance Technician positions in the Department of Support Services, Facilities Management Division FY 2003-04 Budget.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>1.w.</u>
Date:	1/6/04

Consent – Support Services

**AUTHORIZE INCREASE OF 3.00 FULL TIME EQUIVALENT (FTE) FACILITIES
MAINTENANCE TECHNICIAN POSITIONS IN THE DEPARTMENT OF SUPPORT
SERVICES, FACILITIES AND PARKS SERVICES DIVISION**

Page 2.

As part of a comprehensive review of the Facilities and Parks Services Division, staff has completed a service analysis (attachment A) of the HVAC function. Based on a number of financial and non-financial considerations outlined in the report, staff is recommending a change from the blended contract service model to a blended in-house model. This would effectively change the mix of in-house vs. contract labor hours. The new model would rely on 80% in-house labor and 20% contract labor.

The primary basis for this recommendation is annual cost savings and operational efficiency. Based on the requirement of 6,530-labor hours/year the blended in-house approach will reduce annual program expenses by an estimated \$130,000.

Please refer to the attached service analysis for further information.

Staff will be available to answer questions.

WASHINGTON COUNTY
DEPARTMENT OF SUPPORT SERVICES
Facilities and Parks Services Division

Evaluation: HVAC Service Provision

Executive Summary

The Facilities and Parks Services Division is in the process of reviewing core services and delivery methods. In October 2003 staff evaluated the electrical program and recommended a blended in-house service approach. The approach included hiring 2.0 FTE Journey Electricians to complement the 1.0 FTE Electrician to meet the majority of County electrical service demand. The recommendation also included continuation of a contract element to address workload fluctuations and specialty services. The blended in-house model provided significant cost savings and operational efficiencies, while maintaining the benefit of outside expertise and resources.

Division staff has concluded a review of a second core service, Heating Ventilation and Air Conditioning (HVAC) and is making a similar recommendation. Based on cost, efficiency and a broad range of other considerations, staff is recommending the hiring of 3.0 FTE HVAC Technicians to provide in-house capacity in the operations, maintenance and repair of HVAC systems. The following analysis is premised on a 1999 Auditor report and provides detailed justification for this request.

Background—Auditor’s Report

In 1999, the County Auditor completed a report entitled “Review of Contracting Out of County Services”. Among a number of findings, the report concluded with two key recommendations. The first called for the development of a simple countywide evaluation process that could be applied to decisions pertaining to method of service provision. The second recommended trials of “managed competition”, which is a formal process where internal groups compete against outside contractors.

The County Administrative Office prepared a response to the review dated August 16, 1999 and agreed to develop an evaluation process, while deferring the concept of managed competition to a later date. In order to improve documentation while maintaining simplicity and flexibility, staff used the Auditor’s report to develop a tiered checklist of factors to use when evaluating service options. This checklist is available on Horizons and is used by departments as a guideline for service provision analysis.

The checklist includes both non-financial and financial considerations. The first tier encompasses non-financial criteria including: market situation; operational efficiency; risk; quality/effectiveness of service; legal barriers; management control; and political sensitivity. The second tier assesses costs and provides recommended evaluation methodology. The methodology includes cost approach; contract administration; transition or conversion; and multi-year considerations.

Background—County HVAC Services

The Facilities and Parks Services Division oversees a variety of HVAC systems in nearly twenty-five (25) facilities. The systems range from a residential heat pump at a small facility such as the Good Neighbor Center to a complex commercial unit at the Jail/LEC.

Timely and effective maintenance of the units is important for a number of reasons:

- ❑ Energy/Cost Efficiency—The units must be programmed, balanced and maintained to work at optimum efficiency. Efficient HVAC systems optimize performance and reduce utility expense.
- ❑ Comfort/Productivity—The units must be maintained to ensure reliable temperature for the comfort and productivity of staff and citizens.
- ❑ Health and Safety – The units must be maintained to optimize internal air quality.

Examples of maintenance services required by HVAC systems include:

Routine Maintenance	Special Requests	Capital Projects
<p>Maintain heating, ventilation and air conditioning systems such as changing filters and belts.</p> <p>Adjust temperature and air flow of HVAC systems for tenant comfort and system efficiency.</p> <p>Program, adjust and tune the air handlers to maximum efficiency, reduce air leakage and noise.</p>	<p>Conduct minor tenant improvements, such as new ductwork and or rerouting of existing ducts to improve circulation and reduce possible contamination.</p> <p>Adjust outside air returns to minimize pick up vehicle exhaust fumes.</p> <p>Install new or relocate existing thermostats to maximize temperature control.</p>	<p>Install new heating, ventilation and air conditioning systems.</p> <p>Upgrade and enhance existing HVAC systems to reduce maintenance costs and to meet ASHRAE standards.</p>

As the number of County owned facilities and their complement of supporting systems has increased in complexity, the Facilities and Parks Services Division has experienced a marked increase in HVAC related work orders and service demands. The County does not have dedicated HVAC technicians. With a few exceptions (namely basic maintenance and troubleshooting), outside contractors provide the bulk of HVAC services.

Over the last two fiscal years the expenditure level for HVAC related labor costs has been approximately \$1,170,000. This represents \$984,000 for outside contractors and \$186,000 for in-house staff. This equates to over 15,000 labor hours over the two-year period. With a predominant reliance on outside vendors the blended labor rate per hour is approximately \$74 as shown below.

HVAC Program Summary

The current County HVAC program is provided by contractors (75% of labor hours) and County staff (25% of labor hours).

<u>Contractors</u>	<u>FY 01-02 Actual</u>	<u>FY 02-03 Actual</u>	<u>Totals</u>
Contract Hours	6064	5516	11,580
Avg. Cost/Labor Hour	\$85	\$85	\$85
Contractor Costs	\$515,471	\$468,854	\$984,325
<u>County Maintenance</u>			
Labor Hours	1836	1836	3,672
Cost/Labor Hour	\$42.40	\$43.35	\$42.88
Labor Costs	\$77,853	\$79,853	\$157,706
<u>County Contract Administration</u>			
Contract Admin. Hours	306	306	612
Cost/Labor Hour	\$45.81	\$46.96	\$46.39
Contract Admin. Costs	\$14,019	\$14,370	28,389
Total Labor Costs	\$607,343	\$562,807	\$1,170,150
Total Labor Hours	8,206	7,658	15,864
Blended Cost/hour	\$74.01	\$73.49	\$73.76

Blended Service Delivery—Two Approaches

This report reviews the advantages/disadvantages of two blended service approaches. The first approach represents the status quo and is a combination of 75% contract labor and 25% County staff (referred to as blended contract approach). The second is a variation of the first, but relies on 80% County staff and 20% contract labor (referred to as blended in-house approach).

The blended in-house approach fundamentally changes the County’s role in HVAC services from administrative and basic maintenance to full service. This approach requires the addition of 3.0 FTE HVAC technicians to provide operations, maintenance and repairs. An HVAC contract would be let to address workload fluctuations and specialty needs (estimated at \$100,000/year).

Tier 1 Analysis—Non-financial Considerations

The initial step in the analysis is a review of non-financial considerations. Any one of these considerations (or combination thereof) can impact the range of feasible service provision options.

□ Market Situation

The Portland Metropolitan area has many commercial contractors experienced in the operations, maintenance and repair of a wide variety of brands and units. This strong private sector presence provides benefits to the County in terms of access to quality contractors and to a pool of potential applicants in the event of program migration to a blended in-house model.

□ Operational Efficiency

While the operational efficiency of the current blended contract-out model has been satisfactory, the blended in-house approach provides additional benefits.

- ❖ HVAC maintenance and repair is part and parcel of the routine maintenance of the County's facilities and a close partnership between the Facilities technicians and Facilities HVAC technicians is paramount to an efficient and effective maintenance program. This teamwork is easier to reinforce when staffing is stable and predictable and work orders are approached in an integrated manner.
- ❖ The County benefits from In-house staff developing and maintaining 1) working knowledge of the systems and components of the buildings; 2) customer relationships and an understanding of customer needs; and 3) free and immediate access to all buildings. Currently, Facilities Technicians frequently accompany contract staff through the facilities, provide building access and ongoing technical information/assistance. The blended approach will free technical time assigned to escort contractors and allow the critical labor hours to be assigned to other maintenance tasks.
- ❖ Due to proximity, staff is able to respond to both routine and emergency maintenance issues in a timely and efficient manner. For example, HVAC systems can be adjusted or repaired immediately without having to dispatch and coordinate the work of a contractor.
- ❖ Dedicated HVAC staff will improve system monitoring, programming and overall operational efficiency. This will optimize unit performance and minimize utility costs.

□ Risk

There is no significant risk in either service model. Arguably both blended approaches provide a degree of risk management by leveraging the best of internal and external resources. The blended in-house model recognizes the need to manage risk by maintaining contracts to provide specialized service and repair. Warranty work will continue to be performed by manufacturer certified professionals.

- Quality/Effectiveness of Service
The quality of service is anticipated to be high in either service model. It is anticipated that certain qualitative benefits are maximized in a blended in-house system. This is due to shorter response time, ongoing (real time) system monitoring and adjustments, familiarity with system and unit intricacies, documented maintenance history and quality assurance.
- Legal Barriers
No legal barriers to adjustments within the blended service model.
- Management Control
The blended in-house model has advantages related to direct allocation and supervision of resources, priority setting, quality assurance and follow through. Staff time can be partially redirected from contract administration to active involvement in the strategic management and supervision of the blended In-house program.
- Political Sensitivity
Not anticipated.

Tier 2 Analysis—Cost Considerations
Labor Cost Analysis

Based on a benchmark of 6530 productive labor hours per year for HVAC maintenance the County has compared the cost of blended contract and blended in-house models (see attached spreadsheet for details).

The blended in-house model has the following financial advantages.

1. A reduction in straight labor costs/hour. The loaded County hourly rate for an HVAC Technician is roughly 50% of the rates charged by current contractors.

	FY 01-02	FY 02-03	FY 03-04	FY 04-05 estimated	FY 05-06 estimated	FY 06-07 estimated
Contract Labor rate	\$85.00	\$85.00	\$85.00	\$89.00	\$89.00	\$91.00
County Labor rate	\$42.60	\$43.56	\$44.60	\$45.46	\$47.44	\$48.41
Variance	(\$42.40)	(\$41.44)	(\$40.40)	(\$43.54)	(\$41.56)	(\$42.59)

2. A reduction in blended labor costs/hour. The blended labor rates for both the contract and in-house models are provided for comparison purposes.

Blended Labor Rates by Model	FY 04-05 est.	FY 05-06 est.	FY 06-07 est.
Contract/In-house (70-30)	\$74.98	\$75.64	\$76.86
In-house/Contract (80-20)	\$52.80	\$54.46	\$55.48

3. Reduction in total HVAC program costs. Moving to the In-house blended model will reduce expenditures by an estimated \$134,847 in year one of the implementation and nearly \$130,000 in year three. This represents a program cost reduction ranging from 26-28%. This reduction will vary depending on actual use of outside contractors.

Labor Related Costs	FY 04-05 est.	FY 05-06 est.	FY06-07 est.
Contract Model (70/30)	\$489,577	\$493,852	\$501,789
In-house Model (80/20)	\$354,730	\$365,531	\$372,233
Variance (Savings)	\$134,847	\$128,321	\$129,556
% Reduction	28%	26%	26%

Recommendation:

Based on this review, the Facilities and Parks Services Division recommends moving to a blended in-house HVAC approach: hiring three new HVAC Technicians and contracting with outside vendors for specialized services in the amount of roughly \$100,000 per year.

This action will significantly decrease expenses related to HVAC maintenance and repair, while providing the benefits of a blended service approach.

Attachment A

HVAC Service Analysis
Dec-03

	Actual		Actual		C-B	I-B**	C-B	I-B	C-B	I-B	C-B	I-B
	C-B	I-B	C-B	I-B								
<u>Contractors</u>	<u>FY 01-02</u>	<u>FY 01-02</u>	<u>FY 02-03</u>	<u>FY 02-03</u>	<u>FY 03-04 est.</u>	<u>FY 03-04 est.</u>	<u>FY 04-05 est.</u>	<u>FY 04-05 est.</u>	<u>FY 05-06 est.</u>	<u>FY 05-06 est.</u>	<u>FY 06-07 est.</u>	<u>FY 06-07 est.</u>
Contract Hours	6064	2704	5516	2162	5051	3597	4387	1097	4387	1097	4387	1097
Avg. Cost/labor Hour	\$85	\$85	\$85	\$85	\$85	\$85	\$89	\$89	\$89	\$89	\$91	\$91
Contractor Costs	\$515,471	\$229,840	\$468,854	\$183,770	\$429,335	\$305,745	\$391,540	\$97,907	\$391,540	\$97,907	\$397,413	\$99,376
<u>County</u>												
Labor Hours	1,836	5,126	1,836	5,126	1,836	3,290	1,836	5,126	1,836	5,126	1,836	5,126
Cost/loaded labor Hour	\$42.40	\$42.40	\$43.35	\$43.35	\$44.29	\$44.29	\$45.23	\$45.23	\$47.21	\$47.21	\$48.18	\$48.18
Labor Costs	\$77,853	\$217,339	\$79,583	\$222,169	\$81,313	\$145,686	\$83,043	\$231,829	\$86,685	\$241,996	\$88,454	\$246,935
<u>County</u>												
Contract Admin. Hours	306	306	306	306	306	306	306	306	306	306	306	306
Cost/Loaded Labor Hour	\$45.81	\$45.81	\$46.96	\$46.96	\$48.06	\$48.06	\$49.00	\$49.00	\$51.07	\$51.07	\$52.03	\$52.03
Contract Admin. Costs	\$14,019	\$14,019	\$14,370	\$14,370	\$14,706	\$14,706	\$14,994	\$14,994	\$15,627	\$15,627	\$15,922	\$15,922
Total Labor Costs	\$607,343	\$461,199	\$562,807	\$420,309	\$525,354	\$466,136	\$489,577	\$344,730	\$493,852	\$355,531	\$501,789	\$362,233
Total Labor Hours	8,206	8,136	7,658	7,594	7,193	7,193	6,529	6,529	6,529	6,529	6,529	6,529
Blended cost/hour	74.01	56.69	73.49	55.35	73.04	64.81	74.98	52.80	75.64	54.46	76.86	55.48
Equipment/training						34,000		10,000		10,000		10,000
Total HVAC Labor Related Costs	\$607,343	\$461,199	\$562,807	\$420,309	\$525,354	\$500,136	\$489,577	\$354,730	\$493,852	\$365,531	\$501,789	\$372,233
Savings I-B vs. C-B per FY		\$146,145		\$142,498		\$25,217		\$134,847		\$128,321		\$129,556

**Mid-Year transition (estimates 4 months under In-house blended model)

Note: Staff mobilization efficiencies may reduce the number of contract hours required in FY 04-05 and FY 05-06

C-B=Contractor Blended (70% contract labor/30% In-house labor)

I-B=In-House Blended (80% In-house labor/20% contract labor)

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Support Services

Agenda Title: **APPROVE RESOLUTION AND ORDER DECLARING CERTAIN CHILD CARE DISCOUNTS AND RELATED BENEFITS AS PART OF THE COUNTY EMPLOYEE COMPENSATION PACKAGE**

Presented by: Bob Osip, Human Resources Manager

SUMMARY (Attach Supporting Documents if Necessary)

The purpose of this agenda item is to request that your Board approve the attached Resolution and Order declaring certain child care discounts and related benefits as part of the County employee compensation package. Approval of the Resolution and Order would permit County employees to participate in a local child care arrangement without the concern that their participation will violate Oregon government standards and practices laws.

Tuality Healthcare has entered into a contractual relationship with Learning Tree Management, Inc. to provide child care and child development services for employees of Tuality Healthcare. The agreement between Tuality Healthcare and Learning Tree provides Tuality employees with these services at a location adjacent to Tuality Hospital and at rates discounted from the pricing offered the general public. In addition, employees of Tuality Healthcare are given priority placement status for their children at the Learning Tree's facility. In exchange for the discounted group rate and the preferred placement status, Tuality agrees to be financially responsible for a predetermined number of slots at the facility.

(Continued on Page 2)

DEPARTMENT'S REQUESTED ACTION:

That your Board approve the attached Resolution and Order declaring certain child care discounts and related benefits as part of the County employee compensation package and authorize the County Administrator to execute any necessary documents to permit the County's participation in this program.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>1.x.</u>
Date:	1/6/04

Consent – Support Services

APPROVE RESOLUTION AND ORDER DECLARING CERTAIN CHILD CARE DISCOUNTS AND RELATED BENEFITS AS PART OF THE COUNTY EMPLOYEE COMPENSATION PACKAGE

As part of Tuality Healthcare’s agreement with Learning Tree, Tuality is permitted to extend the same corporate rates and priority placement status to employees of the Hillsboro School District, the city of Hillsboro and Washington County. As these benefits are not being made available to the general public, there is the concern that participating County employees may violate Oregon government standards and practices laws by receiving a benefit not readily available to the public.

The County’s participation in this program will be limited to marketing of this benefit to County employees. No County funds are involved. Employees will be responsible for contacting Learning Tree, executing any service contracts and paying all fees related to child care services.

1 IN THE BOARD OF COUNTY COMMISSIONERS
2 FOR WASHINGTON COUNTY, OREGON

3 In the Matter of Declaring Certain) RESOLUTION AND ORDER
4 Child Care Discounts and Related)
5 Benefits and Services to be Part of the) No. _____
6 County Employee Compensation Package)

7 This matter having come before the Board at its meeting of January 6, 2004, and

8 It appearing to the Board that Tuality Healthcare has entered into an agreement with
9 Learning Tree, Inc. whereby Tuality employees may receive discounts, priority placement,
10 and other services and benefits related to the provision of child care that are not generally
11 available to the public, and

12 It appearing that Tuality desires to offer County employees the opportunity to take
13 advantage of these services and benefits in accordance with the terms of its Agreement with
14 Learning Tree, Inc., and

15 It appearing to the Board that helping employees to obtain convenient and affordable
16 child care aids Washington County in several ways, including minimizing employee time lost
17 from work and lowering employee stress, and

18 It appearing that to the Board that there is no cost to the County for providing these
19 discounts, priority placements, and other benefits; now, therefore, it is

20 RESOLVED AND ORDERED that the Corporate Employee Child Care benefits and
21 services offered by Learning Tree Management Inc. in its Agreement with Tuality
22 Healthcare, as amended, are declared to be part of the benefits to which all County officials
and employees are entitled as compensation. The terms and conditions of this compensation

1 are to be subject to the provisions of the Agreement entered into between Washington
2 County and Tuality Health Care, as amended; and, it is further

3 RESOLVED AND ORDERED that the County as employer and the officials and
4 employees as recipients shall be responsible for ensuring that this compensation is reported
5 as income for tax purposes, to the extent required by law; and, it is further

6 RESOLVED AND ORDERED that the County Administrator, or his designee, shall
7 take such steps as are necessary to implement this component of the County employee
8 compensation plan.

9 DATED this _____ day of _____, 2004.

10 BOARD OF COUNTY COMMISSIONERS
11 FOR WASHINGTON COUNTY, OREGON

12
13 _____
CHAIRMAN

14
15 _____
RECORDING SECRETARY

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 CASCADIAN HEIGHTS NO. 2**

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 the Cascadian Heights No. 2

<u>Number of Signatures</u>	<u>Number of Lots</u>	<u>Number of Street lights</u>	<u>Number of Property Owners</u>	<u>Percent of Signatures</u>	<u>Signatures Required</u>
1	34	8	1	100%	51%

- 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 – Exhibit D
 6. Vicinity Map

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.

Agenda Item No.	<u>1.y.</u>
Date:	1/6/04

1 IN THE WASHINGTON COUNTY SERVICE DISTRICT

2 FOR LIGHTING (No. SDL-1)

3 In the Matter of Creating an Assessment Area,)
4 Ordering Installation, Operation and Maintenance) RESOLUTION AND ORDER
5 of Street Lighting Facilities; Establishing a)
6 Maximum Annual Assessment and Imposing a First) NO. _____
7 Year Assessment for Cascadian Heights No. 2)

8 This matter having come before the Board of Directors of the Service District For
9 Lighting No.1, a county service district, at its meeting of January 6, 2004; and

10 It appearing to the Board that 100% of the property owners in the proposed assessment
11 area described in Exhibit A, known as the Cascadian Heights No. 2 development, have requested
12 by petition that their property be included in an assessment area for purposes of installing,
13 operating and maintaining street lighting facilities and that said facilities be financed by special
14 assessments on their property; and

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

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

22 RESOLVED AND ORDERED that the assessment area described in Exhibit A hereby is
established, and, that the facilities described in Exhibit B, shall be installed, operated and
maintained as described therein; and it is further

1 RESOLVED AND ORDERED that the assessment method, maximum annual assessment
2 amount and first year assessments shown in Exhibit B hereby are adopted, levied and imposed.

3 Said first assessment shall be placed on the tax rolls and collected in the same manner as ad
4 valorem property taxes as provided by law if not otherwise paid by July 1, and, it is further

5 RESOLVED AND ORDERED that, for purposes of Section 11b, Article XI of the
6 Oregon Constitution, said annual assessment amounts hereby are classified as “taxes levied or
7 imposed for the purpose of funding government operations” subject to the limit of \$5 per \$1000
8 of real market value; and it is further

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

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

15 DATED this 6th day of January, 2004.

16
17 BOARD OF DIRECTORS FOR
18 WASHINGTON COUNTY SERVICE
19 DISTRICT FOR LIGHTING (No. SDL-1)

20 _____
21 CHAIRMAN

22 _____
RECORDING SECRETARY

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

CASCADIAN HEIGHTS NO. 2

PART I. DESCRIPTION OF PROPOSED ASSESSMENT AREA - Currently, tax lot 1N121CD-01300 and 1N121CD-08300 thru 08600

PART II. ESTIMATED COST OF SERVICE FOR FISCAL YEAR 2004-05

A. Monthly Cost of Service

1. Lights (7-100 W / 9,500 L, HPS Acorn Luminaries) @ \$4.92 each	\$ 34.44
2. Lights (1-150 W / 16,000 L, HPS Acorn Luminaries) @ \$6.63 each	\$ 6.63
3. Poles (8-18ft.Black Fiberglass Pole) @ \$.10 each	\$.80
4. Total (Lights and Poles)	<u>\$ 41.87</u>

B. Annual Cost of Service

1. Streetlights and Poles (\$41.87 x 12 Months)	\$ 502.44
2. Administration (\$2.00 x 34 Lots)	\$ 68.00
3. Annual Cost for Service Area	<u>\$ 570.44</u>
4. Base Annual Cost Per Lot (\$570.44 / 34 Lots)	\$ 16.78
5. Total Annual Cost Per Lot	<u>\$ 16.78</u>

C. Maximum Annual Assessment \$ 33.56

PART III. LOCATION OF LIGHTS AND POLES

Per attached Service Area Map

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

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

Agenda Title: **ACCEPT PETITION AND SET PUBLIC HEARING FOR STREET LIGHTING SERVICES FOR WEDGEFIELD ESTATES**

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

SUMMARY (Attach Supporting Documents if Necessary)

A petition requests street lighting service for the Wedgefield Estates development.

<u>Number of Signatures</u>	<u>Number of Lots</u>	<u>Number of Street lights</u>	<u>Number of Property Owners</u>	<u>Percent of Signatures</u>	<u>Signatures Required</u>
15	15	5	7	100%	51%

- Attachments:
1. Resolution and Order
 2. Petition(s) – Exhibit A
 3. Street lighting Proposal – Exhibit B
 4. Notice of Public Hearing – Exhibit C
 5. Vicinity Map
 6. Assessment Area Map

DEPARTMENT’S REQUESTED ACTION:

Approve the attached Resolution and Order accepting the street lighting petition(s) and setting a public hearing for February 3, 2004.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>1.z.</u>
Date:	1/6/04

**IN THE WASHINGTON COUNTY
SERVICE DISTRICT FOR LIGHTING NO. SDL-1**

In the Matter of Declaring an Intent to)	
Create an Assessment Area Within)	RESOLUTION AND ORDER
SDL-1, To Intent to Install, Operate and)	
Maintain Street Lighting, Establish a Maximum)	
Annual Assessment and Levy an Assessment;)	NO. _____
And Setting a Public Hearing)	

This matter came before the Board of Directors of the Washington County Street Lighting District No. 1 at its meeting of January 6, 2004; and

It appearing to the Board that the facilities described in Exhibit B, incorporated herein, will be of special benefit to the property described in Exhibit 'B' and that the annual cost of providing such facilities should be financed by special assessments constituting a lien on said properties in an amount not to exceed the maximum annual assessment and in the manner described in Exhibit 'B'; now, therefore it is

Resolved and Ordered that a public hearing shall be conducted in the Auditorium of the Washington County Public Services Building, 155 N. First Avenue, Hillsboro, Oregon at 10:00 a.m. on February 3, 2004, with not less than 10 days notice to be mailed to the property owners in the proposed service area; and, it is further

Resolved and Ordered that the Board will hear and consider any objections to the proposed improvements and service charges by any parties affected thereby. If objections are received prior to the conclusion of the hearing signed by more than 50% of the affected property owners representing more than 50% of the affected property the project shall be terminated.

Done and dated this 6th day of January 2004.

Approved as to Form
/s/ Dan R. Olsen
Chief Assistant County Counsel
Date: 07/12/99

WASHINGTON COUNTY SERVICE
DISTRICT FOR LIGHTING NO. SDL-1
By Board of Directors
For Washington County, Oregon

Chairman

Recording Secretary

PETITION FOR STREETLIGHTING SERVICE

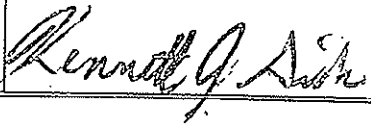
WEDGEFIELD ESTATES

DATE: October 27, 2003

TO: WASHINGTON COUNTY BOARD OF DIRECTORS
Governing Body of Washington County
Service District for Lighting No. SDL-1
Washington County Operations Division
1400 SE Walnut Street, MS 51
Hillsboro, OR 97123

We, the undersigned owners or contract purchasers of record of land situated within Washington County, Oregon, and not within any incorporated city, do hereby request the creation of an assessment area as described in the attached Exhibit B, within the Washington County Service District for Lighting (No. SDL-1), which includes the properties described below, in accordance with the provisions of the Washington County SDL-1 Ordinance and Oregon Revised Statutes Chapter 451.

This request includes purchase or lease of poles and fixtures, maintenance, electricity, replacement and administration for a minimum service period of 20 years. We understand that street lighting services may be available from other sources and that the District provides this service only at our specific request. This is a continuing request, with annual incurred charges payable during the service period. Prior to formation of the service and assessment area, we will execute a covenant form, provided by the District, binding future owners to this request for the remainder of the service period.

NAME AND ADDRESS	SIGNATURES	MAP AND TAX LOT NUMBER
Kenneth J. Giske 19039 SW Pike Lane Aloha, OR 97007		1S213AA-13700

PETITION FOR STREETLIGHTING SERVICE

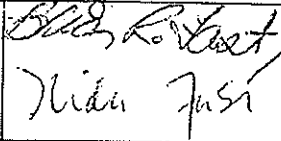
WEDGEFIELD ESTATES

DATE: October 27, 2003

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Governing Body of Washington County
Service District for Lighting No. SDL-1
Washington County Operations Division
1400 SE Walnut Street, MS 51
Hillsboro, OR 97123

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NAME AND ADDRESS	SIGNATURES	MAP AND TAX LOT NUMBER
Brian R. Fast Nida F. Fast 19003 SW Pike Lane Aloha, OR 97007		1S213AA-13800

PETITION FOR STREETLIGHTING SERVICE

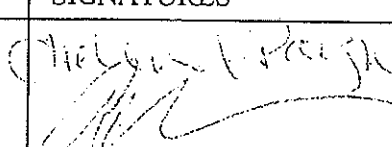
WEDGEFIELD ESTATES

DATE: October 27, 2003

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Governing Body of Washington County
Service District for Lighting No. SDL-1
Washington County Operations Division
1400 SE Walnut Street, MS 51
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NAME AND ADDRESS	SIGNATURES	MAP AND TAX LOT NUMBER
Helen A. Payne Avery P. Payne 18895 SW Pike Lane Aloha, OR 97007		1S213AA-14100

PETITION FOR STREETLIGHTING SERVICE

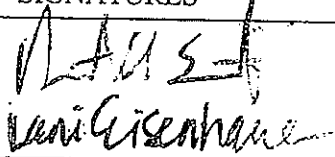
WEDGEFIELD ESTATES

DATE: October 27, 2003

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Governing Body of Washington County
Service District for Lighting No. SDL-1
Washington County Operations Division
1400 SE Walnut Street, MS 51
Hillsboro, OR 97123

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This request includes purchase or lease of poles and fixtures, maintenance, electricity, replacement and administration for a minimum service period of 20 years. We understand that street lighting services may be available from other sources and that the District provides this service only at our specific request. This is a continuing request, with annual incurred charges payable during the service period. Prior to formation of the service and assessment area, we will execute a covenant form, provided by the District, binding future owners to this request for the remainder of the service period.

NAME AND ADDRESS	SIGNATURES	MAP AND TAX LOT NUMBER
Richard A. Eisenhauer Mary Lani Eisenhauer 4104 SW 189 th Place Aloha, OR 97007		IS213AA-14200

PETITION FOR STREETLIGHTING SERVICE

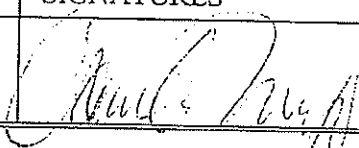
WEDGEFIELD ESTATES

DATE: October 27, 2003

TO: WASHINGTON COUNTY BOARD OF DIRECTORS
Governing Body of Washington County
Service District for Lighting No. SDL-1
Washington County Operations Division
1400 SE Walnut Street, MS 51
Hillsboro, OR 97123

We, the undersigned owners or contract purchasers of record of land situated within Washington County, Oregon, and not within any incorporated city, do hereby request the creation of an assessment area as described in the attached Exhibit B, within the Washington County Service District for Lighting (No. SDL-1), which includes the properties described below, in accordance with the provisions of the Washington County SDL-1 Ordinance and Oregon Revised Statutes Chapter 451.

This request includes purchase or lease of poles and fixtures, maintenance, electricity, replacement and administration for a minimum service period of 20 years. We understand that street lighting services may be available from other sources and that the District provides this service only at our specific request. This is a continuing request, with annual incurred charges payable during the service period. Prior to formation of the service and assessment area, we will execute a covenant form, provided by the District, binding future owners to this request for the remainder of the service period.

NAME AND ADDRESS	SIGNATURES	MAP AND TAX LOT NUMBER
Carrie A. Mayo 4148 SW 189 th Place Aloha, OR 97007		1S213AA-14400

PETITION FOR STREETLIGHTING SERVICE

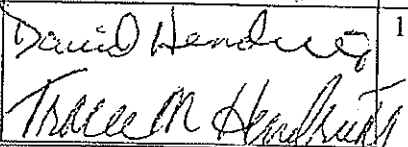
WEDGEFIELD ESTATES

DATE: October 27, 2003

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Governing Body of Washington County
Service District for Lighting No. SDL-1
Washington County Operations Division
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NAME AND ADDRESS	SIGNATURES	MAP AND TAX LOT NUMBER
David C. Hendricks Tracee Hendricks 19070 SW Pike Lane Aloha, OR 97007		1S213AB-11200

PETITION FOR STREETLIGHTING SERVICE

RECEIVED

DEC 16 2003

WASHINGTON COUNTY
LAND USE & TRANSPORTATION
OPERATIONS & MAINTENANCE DIV

WEDGEFIELD ESTATES

DATE: June 27, 2002

TO: WASHINGTON COUNTY BOARD OF DIRECTORS
Governing Body of Washington County
Service District for Lighting No. SDL-1
Washington County Operations Division
2470 SE River Road
Hillsboro, OR 97123

We, the undersigned owners or contract purchasers of record of land situated within Washington County, Oregon, and not within any incorporated city, do hereby request the creation of an assessment area as described in the attached Exhibit B, within the Washington County Service District for Lighting (No. SDL-1), which includes the properties described below, in accordance with the provisions of the Washington County SDL-1 Ordinance and Oregon Revised Statutes Chapter 451.

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NAME AND ADDRESS	SIGNATURES	MAP AND TAX LOT NUMBER
Robert E. Strauss Deanna M. Strauss 24175 SW Davis Hillsboro, OR 97123	<i>Robert Strauss</i> <i>Deanna Strauss</i>	1S213AB-11100, 11300, 11400, 13900, 14000, 14300, 14500, 14600, 14700

We own to date lots 14, 12, 11, 8, 5, 4 & 1, please note your records.
Shandra

PROPOSAL TO INSTALL, OPERATE AND MAINTAIN STREETLIGHTING
WASHINGTON COUNTY SERVICE DISTRICT FOR LIGHTING NO. SDL-1
WASHINGTON COUNTY, OREGON

WEDGEFIELD ESTATES

PART I. DESCRIPTION OF PROPOSED ASSESSMENT AREA - Currently, tax lots
1S213AB-11100 thru 1S213AB-11400, 1S213AA-13700 thru 1S213AA -14700

PART II. ESTIMATED COST OF SERVICE FOR FISCAL YEAR 2004-05

A. Monthly Cost of Service

1. Lights (5-B- 100 W / 9,500 L, HPS Cobra @ \$4.71 each	\$ 23.55
3. Poles (5-30ft. Gray Fiberglass Pole) @ \$.14 each	\$.70
3. Total (Lights and Poles)	<u>\$ 24.25</u>

B. Annual Cost of Service

1. Streetlights and Poles (\$24.25 x 12 Months)	\$ 291.00
2. Administration (\$2.00 x 15 Lots)	\$ 30.00
3. Annual Cost for Service Area	<u>\$ 321.00</u>
4. Base Annual Cost Per Lot (\$321.00 / 15 Lots)	\$ 21.40
5. Total Annual Cost Per Lot	<u>\$ 21.40</u>

C. <u>Maximum Annual Assessment</u>	<u>\$ 42.80</u>
-------------------------------------	-----------------

PART III. LOCATION OF LIGHTS AND POLES

Per attached Service Area Map

NOTICE OF PUBLIC HEARING

FORMATION OF STREET LIGHTING ASSESSMENT AREA ESTABLISHING MAXIMUM ANNUAL ASSESSMENT AND LEVYING ASSESSMENTS

WASHINGTON COUNTY SERVICE DISTRICT FOR STREET LIGHTING SDL NO. 1

Assessment Area: **Wedgefield Estates**

The area shown on the attached map has been proposed by the property owners for formation of an assessment area to install, operate and maintain street lighting facilities. The proposal is to levy special assessments against each specially benefited property in the area to pay for this service.

The estimated maximum annual assessment for this service is \$42.80. per year per lot. The assessment for the first year is proposed to be **\$21.40**. An assessment will be placed on the tax roll and collected with your property taxes each year that street lighting services and facilities are provided.

A public hearing will be conducted at **10:00 a.m. on February 3, 2004**, in the Auditorium of the Washington County Public Services Building, 155 N. First Avenue, Hillsboro, OR 97124. You may appear in person or in writing. You may object to providing such services, to including your property in the boundary or the amount proposed to be assessed. If written objections are received from more than 50% of the property owners owning more than 50% of the property in the proposed, the assessment area will not be formed and the service will not be provided.

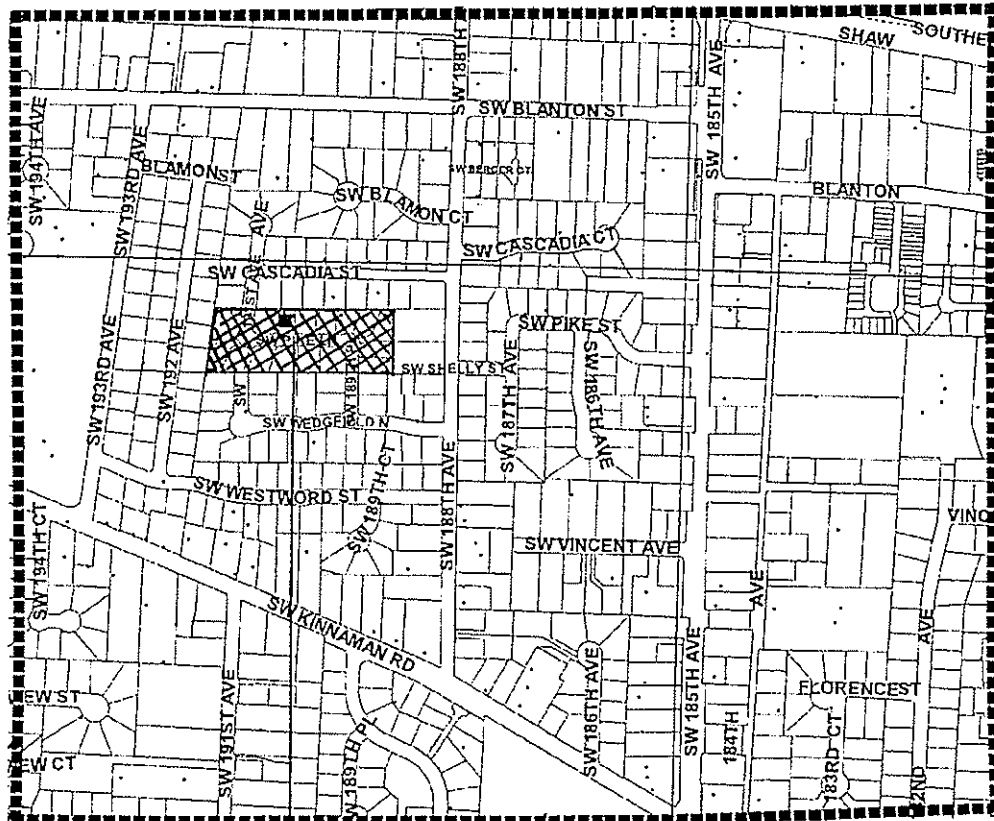
For a description of the facilities proposed to be provided or if you have any other questions, please call (503) 846-7626.

Approved as to Form
/s/ Dan R. Olsen
Chief Assistant County Counsel
Date: 07/12/99

VICINITY MAP

WEDGEFIELD ESTATES

SERVICE DISTRICT FOR LIGHTING SDL NO. 1



PROJECT SITE



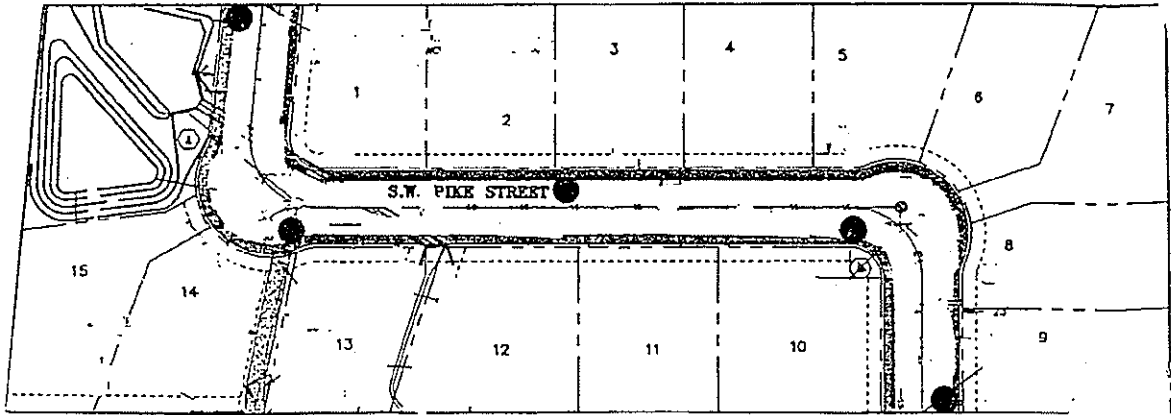
WASHINGTON COUNTY
SERVICE DISTRICT FOR LIGHTING SDL NO. 1



SPECIAL ASSESSMENT AREA MAP

WEDGEFIELD ESTATES

SERVICE DISTRICT FOR LIGHTING NO. 1 (SDL)



● = Proposed Street Lights

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Boards and Commissions (All CPO's)

Agenda Title: APPOINTMENT TO THE LAND USE ORDINANCE ADVISORY COMMISSION (LUOAC)

Presented by: Brent Curtis, Planning Division Manager

SUMMARY (Attach Supporting Documents if Necessary)

Currently, there are two vacant positions on the Land Use Ordinance Advisory Commission (LUOAC). The County has received five applications. Under the Board's rules for appointments, the Board may make an appointment to a vacant position after issuing a notice of vacancy. On October 7, 2003 the Board directed the County Administrative Office to announce the vacancies and invite applications for appointment to LUOAC. A filing deadline of November 17, 2003, or until the positions are filled, was established. An announcement of the vacancies was sent to the Committee for Citizen Involvement, the Citizen Participation Organizations, and several other organizations. At the December 16th work session, staff provided the Board with a briefing about the recruitment process.

Community Development Code Section 107-5.3 calls for the terms of LUOAC commissioners to be staggered. The terms of the vacant positions were for two years. Additionally, each of the current members has one-year remaining before their terms expire. Consequently, staff recommends that the two positions to be appointed by the Board each be for two years in order to result in staggered terms. 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. The Board should, however, consider individual availability when making appointments.

A summary of the applicants and current commission membership is attached.

Copies of the applications will be provided to the Board prior to the January 6th meeting.

DEPARTMENT'S REQUESTED ACTION:

Appoint two candidates to fill the vacant positions.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No. 3.a.

Date: 1/6/04

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 Committee also drafts the Annual Land Use Notice that is mailed each fall to Washington County property owners.

Members 5. No current member of the Planning Commission can serve on LUOAC.

Length of Term 1 or 2 years**

Current Vacancies 2 **Applicants** 5

Candidates	District*
<i><u>New Applicants</u></i>	
Penney Hoodenpyle	1
Lisa Riley	1
Barbara Sonniksen	2
Jeffrey Davis	3
Janice Larsen	3

Continuing Members		Term Expires	First Appointed
John Fernane	2	10/31/04	02/22/00
John Junkin	4	10/31/04	12/04/01
David Whitehead	1	10/31/04	12/03/02
Retiring Members			
Mark Tiffée	2	10/31/03	2/19/02
Steven Seeley	4	10/31/03	12/04/01

* For information purposes only; members are not appointed by Commissioner district.

** Some members will serve for one year in order to stagger the terms per the Community Development Code; however, the longest term possible is 2 years.



**AGENDA
CLEAN WATER SERVICES
BOARD OF DIRECTORS**

Agenda Category: Public Hearing ALL CPOs

Agenda Title: CONDUCT A PUBLIC HEARING AND ADOPT REVISED DESIGN AND CONSTRUCTION STANDARDS

Presented by: Bill Gaffi, General Manager (nmc)

SUMMARY (Attach Supporting Documents if Necessary)

Clean Water Services (District) has completed revisions to its Design and Construction Standards (Standards). These regulations, which set the minimum standards for construction of components of the sanitary sewer and storm and surface water management systems within the District's boundary, are adopted pursuant to Ordinance 27.

The District's last substantial update to the content of its Standards occurred in February, 2000. The current Standards are contained in Resolution and Order No. 03-11 (R&O 03-11), which were adopted by the District's Board of Directors (Board) on February 25, 2003. R&O 03-11 primarily included minor language changes to clarify current policy and procedure and deleted the Rapid Stream Assessment Technique requirements.

The primary goals of the currently proposed changes to the Vegetated Corridors sections of the Standards are to clarify language and existing procedures, increase flexibility, and improve consistency and fairness in the implementation of the standards. The District would also like to include the Standards in a comprehensive compliance package for federal and state regulatory permits associated with the Clean Water Act and Endangered Species Act.

(CONTINUED)

FISCAL IMPACT: N/A

REQUESTED ACTION: Hold a public hearing on the proposed Design and Construction Standards and, after receiving testimony, adopt the standards.

(A copy of the Design and Construction Standards is available at the Clerk's desk.)

Agenda Item No.	<u>4.a.</u>
Date:	1/6/04

In addition to changes associated with the Vegetated Corridors sections of the Standards, substantial changes are proposed to the technical Standards associated with pump stations and force mains, and minor language clarifications are proposed for other technical sections. The changes proposed for pump stations and pressure mains reflect new technologies and requirements necessary to maximize the function of the facilities.

The proposed changes will become effective for all development applications received after March 1, 2004.

Public Involvement Process

The public involvement process for the Vegetated Corridors revisions began in April, 2002 with a multidisciplinary task force of business, homebuilder, designer, city, county, and environmental interests proposing language changes. Since August, 2002, the language has been refined and negotiated with key stakeholder groups including: Homebuilders Association, Westside Economic Alliance, Tualatin Riverkeepers, Audubon Society, and City/County Planners and Engineers. A total of 48 external stakeholder meetings (list attached) were held to discuss the proposed changes; all comments and language updates have been readily available on the District website throughout the process. While the proposed changes are not perfect for everyone, they represent compromise and thoughtful negotiation by all participants throughout the 19-month process. The Natural Resources Coordinating Committee of elected officials of Washington County, as well as the Washington County/City Managers group have reviewed the proposal and recommended it move forward for adoption.

The pump station and force main design standard upgrades and other technical language updates were developed with the assistance of a local consultant. Because of the highly technical nature of these design standards and their limited impact on the public, no specific public involvement process was initiated for these regulations.

Notification of the final language proposal and this public hearing was published in local newspapers and individually sent to involved stakeholders during the week of December 16, 2003.

A summary of all of the language changes is attached. Copies of the actual language are available at the Clerk's desk and on Clean Water Services' website (www.cleanwaterservices.org).

Summary of Proposed Changes Clean Water Services Design and Construction Standards

The proposed changes that relate to Sensitive Areas and Vegetated Corridors are primarily included in Chapters 1 (section 1.02 only), 3 (section 3.00-3.02 only), 12, and Appendices C and D. A brief summary of the changes is outlined below:

Chapter 1-General Administrative Provisions and Definitions

Section 1.02

- Added definitions for redevelopment, perennial and intermittent flow
- Added redevelopment to the definition of development

Section 1.16

- Added provisions for Engineering Submittals

Section 1.17

- Added provisions for Approval of Alternative Methods, Materials, or Designs

Chapter 2-CWS Administrative Provisions

Section 2.03

- Clarified requirements for Erosion Control Only submittals

Section 2.04

- Itemized requirements for plan review submittals
- Added procedures for approval of alternative methods, materials, or designs
- Clarified timelines for plan review processing
- Itemized requirements for cost estimates

Section 2.08

- Added provisions regarding substantial completion for water quality facilities and vegetated corridor landscaping

Chapter 3-Design Specifications for Storm and Surface Water

Sections 3.00-3.02

- Reorganized and reworded sections for clarity
- Limited clearing of native vegetation in the Vegetated Corridor for infrastructure construction
- Changed the allowances for pathways to increase flexibility in sighting and required mitigation for impacts
- Added language regarding mitigation of Vegetated Corridor impact; allows a payment to Provide when the Division of State Lands also permits a Payment to Provide
- Added a Tier 3 Alternative Analysis to address redevelopment sites that are encroaching on the Vegetated Corridor but have limited ability to meet the Standard.
- Changed intermittent streams draining greater than 10 acres with steep slopes to the variable Vegetated Corridor Standard of 50-200 feet depending on site conditions
- Increased the buffer for the Tualatin River from 50 to 125 feet in areas with less than 25% slope
- General language regarding enforcement of the section was added

Section 3.05

- Clarified description of data to be used for storm drainage facilities

Section 3.06

- Added language regarding design of manholes for the storm system
- Added language regarding use of permanent and temporary cleanouts in the storm system
- Added language regarding utility separation distance
- Changed pipe cover specifications to reference top of finish grade, rather than bottom of subbase; added table for clarification of cover requirements in unpaved areas

Section 3.07

- Added language regarding catch basin separation distances on street with greater than 5% grade

Section 3.12

- Added language regarding amount of fee-in-lieu when an on-site facility can not be constructed
- Added language clarifying use of off-line facilities
- Added language regarding handling of discharge flows

Section 3.13

- Clarified description of data to be used to define flood management areas

Chapter 4-Sanitary Sewer Specifications

Section 4.04

- Changed pipe cover specifications to reference top of finish grade, rather than bottom of subbase; added table for clarification of cover requirements in unpaved areas
- Added language regarding utility separation distance
- Clarified conditions for permanent cleanout placement

Chapter 5-General Sanitary and Storm Conditions

Section 5.01

- Clarified conditions regarding restoration of irrigation and drainage ditches

Chapter 6-Technical Sanitary Sewer Specifications

Section 6.03

- Added material specifications for pipe larger than 12"
- Revised allowed saddle types

Chapter 7-Technical Storm Sewer Specifications

Section 7.03.2

- Deleted saddle restrictions; all saddle types used for sanitary sewers are now allowed on storm systems

Chapter 8-Environmental Protection, Erosion Prevention, and Sediment Control Rules

- No changes in this chapter

Chapter 9-Technical Side and Building Sewer Specifications

- Clarified pipe material requirements for side and building sewers located in public right of way or public easement areas

Chapter 10-Pump Station and Force Main Specifications

- This chapter has been significantly revised and updated to reflect the District's current requirements for pump stations and force mains

Chapter 11-Septic Tank Effluent Pump (STEP) Systems

- No changes in this chapter

Chapter 12-Prohibited Activities

- Added language consistent with Chapter 3 clarifying removal of native vegetation in a Sensitive Area and / or Vegetated Corridor.
- Added language that limits the application of chemicals in Sensitive Areas, Vegetated Corridors and Stormwater Facilities without an integrated landscape management approach

Appendix A: Hydrology and Hydraulics

Sections 2.3 and 2.4

- Added language regarding placement of riprap for channel and outfall protection

Appendix B: Water Quality and Water Quantity Facility Design

Section 1

- Generally reformatted the entire appendix to pull common requirements for erosion control, vegetation, and access into one section
- Added language regarding protection of exposed slopes
- Added language clarifying fencing requirements for facilities and changing the minimum from a split rail fence to a woven fence
- Added language regarding standard design of access roads to facilities and clarifying minimum requirements for alternate road designs
- Added language regarding design of walls located near water quality facilities

Section 3

- Eliminated design criteria for Extended Wet Basins. Due to concerns about West Nile Virus, these types of water quality facilities are no longer approved for use.

Section 3.1

- Added language for design of "wraparound" swales

Section 3.4

- Added requirement for Engineer certification that ponds will not result in surcharging the upstream storm system for extended periods

Section 4.2

- Added reference to detail for multiple orifice structures

Appendix C-Natural Resources Assessments

- Added language to address perennial and intermittent flow status

Appendix D-Landscape Requirements

- Restructured and added to the entire appendix to make it more consistent with Appendix C format, improve the quality of plans submitted, and to ensure greater revegetation success
- Clarified requirements for hydrology and soils

Summary of Proposed Changes

Page 4 of 4

- Enhanced planting list to include more plant species options, listed the plants by their community, and increased plant densities to improve competition with invasives
- Clarified maintenance and monitoring requirements
- Added language for mitigation requirements for unauthorized vegetated removal

Stakeholder Chronology - Vegetated Corridors Update Clean Water Services Design and Construction Standards

Date	Activity
April 2002-October 2002 meetings)	Vegetated Corridor Task Force develops language (7 meetings)
October 28, November 4	Clean Water Services Leadership team review
November 12	Washington County Planning staff update
November 13	Westside Economic Alliance meeting – Betty Atteberry
November 14	Homebuilders meeting -Ernie Platt, Roger Neu, Dave Deharpport, Craig Brown, Steve Roper
November 14	Tualatin Riverkeepers meeting- Sue Marshall, Paul Whitney, Brian Wegner, Amy Stout, Jill Leary
November 15	City Technical Committee meeting-Full members
November 20	Westside Economic Alliance Land Use Committee-Full members
November 20	Clean Water Services Advisory Commission –Full members
November 21	Environmental Consultants-Fishman, Bill Ray LDC, Rita Mroczek
November 25	Clean Water Services Leadership team review
November 27	<i>Emailed 11.11.02 version to all planners, engineers, stakeholders</i>
December 5	City of Tualatin-Mike McKillip, Kaaren Hoffman
December 9	City of Hillsboro-Planners, City Manager
December 19	Tualatin Basin Steering Committee meeting-Full members
December 30-Jan 15	<i>Incorporated and responded to verbal and written comments</i>
January 21-22	<i>Distributed via email,1.22.03 version, written responses to written comments</i>
January 24	Combined Planner / Engineering Meeting – Full members
February 10	Healthy Streams Advisory Committee review
February 11-28	<i>Incorporate and respond to written comments on 1.22.03 version</i>
March 5	Clean Water Services Leadership Team review
March 13	Natural Resources Steering Committee Review
March 18	<i>Email updated Chapter 1, 3, 12, Appendix C, Appendix D</i>
March 19	Clean Water Services Advisory Commission Review
March 20	Enhancement Coalition Review
March 21	City Technical Committee – Appendix D and IVM
March 31-April 28	Clean Water Services internal review meetings (3)
April 30	Hillsboro – regarding definition of stream
May 14	Clean Water Services Leadership Team internal review
May 21	Westside Economic Alliance – land use committee update
June 12	Tualatin Basin Steering Committee update
June 24	Open House – redevelopment stakeholders
June 25	Open House – Tualatin River stakeholders
June 26	Tualatin Basin Steering Committee update
July 1	Open House – steep headwaters stakeholders

July 23	Payment to Provide – Leadership team
July 24	Stakeholder final meeting – Multiple Stakeholders
July 29	<i>Responses to all comments sent to Stakeholders</i>
August 10	Natural Resources Coordinating Committee - update
August 21	Steering Committee review and approval to forward to Natural Resources Coordinating Committee
August 27	City Managers Meeting – Wash Co, Tigard, Hillsboro, Tualatin, Sherwood
September 1-24 Tualatin	Meetings/Calls with City staff – Hillsboro, Beaverton,
September 8	Natural Resources Coordinating Committee -update
September 19	City Technical Committee – Beaverton, Sherwood, Hillsboro, Tualatin, Tigard
September 24	City Managers Meeting
September 30	CWS Directors retreat
October 6,7 issues	City of Beaverton, Hillsboro meetings regarding remaining issues
October 6	Natural Resources Coordinating Committee – approval to proceed, revisit redevelopment
October 22	City Managers Meeting – approval to proceed
November 6	Steering Committee – approval to proceed
November 12	Natural Resources Coordinating Committee
November 19	Clean Water Services Advisory Committee

External stakeholder meetings: 48

All information regarding the proposed changes has been available via the web page throughout the project.

BEFORE THE BOARD OF DIRECTORS OF CLEAN WATER SERVICES

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In the Matter of Adopting Revisions to the)
Design and Construction Standards Pertaining)
to the Sanitary Sewerage and Storm and Surface)
Water Management Systems, Including Regulations)
for Erosion Control and Protection of Water Quality)
Sensitive Areas; Pursuant to Ordinance 27;)
Repealing Resolution and Order No. 03-11.)

RESOLUTION AND ORDER
NO. _____

The above-entitled matter came before the Board of Directors (Board) for Clean Water Services (District) at its regular meeting of January 6, 2004; and

It appearing that this Board adopted Ordinance 27 pertaining to the use and operation of the sanitary sewerage system and the storm and surface water management system throughout urban Washington County; that said ordinance provides authority to adopt additional rules by resolution and order pertaining to design and construction of public sanitary sewerage and storm and surface water management facilities, erosion control, provision of permanent water quantity and quality control facilities, requirements for permits for connection to the sanitary and stormwater system and related matters; and

It appearing to this Board that the District is responsible for sanitary sewer service and storm and surface water management throughout urban Washington County pursuant to Oregon Revised Statutes Chapter 451 and subject to the rules and orders of the state Department of Environmental Quality, that the District is a co-permittee with Washington County on the National Pollutant Discharge Elimination System Permit for municipal separate storm sewer systems for all urban Washington County, and that the District has adopted master plans for sanitary sewer and management of storm and surface water throughout urban Washington County, as authorized by ORS chapter 451; and

It appearing to this Board that the District has entered into intergovernmental agreements with Washington County (County) and the cities within the District’s boundaries primarily affected by the District’s master plans to provide for an integrated system pursuant to the District’s

1 master plan for sanitary sewer and storm and surface water management, and that these
2 agreements provide that the cities and County will observe the orders promulgated by the District;
3 and

4 It appearing to the Board that the District previously adopted the existing Design and
5 Construction Standards by Resolution and Order No. 03-11 (R&O 00-7) in 2003; and

6 It appearing that the existing rules and regulations of the District contained in R&O
7 03-11 are in need of revision to clarify current policy and procedure, increase flexibility, improve
8 consistency in implementation, and reflect new technologies and requirements necessary to ensure
9 proper function of sanitary, storm water and surface water management facilities; and

10 It appearing to the Board that the revised rules, contained in Exhibit A attached hereto and
11 by this reference incorporated herein, serve to reduce the adverse effects to water quality and
12 quantity of any construction or site alteration and will further safeguard the public health and
13 safety and the operations of the District's sanitary and storm and surface water system, to aid the
14 District in achieving compliance with the rules and requirements of the Oregon Department of
15 Environmental Quality, to coordinate the District's planning and actions with the comprehensive
16 plans of the cities and County as those entities comply with Title 3 of Metro's Urban Growth
17 Management Functional Plan, and to further efforts to improve the water quality of the Tualatin
18 River and its tributaries; and

19 It appearing to the Board that the District has conducted an extensive program of public
20 information regarding the adoption of these rules, including meeting with cities within the District
21 and with representatives of Washington County, and providing information and copies of the
22 proposed rules to those entities and members of the public; and

23 It appearing to this Board that it has conducted a public hearing regarding the adoption of
24 these rules and regulations this date and that any person affected by the proposed rules had an
25 opportunity to testify, and that public notice of such hearing was given in accordance with

26 ///

1 Ordinance 27, Section 8.2 by publication in a newspaper of general circulation within the
2 District's service district boundary; and

3 It appearing to this Board that it is appropriate to adopt the rules contained in Exhibit A
4 relating to sanitary sewer and storm and surface water management design and construction,
5 erosion control, and water quality and floodplain protection, and the Board being fully advised in
6 the premises; it is, therefore,

7 RESOLVED AND ORDERED that the rules and regulations relating to construction
8 standards for sanitary sewerage facilities, storm and surface water management facilities, erosion
9 control, permanent water quality and quantity facilities, required permits for connection to the
10 stormwater system, and related matters contained in Exhibit A are hereby adopted; and it is further

11 RESOLVED AND ORDERED that R&O 03-11 is hereby repealed, provided, however,
12 that all permits issued, enforcement actions, and other actions taken pursuant to said Resolution
13 and Order prior to the effective date of this resolution shall remain in full force and effect; and it is
14 further

15 RESOLVED AND ORDERED that the District or its designee shall review all
16 development plans and site assessments required by these rules and specify in a certification letter
17 to the city or County responsible for land use review of the proposed development what conditions
18 must be met by the applicant in order for the District or its designee to issue a stormwater
19 connection permit pursuant to District Ordinance 27 and these rules and regulations; and it is
20 further

21 RESOLVED AND ORDERED that final stormwater connection permits shall be issued by
22 the District or its designee upon confirmation that the development approved through the land use
23 review or through other development permit process is consistent with the conditions required in
24 the certification letter or revisions thereto; and it is further

25 ///

26 ///

1 RESOLVED AND ORDERED that administration of the rules and regulations contained
2 in Exhibit A may be delegated to individual cities and to the Counties as the District's designees
3 only pursuant to intergovernmental agreements that specifically provide for such delegation; and it
4 is further

5 RESOLVED AND ORDERED that the General Manager shall make available such rules
6 in the office of the District; and it is further

7 RESOLVED AND ORDERED that this Resolution and Order shall take for all
8 development and construction permit applications received on or after March 1, 2004.

9 DATED this 6th day of January, 2004.

10
11 CLEAN WATER SERVICES
By its Board of Directors

12
13 _____
14 Chairman

15 _____
16 Recording Secretary

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing - Land Use and Transportation (CPO 14)

Agenda Title: CONSIDER PLAN AMENDMENT TO CHANGE THE PLAN DESIGNATION ON A 17.2-ACRE PARCEL (CASEFILE 03-432-PA)

Presented by: Brent Curtis, Planning Manager

SUMMARY (Attach Supporting Documents if Necessary)

The applicant is requesting a plan amendment from Agriculture and Forest - 20 Acre District (AF-20) to Exclusive Forest and Conservation District (EFC) for a 17.2-acre parcel described as Tax Lot 400 on Tax Map 3N4, Section 29B. The subject property is located on Scofield Road, approximately 1/2 mile south of its intersection with Capehorn Road near Buxton.

Because this request involves lands designated under statewide planning goals addressing agriculture (Goal 3) and forest lands (Goal 4), a Planning Commission hearing was held for the purpose of making a recommendation to the Board on this matter. It is the Board's responsibility to make a final decision on this application. On December 3, 2003, the Planning Commission held an expedited hearing and voted 5 to 0 to recommend that the Board approve this application. No testimony was presented to the Planning Commission, however the applicant was available to answer questions.

Since this hearing is not an appeal hearing, the time limits specified in Community Development Code Section 209-5.6 do not apply. However, this hearing is similar to a de novo hearing, so the Board may want to use the same time limits -- 30 minutes per side and 5 minutes for the applicant's rebuttal. This may be unnecessary if no one wishes to testify against the application. The staff report and the applicant's submittal will be provided to you under separate cover.
(continued)

Attachments: Public Notice
Resolution and Order (cover sheet only)

DEPARTMENT'S REQUESTED ACTION:

Conduct the Public Hearing. Approve the proposed plan amendment based on evidence and findings in the staff report and the applicant's submittal. Authorize the Chair to sign Resolution & Order for Plan Amendment 03-432-PA.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>5.a.</u>
Date:	1/6/04

1 IN THE BOARD OF COMMISSIONERS
2 FOR WASHINGTON COUNTY, OREGON

3 In the Matter of a Proposed Plan) RESOLUTION AND ORDER
4 Amendment Casefile 03-432-PA)
5 for Richard John Vidler) No. _____

6 This matter having come before the Washington County Board of Commissioners (Board) at its
7 meeting of January 6, 2004; and

8 It appearing to the Board that the above-named applicant applied to Washington County for a Plan
9 Amendment to change the plan designation for certain real property described in the Notice of Public
10 Hearing, (Exhibit "A"), attached hereto and by this reference made a part hereof, from AF-20 (Agriculture and
11 Forestry - 20 Acres) to EFC (Exclusive Forest and Conservation); and

12 It appearing to the Board from evidence and findings in the Application (Exhibit "B"), and in the
13 findings (Exhibit "C"), attached hereto and by this reference made a part hereof, that the aforementioned
14 application does meet the requirements of the Rural/Natural Resource Plan for such a Plan Amendment; and
15 therefore, that the aforesaid application should be approved; and

16 It appearing to the Board that the findings described in Exhibit "C" constitute appropriate legislative
17 findings and should be adopted by this Board; and

18 It appearing to the Board that the Planning Commission, at the conclusion of its public hearing on
19 December 3, 2003, voted to recommend that the Board adopt 03-432-PA, it is therefore

20 RESOLVED AND ORDERED that Casefile No. 03-432-PA for a Plan Amendment for property
21 described in Exhibit "A" is hereby approved, based on the findings in Exhibits "B" and "C", and is subject to
22 the conditions of approval set forth in the Summary of Decision, (Exhibit "D").

23 ____ votes Aye, ____ votes Nay.

24 BOARD OF COUNTY COMMISSIONERS
25 FOR WASHINGTON COUNTY, OREGON

26 APPROVED AS TO FORM:

27 _____
CHAIRMAN

28 _____
29 County Counsel
for Washington County, Oregon

30 _____
RECORDING SECRETARY



WASHINGTON COUNTY
 DEPARTMENT OF LAND USE AND TRANSPORTATION
 PLANNING DIVISION
 SUITE 350-14
 155 NORTH FIRST AVENUE
 HILLSBORO, OREGON 97124-3072
 (503) 846-3519 fax: (503) 846-4412

NOTICE OF PUBLIC HEARING

PROCEDURE TYPE: III

CPO: 14

COMMUNITY PLAN: Rural/Natural Resource

EXISTING LAND USE DISTRICT(S):

AF-20 (Agriculture & Forestry - 20 Acres)

PROPOSED PLAN AMENDMENT:

Comprehensive plan amendment from AF-20 (Agriculture & Forestry - 20 Acres) to EFC (Exclusive Forest & Conservation)

Notice is hereby given that the Planning Commission will review the request for the above stated proposed plan amendment at a meeting on: **December 3, 2003 at 1:00 PM** in the auditorium of Washington County Public Services Building, 155 N First Avenue, Hillsboro, Oregon. After the hearing the Planning Commission will decide on a recommendation to the to the Board of County Commissioners on this matter.

The Board of Commissioners will consider the request at a public hearing on: **January 6, 2004 at 10:00 AM** in the auditorium of Washington County Public Services Building, 155 N First Avenue, Hillsboro, Oregon. The decision of the Board is final unless appealed.

All interested persons may appear and provide written or oral testimony (written testimony may be submitted prior to a hearing). Only those making an appearance of record shall be entitled to appeal. The public hearings will be conducted in accordance with the rules of procedure as adopted by the Board of County Commissioners. Reasonable time limits will be imposed.

Assistive Listening Devices are available for persons with impaired hearing and can be scheduled for this meeting by calling (503) 648-8611 (voice) or (503) 693-4598 (TDD-Telecommunications Devices for the Deaf) no later than 5:00 PM, Monday. The County will also upon request endeavor to arrange for the following services to be provided: qualified sign language interpreters for persons with speech or hearing impairments; and 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 5:00pm on the Monday preceding the meeting date.

FOR FURTHER INFORMATION, PLEASE CONTACT:

Aisha Willits, Associate Planner

CASE FILE NO.: 03-432-PA

APPLICANT:

Richard (John) Vidler

PO Box 11

Cornelius OR 97113

APPLICANT'S REPRESENTATIVE:

Bedsaul-Vincent Consulting

825 NE 20th Avenue, Suite 300

Portland, OR 97232

CONTACT PERSON: Bruce Vincent

OWNERS:

Floyd & Betty Guinn

23905 NW Bacona Road

Buxton OR 97109

PROPERTY DESCRIPTION:

ASSESSOR MAP NO(S): 3N4, Section 29 B

TAX LOT NO(S): 400

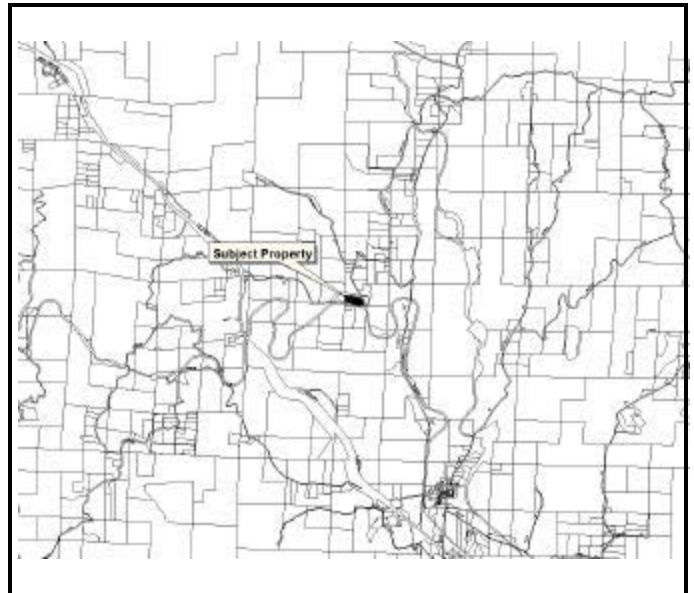
SITE SIZE: 17.20 Acres

ADDRESS: None

LOCATION: On the north side of NW Scofield Road, approximately ½ mile south of it intersection with NW Cape Horn Road.

AT THE WASHINGTON COUNTY DEPARTMENT OF LAND USE AND TRANSPORTATION. (503) 846-3519.

AREA MAP



NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER:

ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER.

All interested persons may appear and provide written or oral testimony (written testimony may be submitted prior to the hearing but not after the conclusion of the hearing). Only those making an appearance of record (those presenting oral or written testimony) shall be entitled to appeal. Failure to raise an issue in the hearing, in person or by letter, or failure to provide sufficient specificity to afford the Review Authority (Planning Commission and/or Board of County Commissioners) an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals (LUBA) based on the issue.

The public hearing will be conducted in accordance with the following rules of procedure as adopted by the Board of County Commissioners. Reasonable time limits may be imposed.

RULES OF PROCEDURE

1. The staff will summarize the applicable substantive review criteria
2. A summary of the staff report is presented.
3. The applicant's presentation is given.
4. Testimony of others in favor of the application is given.
5. Testimony of those opposed to the application is given.
6. Applicant's rebuttal testimony is given.

Unless there is a continuance, if a participant so requests before the conclusion of the hearing, the record shall remain open for at least seven days after the hearing. Such an extension shall be subject to the limitations of ORS 215.428 or 227.178.

When the Review Authority reopens a record to admit new evidence or testimony, any person may raise new issues which relate to the new evidence, testimony or criteria for decision-making which apply to the matter at issue.

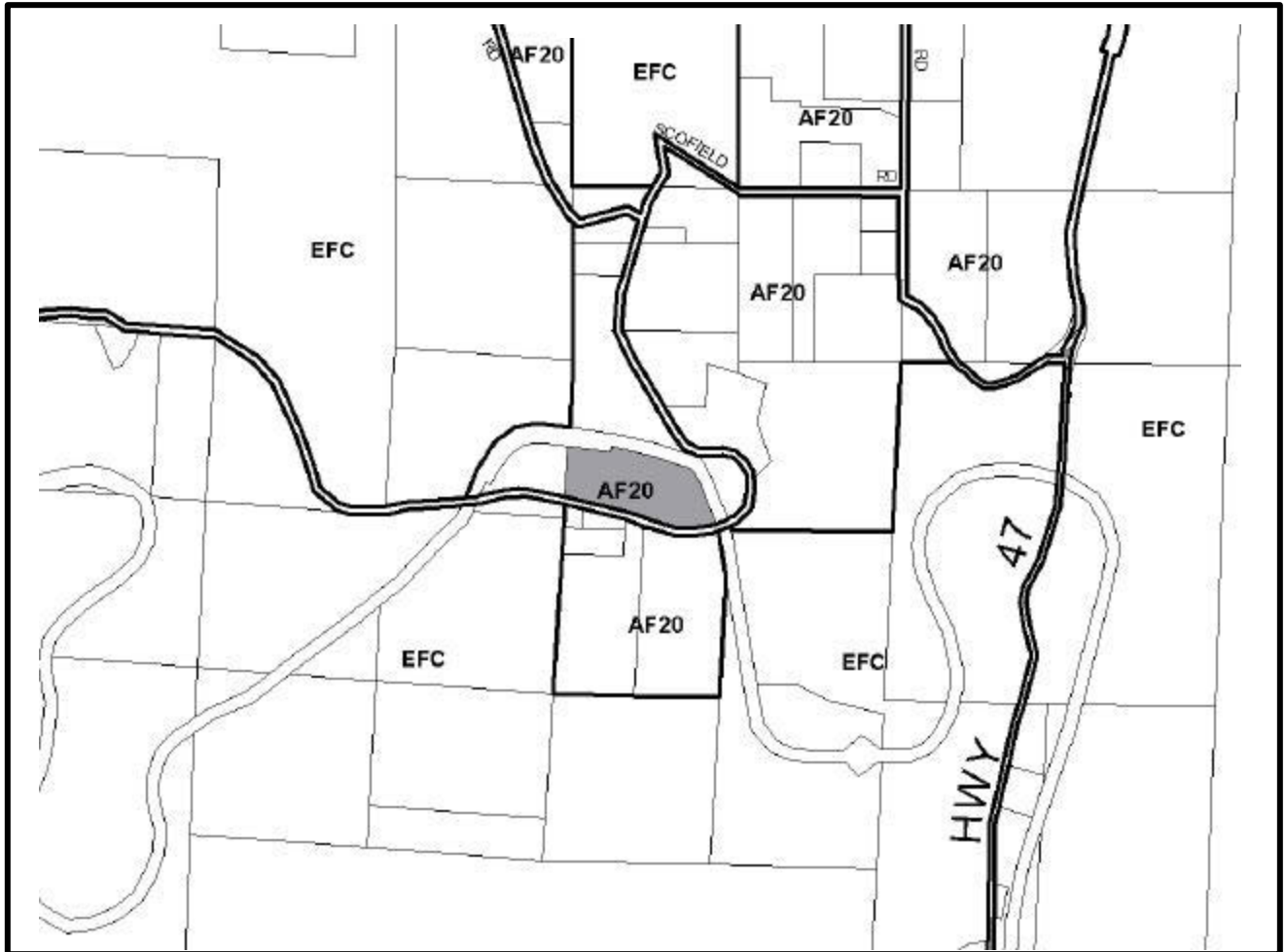
A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost at the Department of Land Use and Transportation. A copy of this material will be provided at reasonable cost.


A copy of the staff report will be available for inspection at no cost at the Department of Land Use and Transportation at least seven days prior to the hearing. A copy of the staff report will be provided at reasonable cost.

For further information, please contact **Aisha Willits, Associate Planner**, Department of Land Use and Transportation, at 846-3519.

Tax Map/Lot Number: 3N4, Section 29 B, Tax Lot 400

Case File Number: 03-432-PA



Legend: Area of Consideration 

Scale: 1"=800'

Applicable Land Use Districts:

- AF-20 (Agriculture & Forestry - 20 Acres)
- EFC (Exclusive Forest and Conservation)

Applicable Goals, Policies & Regulations:

- A. LCDC Statewide Planning Goals 1, 2, 3, 4, 5, 6, 7, 11, 12
- B. Washington County Rural/Natural Resource Plan Policies 1.p.8, 2, 6, 10, 14, 16, 17, 22
- C. Washington County Community Development Code
Article II: Procedures
Article III, Sections 342-1, 344-1
- D. Oregon Administrative Rules 660-006-0015(2), 660-033-0030(4), 660-012-0060
- E. Washington County 2020 Transportation Plan Policies 1, 2, 4, 5, 6, 10, 19

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing – Land Use and Transportation (CPO 1,3,4M,6,7,8)

Agenda Title: APPROVE ANNEXATION TO TUALATIN VALLEY WATER DISTRICT (WA-5003)

Presented by: Brent Curtis, Planning Division Manager

SUMMARY (Attach Supporting Documents if Necessary)

On December 2, 2003, the Board conducted a public hearing on a request to annex 2,249.39 acres to the Tualatin Valley Water District (District). Approval of the annexation would add all property not located in the District to the District's urban service area. The Board approved the annexation, subject to only the filing of sufficient written requests for an election (ORS 198.810).

The Board scheduled the second required hearing for January 6, 2004. The purpose of the second hearing is to determine whether sufficient written requests have been received to require an election (ORS 198.810). An election shall not be held unless 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.

At time of writing, no written requests for an election have been filed. An election shall not be required, unless the required number of written requests is filed at or before the second hearing.

Notice of today's hearing has been made in accordance with the state law requirements. The staff report (File Number: WA-5003) will be provided to you under separate cover and will also be available at the clerk's desk. Staff will be available to answer any questions.

Attachment: Resolution and Order

DEPARTMENT'S REQUESTED ACTION:

Hold a public hearing to consider written requests for an election concerning the annexation of this property to the Tualatin Valley Water District. If there is an insufficient number of written requests, adopt the attached Resolution and Order so declaring and ratifying the annexation.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>5.b.</u>
Date:	1/6/04

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IN THE BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

In the Matter of Declaring Boundary) RESOLUTION AND ORDER
Change WA-5003 to be Effective) No. _____

The above-titled matter (WA-5003) came before the Board at its meetings of December 2, 2003 and January 6, 2004; and

It appearing to the Board that WA-5003 was initiated by Resolution No. 13-13 of the Tualatin Valley Water District Board of Directors; and

It appearing to the Board that, as required by ORS 198, two public hearings on the proposed annexation were held. The purpose of the first hearing was for the Board to approve or deny the annexation, while the purpose of the second hearing was to determine, if it was approved, if there was a sufficient number of written requests received to require an election pursuant to ORS 198.810; and

It appearing to the Board that notice of the meetings was provided pursuant to ORS 198.730, ORS 197.763 and Metro Code 3.09.030; and

It appearing to the Board that the Board approved WA-5003 on December 2, 2003 and set January 6, 2004 as the deadline for receipt of sufficient written requests for an election; and

It appearing to the Board that the Board determined that a sufficient number of written requests for an election have **not** been filed as required by

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ORS 198.810 (2) to require an election; now, therefore, it is

RESOLVED AND ORDERED that the boundaries of Boundary Change Proposal No. WA-5003, as previously approved and memorialized in Resolution and Order No. 03-149, are established and shall be effective immediately; and it is further

RESOLVED AND ORDERED that the County Administrator, or his designee, shall mail this decision to all necessary parties and take such other steps as are required by law to effectuate this proposal.

DATED this 6th day of January 2004.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

CHAIRMAN

RECORDING SECRETARY

Date Signed: _____

Approved as to form:

Assistant County Counsel for
Washington County, Oregon

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing – Land Use and Transportation (CPO 10)

Agenda Title: APPROVE ANNEXATION OF APPROXIMATELY 10.31 ACRES TO THE CLEAN WATER SERVICES DISTRICT

Presented by: Brent Curtis, Planning Division Manager

SUMMARY (Attach Supporting Documents if Necessary)

The County has received a request to annex two tax lots encompassing 10.31 acres to Clean Water Services District (District). The property is located at the southwest corner of SW 229th Avenue and SW Alexander Street in the City of Hillsboro and is further identified as tax map and lot numbers 1S210DB / 900 and 1000. (See Exhibit B)

One parcel currently supports a single family residence (900) while the other supports a single family residence and a church (1000). In order for the church and the residences to receive service from the District, they need to be annexed to the District.

Notice of today's hearing has been made in accordance with the state law requirements. The staff report (File Number: WA-6103) will be provided to you under separate cover and will also be available at the clerk's desk. Staff will be available to answer any questions. A Resolution and Order approving the annexation is attached to the agenda.

Attachments: Resolution and Order which includes:

1. Findings (Exhibit A)
2. Site Map (Exhibit B)
3. Legal Description (Exhibit C)

DEPARTMENT'S REQUESTED ACTION:

Hold a public hearing to consider the annexation of this property into the Clean Water Services District. Adopt a Resolution and Order approving the annexation with the approval becoming effective immediately.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>5.c.</u>
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Date:	1/6/04
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3 IN THE BOARD OF COUNTY COMMISSIONERS
4 FOR WASHINGTON COUNTY, OREGON

5 In the Matter of Approving Boundary) RESOLUTION AND ORDER
6 Change Proposal No. WA-6103) No. _____
7

8 The above-entitled matter (WA-6103) came before the Board at its
9 regular public meeting on January 6, 2004; and

10 It appearing to the Board that this annexation involves two tax lots
11 (1S210DB / 900 and 1000) located at the southwest corner of SW 229th
12 Avenue and SW Alexander Street in the City of Hillsboro; and

13 It appearing to the Board that WA-6103 was initiated by a consent
14 petition of the property owners and registered voters and meets the
15 requirement for initiation set forth in ORS 198.855 (3), ORS 198.750 and Metro
16 Code 3.09.040 (a); and

17 It appearing to the Board that pursuant to ORS 198 the Washington
18 County Board is the boundary Board for Clean Water Services; and

19 It appearing to the Board that the Board is charged with deciding
20 petitions for special service districts' boundary changes pursuant to ORS
21 Chapter 198 and Metro Code Chapter 3.09; and

22 It appearing to the Board that notice of the meeting was provided
23 pursuant to ORS 198.730, ORS 197.763 and Metro Code 3.09.030; and

24 It appearing to the Board that County staff have reviewed the proposed
25 boundary change and determined that it complies with the applicable
26 procedural and substantive standards and should be approved; and

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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-6103, as described in the staff report, is hereby approved, based on the analysis, findings and conclusions set forth in Exhibit "A" of the staff report, incorporated herein by reference; and it is further

RESOLVED AND ORDERED that the boundaries of said proposal are as set forth in Exhibits "B" and "C", incorporated herein by reference; and it is further

RESOLVED AND ORDERED that this boundary change proposal shall be effective upon adoption and that the County Administrator or his designees shall take all necessary steps to effectuate this proposal. DATED this 6th day of January 2004.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

CHAIRMAN

RECORDING SECRETARY

Date Signed: _____

Approved as to form:

Assistant County Counsel for
Washington County, Oregon

FINDINGS

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

1. The petition meets the requirement for initiation set forth in ORS 198.855 (3) (double majority annexation law), ORS 198.750 (section of statute which specifies contents of petition) and Metro Code 3.09.040 (a) (which lists minimum requirements for petition). At the time of writing, a necessary party is **not** contesting this boundary change.
2. The property to be annexed is located in the City of Hillsboro at the southwest corner of 229th Avenue and Alexander Street. The property encompasses 10.31 acres and supports two residences and a church.
3. The applicant desires public sanitary sewer service for the existing uses. The property must be brought into the Clean Water Services District (District) in order to be provided the necessary sanitary sewer service. The property was annexed into the City of Hillsboro on August 5, 2003.
4. Oregon Revised Statute 198.852 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 (Code) that 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, at minimum, the seven criteria listed below.

- a. Consistency with directly applicable provisions in ORS 195 agreements or ORS 195 annexation plans [ORS 195 agreements are cooperative agreements and urban service agreements. The required cooperative agreements between the City of Hillsboro, service districts and Washington County have been adopted. An urban service agreement for the City of Hillsboro has also been adopted.]
- b. Consistency with directly applicable provisions of *urban planning area agreements* between the annexing entity and a necessary party.
- c. Consistency with directly applicable standards for boundary changes contained in Comprehensive land use plans and public facility plans.
- d. Consistency with directly applicable standards for boundary changes contained in the Regional framework or any functional plans.
- e. Whether the proposed boundary change will promote or not interfere with the timely, orderly and economic provision of public facilities and services.
- f. If the boundary change is to Metro, determination by Metro Council that property

should be inside the UGB shall be the primary criteria.

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

Additionally, the Metro Code contains a second set of 10 factors which are to be considered where no ORS 195 agreements have been adopted and the boundary change is being contested by a necessary party. As noted previously, cooperative agreements between the City of Hillsboro, service districts and Washington County have been adopted. Additionally, at time of writing, a necessary party is **not** contesting this boundary change. Therefore, these additional criteria need not be addressed.

- 5. The property is generally square in shape and flat. The property is currently developed with two single-family residences and a church. The property also has street frontage along both Alexander Street and 229th Avenue.
- 6. This property is inside Metro's jurisdictional boundary and inside the regional Urban Growth Boundary (UGB).

The law that dictates that Metro adopt criteria for boundary changes requires those criteria to 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 actually now part of Metro's Regional Framework Plan. The 2040 Growth Concept is also now an element of the Framework Plan. The Framework Plan has been examined and found not to contain any directly applicable standards and criteria for boundary changes.

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

- 7. The property is designated AF-5, a Washington County land use designation. As a result of the annexation to the City of Hillsboro, however, the applicant is currently seeking a zone change from the city to change the designation to MP (Industrial Park).
- 8. The City of Hillsboro will provide sanitary sewer service from a 10-inch sanitary sewer line in Alexander Street. The District will provide treatment and transmission of effluent to the regional treatment plant through major trunks and interceptors.
- 9. The City of Hillsboro has a 10-inch water line in Alexander Street to serve the property.
- 10. The City of Hillsboro Fire Department serves this property.
- 11. The property receives police protection from the City of Hillsboro.
- 12. Access to this site is provided from both Alexander Street and 229th Avenue.

13. The District has responsibility for surface water management within urban Washington County. Clean Water Services has entered into an intergovernmental agreement with the City of Hillsboro for allocation of City and District responsibilities. The City has responsibilities for operations and maintenance of storm and surface water facilities within the City.
14. The City of Hillsboro maintains its own Park & Recreation Department. The annexation to Clean Water Services will not affect that fact.
15. The District supports the proposed annexation to its boundary. The Board of County Commissioners has endorsed this as the Board of Directors of Clean Water Services District.

CONCLUSIONS AND REASONS FOR DECISION

Based on the above Findings, the Board concluded:




1. 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 . . . regional framework and functional plans . . ."* There are no directly applicable criteria in Metro's regional framework plan or in the two adopted functional plans, the Urban Growth Management Functional Plan and the Regional Transportation Plan.
2. ORS 198 and the Metro Code at 3.09.050 (d) (3) call for consistency between the Board decision and any *"specific directly applicable standards or criteria for boundary changes contained in comprehensive plans, public facilities plans . . ."* The Board has reviewed the applicable comprehensive plan which is the Washington County Comprehensive Plan and finds that it contains no directly applicable criteria for making district boundary change decisions since the property was annexed into the City of Hillsboro on August 5, 2003. Annexation of the property to the District is also consistent with the City of Hillsboro Comprehensive Plan.
3. The Metro Code calls for consideration of any directly applicable standards or criteria to be found in urban planning area agreements (UPAA). There is a UPAA between Washington County and the City of Hillsboro that addressed the property prior to annexation to the city. Due to the property's annexation to the City, the UPAA is no longer applicable to the planning of the property.
4. The Metro Code also requires that the decision address consistency between this decision and any urban service agreements under ORS 195. [ORS 195 agreements are cooperative agreements and urban service agreements.] The required cooperative agreements between the City of Hillsboro, service districts and Washington County have been adopted. The advertisement of the public hearing for the proposed annexation was consistent with the adopted cooperative agreement. The Board therefore concluded that its decision is not inconsistent with the adopted cooperative agreement. An urban service agreement for the City has also been adopted.

5. Metro Code 3.09.050 (e) (3) states that another criteria 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.*" The Board finds that the Clean Water Services District can serve this area. Therefore the Board finds that the annexation is a logical step towards making urban services available to the property and does not interfere with the timely provision of those services.
6. The District supports the proposed annexation to its boundary. The Board of County Commissioners has endorsed this request as the Board of Directors of Clean Water Services District.
7. A necessary party has not contested this boundary change. Therefore, the change may become effective immediately upon adoption by the Board pursuant to Metro Code Section 3.09.050 (f).

Proposal No. WA-6103

Annexation to
Clean Water Services

EXHIBIT B

-  Subject Taxlots
-  Clean Water Services Service Area
-  Urban Growth Boundary



This map was derived from several databases. The County cannot accept responsibility for any errors. Therefore, there are no warranties for this product. However, notification of errors would be appreciated.

EXHIBIT C

A tract of land in Section 10, Township 1 South, Range 2 West, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

Beginning at the Southeast corner of the Benjamin Stewart Donation Land Claim No. 44;

thence North $74^{\circ}21'00''$ West, along the south line of that tract of land conveyed to Calvary Chapel Worship Center by deed recorded December 19, 1997 as Document No. 97118633 in Deed Records of said county, a distance of 679.28 feet to the southwest corner thereof;

thence North $1^{\circ}58'00''$ East, along the west line of said Calvary Chapel Tract, a distance of 715.28 feet to the northwest corner thereof;

thence South $81^{\circ}45'00''$ East, along the north line of said Calvary Chapel Tract, the north line of that tract of land conveyed to Antoine Habib Kanaan and Diana Gail Kanaan by deed recorded March 14, 1994 as Document No. 94024070 in Deed Records of said county, and the easterly extension thereof, a distance of 679.14 feet to a point on the east right of way line of Southwest 229th Avenue;

thence South $1^{\circ}58'00''$ West, along said right of way line, a distance of 805.30 feet;

thence North $74^{\circ}21'00''$ West, along the easterly projection of the south line of said Calvary Chapel Tract, a distance of 15.44 feet to the POINT OF BEGINNING.

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing – Land Use and Transportation (CPO 11)

Agenda Title: APPROVE VACATION OF A PORTION OF SW OAK STREET

Presented by: Gregory S. Miller, County Engineer

SUMMARY (Attach Supporting Documents if Necessary)

This Vacation was initiated by MO 03-95 on April 1, 2003, setting a hearing for May 20, 2003. The hearing was opened on that date and continued indefinitely to allow property owners to work together to reach an accommodation that would be in the best interests of all.

The abutting property owners have been unable to reach consensus regarding the issues raised at the public hearing. The petitioner wants to continue the process, and has asked that if this vacation is granted the costs be limited to the amount previously submitted.

Staff has reviewed the facts, evaluated the situation before and after the hearing, and is now reaffirming the previous recommendation to vacate the roadway. A supplementary vacation report has been prepared and is attached.

Staff has further confirmed all abutting property owners have both legal and practical access to their property

All abutting property owners and interested parties who appeared at the May 20, 2003 hearing were mailed notification of this hearing.

Attachments: 1. Resolution and Order
2. Vacation Reports
3. Supplementary Vacation Report

DEPARTMENT'S REQUESTED ACTION:

Approve the attached Resolution and Order vacating a portion of SW Oak Street, situated in Section 25 and 26, T1S, R5W, W.M., Washington County, Oregon and limit the applicant's fees to the \$3,000 assurance previously submitted.

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COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No. 5.d.

Date: 1/6/04

IN THE BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

In the Matter of the Vacation of a)
Portion of SW Oak Street, in Sections)
25 and 26, T1S, R5W, W.M.,)
Washington County, Oregon.)

RESOLUTION AND ORDER

NO. _____
VACATION NO. 428

The above-entitled matter having come on regularly before the Board at its meeting of January 6, 2004; and

It appearing to the Board that a petition has been filed for the Vacation of SW Oak Street, situated in situated in Sections 25 and 26, Township 1 South, Range 5 West of the Willamette Meridian, Washington County, Oregon, and that the petition was signed by more than 60% of the abutting property owners. Since less than 100% of the abutting owners signed the Vacation petition, the matter required a public hearing, which was scheduled for May 20, 2003, pursuant to ORS 368.346; and

It appearing to the Board that the hearing was opened and testimony was heard on this matter, and the hearing was continued indefinitely; and

It appearing to the Board that the Department of Land Use and Transportation staff met with the petitioner, reviewed the facts and options for further action on the proposed vacation, and that notice of this hearing was mailed to all individuals who testified or signed petitions at the first hearing; and

It appearing to the Board that said petition did describe the portion of the right-of-way proposed to be vacated, the names of the parties to be particularly affected thereby, and set forth the particular circumstances of the case; and

It appearing to the Board that the right-of-way proposed to be vacated, is not within the corporate limits of any city or town; and

It appearing to the Board that the County Road Official did examine the area proposed to be vacated and hereby submits to the Board the Vacation Report and the Supplemental Vacation Report attached hereto; and by this reference made a part hereof, in accordance with ORS 368.351(1); and

It appearing to the Board that the hearing was opened and testimony was heard on this matter at the second hearing, and that the Board is in receipt of all information necessary for its decision, now, therefore it is

RESOLVED AND ORDERED that the right-of-way proposed to be vacated as described in the attached Vacation Report, and Supplemental Vacation Report, be and hereby is vacated as it is in the public interest; and it is further

RESOLVED AND ORDERED that the County Surveyor of Washington County, Oregon, be and hereby is authorized and directed to mark the vacated portion of the right-of-way on the plats and records of Washington County Oregon, all in accordance with ORS 368.356(2); and it is further

RESOLVED AND ORDERED that the County Surveyor of Washington County, Oregon, is hereby authorized and directed to have this order of vacation recorded in the records of Washington County, Oregon, and cause copies of this order to be filed with the Director of Assessment and Taxation and the County Surveyor's office in accordance with ORS 368.356(3).

Dated this 6th day of January, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

Chairperson

Recording Secretary

Approved as to form:

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

Page 2 – R&O No.
Vacation No. 428

**DEPARTMENT OF LAND USE AND TRANSPORTATION
REPORT ON VACATION NO. 428**

January 6, 2004

A PORTION OF SW OAK STREET

A request for vacation proceedings has been received by the staff for the Board of County Commissioners to Vacate a portion of SW Oak Street, situated in Washington County as shown on the attached Exhibit "A", and being described as follows:

A portion of SW Oak Street, situated in Sections 25 and 26, Township 1 South, Range 5 West, of the Willamette Meridian, Washington County, Oregon. Said portion of said road lying Easterly of the Northerly extension of the Westerly line of lot 49 of "Plat of the Second Addition to Cherry Grove", and Westerly of the Westerly right-of-way line of SW Peach Street as shown on "Plat of the Second Addition to Cherry Grove".

The owners of the property abutting the portion of the road to be vacated are:

1S5 25C, TL 1714
Keith N. Lecomte & Juliet W. Brosing
56350 SW Peach Street
Gaston, OR 97119

1S5 25C, TL 1712
Dan E. & Charlotte R. Gilbert
55229 SW Lovegren
Gaston, OR 97119

1S5 26A, TL 102
David L. Modrell
PO Box 744
Cornelius, OR 97113

1S5 26D, TL 100
Brian Sierzega
PO Box 691
Gaston, OR 97119

1S5 26D, TL 105
David L. & Brenda E. Cornell
56989 SW Oak Street
Gaston, OR 97119

1S5 26D, TL 205
Judy Schilling
8943 SW Lee Road
Gaston, OR 97119

CRITERIA FOR EVALUATION OF ROAD VACATION REQUESTS

1) Conformance with the County's Comprehensive Plan

SW Oak Street is a designated public road and it is classified as Rural Local on the Washington County Transportation System. The right-of-way proposed for vacation has been improved to the condition of a primitive road that would not provide for safe, all-weather through traffic.

2) Use of the Right-of-Way

The right-of-way proposed for vacation has limited improvements, made recently by abutting owner. Prior use has been predominantly recreational and not in conformance with the regulations associated with use of vehicles on a public road. This limited use has resulted in law enforcement issues.

The purpose of the vacation is to allow the adjacent property owners to consolidate this right-of-way (when vacated) with their property, and make best use of it.

3) Impact of Utilities and Emergency Services

Utility providers and the City of Gaston Fire Department have been notified of the County's intention vacating the above-described portion of SW Oak Street.

4) Limits of Vacation and Evaluation of "public road" Status

The portion of the road proposed to be vacated is within the unincorporated area of Washington County.

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

Based on the above statements, it is recommended that the Board of Commissioners grant the vacation of the portion of SW Oak Street, proposed to be vacated, as it would be in the public interest.

Gregory S. Miller, P.E.
County Engineer

**DEPARTMENT OF LAND USE AND TRANSPORTATION
SUPPLEMENTARY REPORT ON VACATION NO. 428**

November 12, 2003

A PORTION OF SW OAK STREET

A portion of SW Oak Street, situated in Sections 25 and 26, Township 1 South, Range 5 West, of the Willamette Meridian, Washington County, Oregon. Said portion of said road lying Easterly of the northerly extension of the westerly line of lot 49 of "Plat of the Second Addition to Cherry Grove", and Westerly of the westerly right-of-way line of SW Peach Street as shown on "Plat of the Second Addition to Cherry Grove".

SUMMARY

This report is a supplement to that report submitted for the public hearing held at the regular Board meeting on May 20, 2003. At that public hearing the item was continued indefinitely in order to give the property owners the opportunity to work together to see if they could reach agreement on private easements and access rights in lieu of the public road to be vacated.

The staff has reviewed the information presented at the meeting and certain events following the meeting in order to prepare this summary.

Before the previous meeting, and as stated in the prior report, staff visited the site and found the road unimproved and not open for traffic. The approximate location of the right-of-way was apparent at each end of the subject section, but was not in a condition to allow driving through in the County vehicle. The section of the road that was inspected consisted of a narrow overgrown trail on steep uneven grade. The middle of the section was not reviewed during this trip to the site on April 11, 2003.

At the May 20, 2003 hearing two petitions opposing the vacation were presented to the Board, signed by Mr. Gilbert, an abutting owner, and other area residents. These petitions requested that the road remain open to be used for various forms of recreation. While this use may be desired by others in the area, the loss of this use would not place an undue hardship on the abutting properties or other private lands. In fact, the vacation may be of value to those properties by allowing them to control public access and limit or eliminate the potential liability incurred from an injury. Only one of the abutting properties supported the petition against vacation.

Mr. Gilbert, the owner of Tax Lot 1712, Map 1S5 25C testified that he had been using this portion of SW Oak Street as his primary access to the south end of his property for the last 10 years. While the County staff inspection on April 11, 2003 revealed no evidence of regular use, it is possible that infrequent use had occurred at some time in the past. At the time of the site visit on April 11 and April 23, 2003, it appeared that access to this area of the parcel is directly from the North, and not from the proposed vacation. The grade up through this lot from the proposed vacation to the north was steep, but passable.

The testimony indicated that the applicant for the vacation has a barn in the portion of right-of-way to be vacated. Survey Number 29,005, as recorded in the County Surveyors Office, supports this fact. The survey documents a number of encroachments in the area. The encroachment referenced in the testimony would be eliminated by the vacation of the roadway.

Some time after the meeting of May 20, 2003, it was reported to staff that an individual was clearing and improving the road. On July 15, 2003, Washington County Operations and Maintenance inspection staff responded to the scene and found that trees were being removed and the roadway opened and graded. The road was still very primitive, but on this occasion they were able to drive through the length of the section. No permit to work in the public road had been issued so a stop work order was posted at the site.

Staff has further confirmed that all abutting property owners have both legal and practical access to their property. Those existing accesses would remain following vacation as proposed. Some may desire different or more convenient access, but that is not required to approve the vacation.

Consistent with the recommendation made in the original Vacation Report, and in reference to the facts as outlined above, it is recommended that this portion of public roadway be vacated as originally proposed.

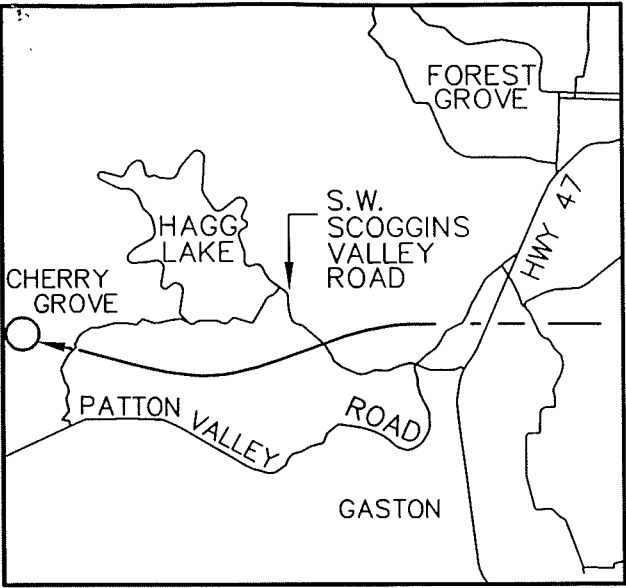
This recommendation is further supported by the fact that because of the increased activity in the area and the County's lack of resources to control and maintain the now opened road in a safe condition, it would be in the best interest of the public and abutting owners to vacate the road and let the owners have control of this area.

Gregory S. Miller, P.E.
County Engineer

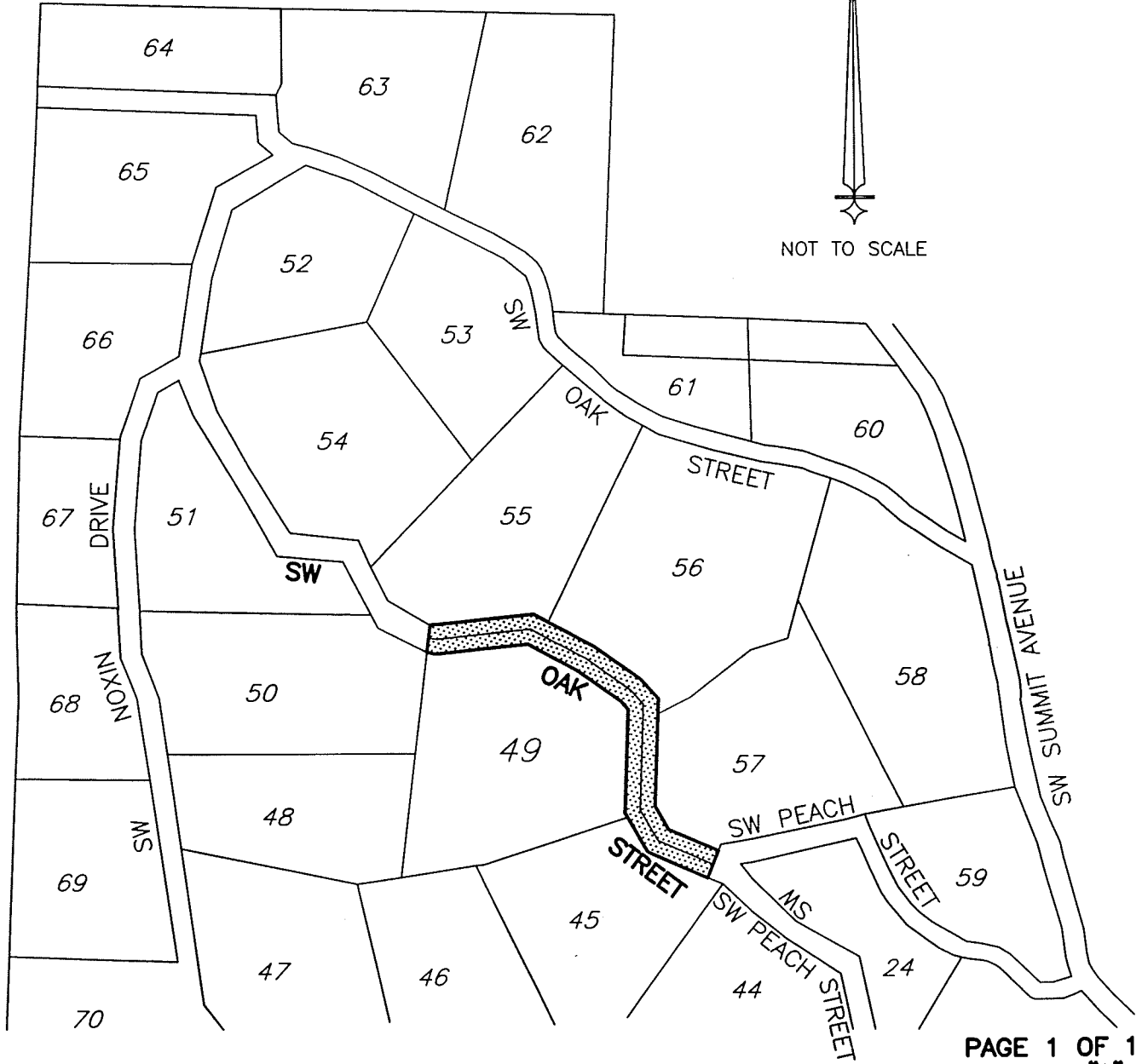
PROPOSED VACATION

VACATION NO. 428

A PORTION OF
SW OAK STREET
IN
"PLAT OF THE SECOND ADDITION
TO CHERRY GROVE"



VICINITY MAP



AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing – County Administrative Office

Agenda Title: **CONDUCT PUBLIC HEARING/APPROVE FINDINGS/GRANT EXEMPTION/AUTHORIZE NEGOTIATION WITH YORK INTERNATIONAL CORPORATION FOR VARIABLE SPEED DRIVES ON YORK CHILLERS, FACILITIES MANAGEMENT DIVISION (#23121E)**

Presented by: Don Bohn, Sr. Deputy County Administrator
Linda Baumgartner, Purchasing Supervisor, Support Services

SUMMARY (Attach Supporting Documents if Necessary)

Staff requests that your Board grant an exemption from the competitive bid process and authorize staff to directly negotiate a contract with York International Corporation to provide and install a variable speed drive on a York chiller located at the Law Enforcement Center (LEC). The not to exceed expenditure requested is \$65,000.

Washington County generally awards public improvement contracts and service contracts on the basis of competitive bidding to the responsible bidder with the lowest responsive bid. However, both ORS 279.015 (2) and CPR 15-030 allow the exemption from competitive bidding requirements when there is only one manufacturer or seller of a product.

In this case, the LEC has two York-brand chillers. The starter on one of the chillers needs to be replaced. Rather than replace the starter (at an approximate cost of \$30,000) staff is requesting an upgrade to a variable speed drive. The only variable speed drive that is compatible with the York chiller is a York-brand drive.

(continued on page 2)

DEPARTMENT'S REQUESTED ACTION:

Conduct public hearing, approve findings and grant a specific exemption from the competitive bidding process to directly negotiate a contract with York International Corporation to provide and install a variable speed drive on the LEC York chiller for a not to exceed expenditure of \$65,000.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>6.a.</u>
Date:	1/6/04

HOLD PUBLIC HEARING/APPROVE FINDINGS/
GRANT EXEMPTION/AUTHORIZE
DIRECT NEGOTIATIONS

Page 2

Staff is recommending installation of a variable speed drive based on expected energy savings and a prolonged the life of the chiller. Studies on the advantages of a variable speed drive shows that energy usage can be reduced by up to 30 percent and the reduced wear on the chiller can extend its useful life by some 10-15 years. At this time, staff is only recommending the installation of one variable speed drive on the chiller that needs a new starter. The other chiller is operational and Staff is reviewing the possibility of adding a variable speed drive to the remaining chiller next fiscal year.

County Purchasing Rule 10-100 states that the Board may grant on exemption only if it makes the following findings:

EXHIBIT A - FINDINGS

- A. It is unlikely that such an exemption will encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts.

Finding – This is a purchase to replace a worn starter with a variable speed drive that will increase the energy efficiency of the unit and is not expected to diminish competition for other public contracts. This exemption request is based on one variable speed drive being compatible with the York chiller. The County has advertised this opportunity in the Daily Journal of Commerce to allow other vendors the opportunity to submit competing offers, none have been received by the date of the hearing.

- B. The awarding of public contracts pursuant to the exemption will result in substantial cost savings to the public contracting agency.

Finding – By allowing this exemption, the County will realize energy cost savings for the unit and will extend the useful life of the chiller.

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Action – Board of Commissioners All CPOs

Agenda Title: APPOINT VICE CHAIR FOR THE BOARD OF COMMISSIONERS

Presented by: Tom Brian, Chairman

SUMMARY (Attach Supporting Documents if Necessary)

The Board Rules of Procedure provide that the Board shall appoint a Vice Chair at its first meeting each year.

DEPARTMENT’S REQUESTED ACTION:

Appoint Commissioner Dick Schouten as Vice Chair for 2004, with full authority to officiate meetings, execute documents and generally act on behalf of the Chairman in his absence or when he is unavailable.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

Agenda Item No.	<u>7.a.</u>
Date:	1/6/04

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Action – Department of Assessment and Taxation

Agenda Title: **ESTABLISH SECURITY DEPOSIT FOR FORMATION ELECTIONS**

Presented by: Jerry Hanson, Director of Assessment & Taxation

SUMMARY (Attach Supporting Documents if Necessary)

The Election Division anticipates that it may receive a petition for formation of a people's utility district (PUD). ORS 261.210 and 198.775 permit the Board to require petitioners to post cash, a bond or other acceptable security to cover the cost of an election on formation. The amount may be up to \$100 per affected precinct (148 precincts out of 154 will be affected), not to exceed a total of \$10,000.

The cost to the County of conducting an election depends in part on how many city or special district matters are on the ballot. The total cost, however, could be in the \$100,000-\$120,000 range; where the PUD may encounter their portion of the cost as approximately \$45,000-\$50,000.

It is proposed that a cash deposit be placed in a trust and agency or similar account. The County would also accept negotiable securities. If petitioner's file a security bond, the terms and conditions would first have to be reviewed and approved by County Counsel and the Finance Manager. An accounting of election costs would be prepared within 45 days after the election and the appropriate amount deducted from the deposit or charged against the bond.

Similar petitions have been received by three other counties in the region. Yamhill County required a deposit of \$100 per precinct. Multnomah County and Clackamas County did not require a deposit.

DEPARTMENT'S REQUESTED ACTION:

Require posting of either cash, negotiable securities or a security bond in an amount of \$100 per affected district, not to exceed \$10,000, prior to accepting any formation petition, as further described above.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>8.a.</u>
Date:	1/6/04

MINUTES

WASHINGTON COUNTY BOARD OF COMMISSIONERS

DECEMBER 16, 2003

CONVENED: 6:42 p.m.

BOARD OF COMMISSIONERS:

Chairman Tom Brian
Vice Chair Roy Rogers
Commissioner Dick Schouten
Commissioner Andy Duyck

Commissioner John Leeper was away on County business, attending a meeting on behalf of the Board.

STAFF:

Charles D. Cameron, County Administrator
David Maertens, Senior Deputy County Administrator
Walt Peck, County Communications Officer
Dan Olsen, County Counsel
Eva Calcagno, Manager, Cooperative Library Services
Bill Gaffi, General Manager, CWS
Nora Curtis, Engineering Division Manager, CWS
Bob Cruz, Conveyance Systems Director, CWS
Patt Opdyke, CPO Coordinator
Jeff Friend, Audio/Visual Specialist
Barbara Hejtmanek, Recording Secretary

PRESS:

Laura Gunderson, *The Oregonian*

APPROVAL OF MINUTES:

November 25, 2003
December 2, 2003

1. CONSENT AGENDA

Chairman Brian announced the following modifications to the Consent Agenda:

- There is award of bid on item d. to Stellar J. Corporation in the amount of \$388,195 for construction of the Durham Fermenter Scum System Upgrade project.

- An off docket item from County Counsel entitled “Durham Property – Approve Second Amendment to Purchase and Sale Agreement with Opus, NW” is added to the Consent Agenda.
- An off docket item from County Counsel entitled “Amend County Administrator Contract” is added to the Consent Agenda.

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

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

CLEAN WATER SERVICES

1.a.

CWS RO 03-55

Acquire Easement to Provide Storm Sewer Service for a Property in Clean Water Services’ Service District (Approved Under Consent Agenda)

1.b.

CWS MO 03-144

Acceptance of the Clean Water Services Fiscal Year 2003 Comprehensive Annual Financial Report (Approved Under Consent Agenda)

1.c.

CWS MO 03-145

Award the Contract to Construct the Bull Mountain at 144th Avenue Local Sewer Improvement Project to Russell Construction, Inc. (CPO 4B) (Approved Under Consent Agenda)

1.d.

CWS MO 03-146

Award the Durham Fermenter Scum System Upgrade Project to the Lowest Responsible Bidder (Approved Under Consent Agenda)

1.e.

CWS MO 03-147

Accept the Durham Headworks Operational Improvements Project as Complete and Authorize Final Release of Retainage to Stellar J. Corporation (Approved Under Consent Agenda)

1.f.

CWS MO 03-148

Authorize General Manager to Sign Calendar Year 2004 Liability Insurance Policy (Approved Under Consent Agenda)

1.g.

CWS MO 03-149

Accept the Construction of the Woods Local Improvement District as Final and Release Retainage to Rutan Construction, Inc. (CPO 4B) (Approved Under Consent Agenda)

LAND USE AND TRANSPORTATION

1.h.

RO 03-151

Approve Resolution and Order Amending the Major Streets Transportation Improvement Program Administrative Procedures (All CPOs) (Approved Under Consent Agenda)

1.i.

MO 03-409

Approve Amendment for Preliminary Engineering Services for the City of Cornelius 19th and 20th Avenues Realignment Project (CPO 12) (Approved Under Consent Agenda)

1.j.

RO 03-152

Approve Establishment of a Road Maintenance Local Improvement District (MLID) for Ridge Road aka Iron Ridge Estates (CPO 1) (Approved Under Consent Agenda)

1.k.

RO 03-153

Initiate Vacation of a Portion of a County Road (CPO 8) (Approved Under Consent Agenda)

DISABILITY, AGING AND VETERAN SERVICES

1.l.

MO 03-410

Acceptance of Proposals/Award of Contracts for In-Home Services to Elderly (Approved Under Consent Agenda)

1.m.

MO 03-411

Acceptance of Proposal/Award of Contract for Information and Outreach Services to Elderly (Approved Under Consent Agenda)

HEALTH AND HUMAN SERVICES

1.n.

MO 03-412

Accept Grant from Northwest Health Foundation to Support the Services of the Essential Health Clinic (Approved Under Consent Agenda)

1.o.

MO 03-413

Approve Waste Reduction Plan and Agreement with Metro to Receive Grant Funds in the Amount of \$174,447 (Approved Under Consent Agenda)

JUVENILE

1.p.

MO 03-414

Approve Agreement with the State of Oregon for Juvenile Crime Prevention and Diversion of Youth from Correctional Facilities (Approved Under Consent Agenda)

SHERIFF'S OFFICE

1.q.

MO 03-415

Authorize Acceptance of Emergency Management Planning Grant (Approved Under Consent Agenda)

1.r.

RO 03-154

Increase Budget Appropriations for Sheriff's Office Budgets to Expend Oregon State Sheriff's Association, Driving Under the Influence of Intoxicants and Seatbelt Grant (Approved Under Consent Agenda)

SUPPORT SERVICES

1.s.

MO 03-416

Accept Proposal and Award Contract for Block Grant Consultant (Approved Under Consent Agenda)

1.t.

MO 03-417

Accept Proposals and Award Contracts for Alcohol and Drug Free Housing (Approved Under Consent Agenda)

1.u.

MO 03-418

Amend Purchase Order for the Voluntary Clean-Up Program for Durham Quarry (Approved Under Consent Agenda)

2. ORAL COMMUNICATION

None.

OFF DOCKET – COUNTY ADMINISTRATIVE OFFICE

MO 03-419

Celebrate Elsie J. Stuhr’s 100th Birthday

The Clerk of the Board read the proclamation into the record.

Commissioner Schouten recalled that at her 99th birthday celebration last year, Elsie Stuhr exhibited both a strong voice and presence. He intended to attend her 100th birthday party also.

It was moved to recognize the immense contributions of Elsie J. Stuhr and to honor her 100th birthday in gratitude for her lifetime of service through this proclamation.

Motion – Schouten

2nd – Rogers

Vote – 4-0

3. BOARDS AND COMMISSIONS

3.a.

MO 03-404

Appoint Lay Citizen Members to the Public Safety Coordinating Council (PSCC) (All CPOs)

Chairman Brian announced that this agenda item will be deferred to a later (unspecified) date.

3.b.

MO 03-405

Appoint Members to the Rainbow Lane Special District No. 1 (All CPOs)

There was a motion to appoint the following individuals to fill the vacant positions on the Rainbow Lane Special Road District No. 1 Board:

- Marilee Needham
- Richard Bertellotti
- Dale McKean

Motion – Duyck

2nd – Rogers

Vote – 4-0

3.c.

MO 03-406

Appoint Members to the Rural Road Operations and Maintenance Advisory Committee (RROMAC) (All CPOs)

It was moved to appoint the following applicants to fill the regular positions presently vacant on the Rural Road Operations and Maintenance Advisory Committee:

- Mark Bauer
- James Burns
- Robert (Bill) Ewers
- Adam Mayer
- Joe Rutledge
- Gary Virgin
- Donald Logan

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

3.d.
MO 03-407
Appoint Member to the Audit Committee (All CPOs)

There was a motion to appoint Karla Lenox to the Audit Committee for a two-year term ending on June 30, 2005.

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

3.e.
CWS MO 03-144
Reappoint One Member, Open Recruitment for One Vacancy of the Clean Water Services Advisory Commission

It was moved to reappoint Linda Craig to the Clean Water Services Citizen Advisory Commission for a second term and to provide staff direction to recruit for the vacant agricultural position.

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

4. PUBLIC HEARING – CLEAN WATER SERVICES

4.a.
CWS RO 03-54

Hold Public Hearing on Construction of Improvements to Benefit the SW Peters Road Local Improvement District (City of Durham)

Nora Curtis stated that the SW Peters Road Local Improvement District consists of construction of approximately 555 feet of sanitary sewer located along SW Peters Road, just east of Scholls Ferry Road, in the City of Durham. She indicated that the proposed LID includes eight properties. Ms. Curtis noted that this public hearing is continued from October 28, 2003, when the Board heard testimony from eight property owners representing seven of the properties included in the proposed LID. She recalled that during that public hearing, the Board asked each individual testifying if they supported or opposed the formation of the LID. Ms. Curtis told the Board that the minutes from that meeting indicate that:

- One property owner (Mr. Jehnke) testified in support of the LID.
- Five property owners (Robert Tydeman, Jean Housgard, Chanda Bailey, Hildur Bailey, Steve Watt) testified in support of the LID but voiced serious concerns about the project or process.
- Two additional individuals testified (Eve Berry and Michael Heidling)—one objecting and one in support. These individuals co-own one property and the District interprets that testimony as a remonstrance.

Ms. Curtis said that as a result of the October 28, 2003, testimony, the Board continued the hearing to November 4, 2003, and directed staff to engage in further discussions with Mr. Keith Jehnke to explore if a different distribution of assessments might be possible. She recalled that the Board received additional testimony on November 4th and continued the item to this evening. Ms. Curtis reported that staff entered into discussions with Mr. Jehnke per Board direction and developed two additional assessment options as shown in the Engineering Report in the agenda packet. She stated that both options increase the amount of Mr. Jehnke's assessment and reduce the assessments to the other seven property owners. Ms. Curtis said that the revised assessments, Engineering Report, and notice of this meeting were sent to all affected property owners on November 21st and December 9th. She recommended Option 1, which has the District administering the project and Mr. Jehnke contributing \$5,506 (representing his engineering costs to date). Ms. Curtis specified that this money is to be divided proportionally among the other seven owners by area. She went on to explain that under Option 2, Mr. Jehnke would administer the project and contribute all of his engineering and administrative costs. Ms. Curtis added that Option 3 is the original alternative with the total project cost distributed equally by area. She said that although Option 2 represents the lowest cost to the other seven property owners, it would require that the property owners interface directly with Mr. Jehnke throughout the project. Based upon previous testimony, Ms. Curtis was not confident that the property owners would be willing to agree to such an arrangement and therefore recommended formation under Option 1. She proposed Option 2 only if the

Board receives testimony indicating a strong consensus among the property owners to have Mr. Jehnke administer the contract. Ms. Curtis told the Board that two additional pieces of correspondence were received on December 15, 2003: a) an individual letter

from Mr. Tydeman and b) an e-mail sent on behalf of the owners of six of the properties. She related that both pieces of correspondence protest their inclusion in the project and request that the Board “discontinue any requirements and condition in a sewer line extension that involves the seven properties that abut this extension”. Ms. Curtis said that, specifically, the property owners contest their classification as specially benefited, the project cost, and the LID process. She reported that if the LID is formed, these individuals seek a waiver of accrual of interest prior to paying the LID assessment and a waiver of the time limitation on the connection incentives. Ms. Curtis told the Board that Mr. Tydeman characterizes previous written and oral testimony from seven of the eight property owners as “opposed to the formation of the LID”. She asked the Board to receive clarification from the owners regarding the intent of the most recent correspondence and then, based upon testimony, to proceed with consideration of formation of the LID. Ms. Curtis clarified that if the Board receives remonstrances from 50 percent of the property owners representing more than 50 percent of the property, the Board cannot form the LID. She went on to say that if the Board cannot, or chooses not to, form the Local Improvement District, Mr. Jehnke could proceed with the project under the Local Sewer Improvement Program.

Chairman Brian asked staff to summarize options for property owners within Local Improvement Districts pertaining to hooking up and handling the costs.

Nora Curtis responded that the basic connection rule requires that once sewer is available, the properties connect within three years of it being available unless a deferral is granted. She explained that deferrals can be granted for up to a period of ten years if the property owners can demonstrate that their existing septic systems are either new (less than 10 years old) or in good working order. Ms. Curtis stated that this deferral requires that the property owners test their systems approximately every two years and indicate that they are continuing to operate successfully. She commented that once a property owner connects, the LID assessment is due and payable. Ms. Curtis specified that until the time they connect, the assessment accrues interest at a lower interest rate; once they connect, the interest rate increases two percent and the assessment is due and payable. She mentioned that there is the option for 10-year financing at the State of Oregon bond index rate, with payments due every six months.

The public hearing was opened.

Robert Tydeman, 7878 SW Peters Road, Tigard, Oregon, believed Clean Water Services persists in disregarding the law and their own regulations. He said that to form an LID, you must have more than 50 percent of the property owners agree to do so by written ballot. Mr. Tydeman protested that there was no legitimate ballot to form an LID in this

instance and that seven property owners oppose this. He asked the Board to direct Clean Water Services to discontinue activity relating to an LID and to negotiate with Mr. Jehnke for his sole responsibility and cost to extend the sewer line.

Chairman Brian asked Mr. Tydeman's official position regarding the LID.

Mr. Tydeman remonstrated against the LID.

Commissioner Duyck thought Mr. Tydeman might be misreading the Code. He clarified that the Code talks about 50 percent of people remonstrating against an LID but that it does not take 50 percent to form the LID. Commissioner Duyck explained that this is why the Board is relying heavily on what the citizens desire relative to the formation of this LID. He understood that the neighbors are in a Catch-22 situation because if the LID is not formed, there will likely be an LSI. Commissioner Duyck stated that it is up to the citizens to decide if they want to form the LID to head off the LSI or not. He deferred to the neighbors to make this decision.

Robert Tydeman felt that this is being shoved down the neighbors' throats. He reiterated his understanding about how an LID is formed.

Vice Chair Rogers explained that one person could ask for the formation of an LID. He noted that if 50 percent of the citizens say "no" to an LID tonight, the Board will vote "no" on it. Vice Chair Rogers recalled that at the last hearing, Chairman Brian attempted to get Mr. Jehnke to participate in a more generous manner. He observed that staff has come back with options in which Mr. Jehnke is attempting to do just that, albeit perhaps not to the extent desired.

Mr. Tydeman did not understand how Clean Water Services can force a sewer system on citizens with working septic systems without property owner approval. He did not know what would stop CWS from imposing sewer on all areas with septic systems.

Commissioner Duyck noted that septic failure often precipitates a health hardship case. He understood that this particular application for an LSI followed the legal process and placed the neighbors in the position of either forming an LID to head it off and get a lower price or to go along with the LSI.

Commissioner Schouten addressed the more general question of what right a government has to impose that kind of requirement on a property owner. He said that in this instance, it goes to the core of what is called police powers of the State for matters of public health and welfare. Commissioner Schouten observed that sanitation issues could have huge public safety and health implications. He noted that there are times that the government is there to collectively protect everyone's public health. Commissioner Schouten stated that in less compelling cases, the government allows people ten years to connect to sewer.

Mr. Tydeman testified that the septic systems on SW Peters Road have been working without any signs of contamination for fifty years or more.

Commissioner Schouten responded that out of 470,000 residents, the government cannot make individual judgments in each and every instance. He explained that certain rules of generality must be applied.

Chairman Brian said that in this case, no one is saying there is a health reason. He clarified that an application was received—which followed the law—to form an LSI. Chairman Brian acknowledged that neighbors could select the LID over the LSI if they so desire. He speculated that these properties eventually would likely need the sewer.

Commissioner Duyck attempted to bring the discussion back on track by pointing out that the issue this evening must deal with the laws which are in place. He specified that tonight's decision is whether or not to approve this Local Improvement District.

Mr. Tydeman wanted a copy of the law pertaining to his questions.

The Board indicated that staff could make that available to him.

Tom Bailey, 8020 SW Peters Road, Tigard, Oregon, opposed both the LSI and the LID. He explained that neighbors reluctantly agreed to an LID if the costs were low enough and added that that is still not the case. Mr. Bailey described his disappointment hearing about Mr. Jehnke's plans to split his property three ways. He claimed that he did not receive any notification of the proposed sewer project at first. Mr. Bailey was dismayed to receive CWS notification that he would be required to hook up to the sewer. He resented being forced to hook up and characterized the proposal as unaffordable. Mr. Bailey believed that Mr. Jehnke should pay for the line to come down to his property. He felt that any other neighbors who want to degrade the neighborhood with development should split the cost of the sewer project with Mr. Jehnke. Mr. Bailey faced Mr. Jehnke and told him not to count on him being neighborly if this is forced upon him.

Commissioner Duyck requested Mr. Bailey to address the Board with his comments. He recognized that the neighbors need to work together and that this should occur outside the scope of this meeting.

Vice Chair Rogers asked staff to elaborate on how the LSI process works.

Nora Curtis commented that Ordinance 36 outlines the LSI process. She defined it as a developer-reimbursement program. Ms. Curtis stated that the idea of sending out the notice first that says an application has been received for an LSI provides a property owner with three options: 1) they can do nothing and then, as they connect, pay the District-set LSI fee—which is how the developer is reimbursed, 2) they can get together and decide to split the costs themselves (the District would prefer this because

then the District is not involved at all), or 3) they can form an LID to avoid the higher LSI fee. Ms. Curtis explained that the initial notice gives the property owners the ability to get together and decide what to do.

Vice Chair Rogers gathered that at some point in time when someone hooks up to the sewer, he/she would reimburse the developer who put in the line.

Ms. Curtis clarified that an LSI project in which the reimbursement is being handled by the District has a set LSI fee rather than a fee tied to specific project costs. She said that property owners could independently agree to reimburse Mr. Jehnke outside the LSI program. Ms. Curtis explained that the basic connection rules and the ten-year deferral still apply under both the LSI and the LID.

Tom Bailey felt that if neighbors build and develop their lots, their existing houses should be exempt.

Vice Chair Rogers brought up the time when a health issue arises due to the decline of the septic system.

Mr. Bailey retorted that he could replace his septic tank instantly.

Ms. Curtis commented that under State law, once the sewer is in place, a citizen will not be allowed to replace the septic system.

Vice Chair Rogers asked Mr. Bailey if he is for or against the LID.

Mr. Bailey offered “no comment” as his response.

Nora Curtis reiterated that the only thing governing the Board’s decision at this point is the number of remonstrances received. She noted that if the Board receives more than 50 percent remonstrances, it may not form the LID. Ms. Curtis went on to say that if the Board receives less than 50 percent remonstrances, it may choose to form or not to form the LID. She reviewed that the ordinance restricts the Board’s ability to form the LID if more than 50 percent remonstrate. Ms. Curtis clarified that “no comment” is not a remonstrance.

Commissioner Schouten asked staff to review the timelines for the LID and LSI.

Nora Curtis explained that the basic connection rule is that once sewer is available, properties must connect within three years unless they are granted a deferral. She clarified that there are two types of deferrals, both of which allow deferral up to ten years. Ms. Curtis specified that the first is if you have a new system or a system completely replaced in the last ten years and the second is if you have an operating system and demonstrate this, you can get a recurring deferral up to ten years.

Chanda Bailey, 8020 SW Peters Road, Tigard, Oregon, wanted to know about interest charges associated with the ten year deferral. Her belief was that either the LID or LSI would create financial hardship.

Nora Curtis stated that no interest accrues on LSI fees. She explained that the LSI fee is set by the Board each July and that it is independent of any specific project.

Mrs. Bailey asked for information about financing possibilities.

Ms. Curtis responded that under the LID program, interest accrues on the LID assessment because it is an assessment per project. She said that at the point the sewer is completed, property owners know what the assessment and interest rates are. Ms. Curtis indicated that the interest rate for this LID for the period of deferral would be 3.56 percent and then 5.56 percent after the connection.

Commissioner Duyck wondered about the average construction cost in inflation. He noted that the LSI fee is raised every year based on construction costs and observed that this has been going up faster than the rate of inflation. Commissioner Duyck thought this would be something to keep in mind.

Ms. Curtis stated that the current LSI fee is \$12,350 per connection; \$24,000 per acre. She explained that it is set very similarly to how an LID is set. Ms. Curtis commented that for these properties, it would be based on an acreage basis.

Chairman Brian asked if the Bancroft is available for someone who wishes to activate it for the LSI fee in seven years or so.

Ms. Curtis affirmed that it is available. She explained that whatever fee is in place at the time they connect, there is financing available for that. Ms. Curtis clarified that it is the ten year rate and, at that point, it is the interest rate at the time of connection.

Vice Chair Rogers performed the arithmetic to help residents understand what they would pay for the sewer.

For comparison purposes, Nora Curtis pointed out that the proposed LID is, under Option 1, less than half of the current LSI fee. She characterized this as a fairly inexpensive LID per acre, based upon the average LID.

Commissioner Schouten explored Option 1 further.

Chanda Bailey protested the loss of control for property owners throughout this process. She considered control as imperative to a person's sense of security. Mrs. Bailey wondered how to change the laws that would force residents to hook up to sewer.

In a philosophical vein, Commissioner Schouten commented that the Board has to mete out a kind of rough justice, which must address the strong concerns and the problems that can stem from having unsafe public health standards with respect to septic tanks and sewers.

Chanda Bailey insisted that if this application had not been submitted, no one from Clean Water Services would have found fault with the septic systems on SW Peters Road. She continued to ask for information to change the laws.

Chairman Brian observed that this is the first instance in which the Board has been faced with these particular issues. He asked Mrs. Bailey to present her position on the LID.

Mrs. Bailey told the Board that she voted “yes” on the LID at the last hearing because she felt she had no other choice. She now changed her vote to “no” on the LID.

Due to the fact that Mr. and Mrs. Bailey are joint owners of a property, Chairman Brian encouraged them to let the Board know this evening their official position on the LID.

Mrs. Bailey remonstrated against the LID.

Nora Curtis interpreted the Bailey vote as a remonstrance.

Jean Housgard, 7825 SW Peters Road, Tigard, Oregon, said that staff told her that if she chose the LSI, she would have to have her septic system inspected every three years at her own cost.

Nora Curtis stated that under both programs, once the basic three year connection rule has expired, there is an automatic deferral if the septic system is brand new or has been recently replaced within ten years. She said that for an older septic system, you must demonstrate after three years that it is in good working order and repeat that process every two years.

Ms. Housgard restated that if she chooses the LSI, she is also choosing to have her septic system inspected regularly thereafter. She pointed out that this is a cost that she will incur in addition to the LSI fees. Ms. Housgard wanted to know if outside bids are solicited if the LID is selected.

Nora Curtis said that the original assessment option assumed a public bid administered completely by the District. She explained that under the two options which were negotiated, it was assumed that Mr. Jehnke would administer either the design or construction, or both. Ms. Curtis stated that because he is a private individual, the premise is that he will be able to get (and he actually has received) a bid from his contractor to do the work. She clarified that his company, AKS, did the engineering and survey work for the project. Ms. Curtis added that the project would be constructed by a licensed and bonded contractor of his choice.

Ms. Housgard felt that it would be a conflict of interest to have Mr. Jehnke be the homeowner and developer.

Clean Water Services staff clarified that under Option 1, there would be public bids while under Option 2, Mr. Jehnke would select the contractor.

Commissioner Schouten pointed out that the program does tend to provide people with some choices. He did not regard it as fair to say that one size fits all. Commissioner Schouten acknowledged that the law does not allow the Board to tailor everything to each individual property in each particular instance but reiterated that there are a range of options, financing plans, and connection dates.

Ms. Housgard protested that discussions have occurred with Mr. Jehnke. She asked why no one has spoken with the rest of the neighbors about ways to cut costs. Ms. Housgard believed that Mr. Jehnke should have to pay for the sewer because it benefits only him. She claimed that the neighbors never got to meet with staff to discuss cost issues.

Clean Water Services staff corrected the latter statement by reviewing that there were at least two meetings with the neighbors, in which cost information was broached but rejected by the neighbors because they did not want to discuss a project they did not want.

Ms. Housgard remonstrated against the LID.

Steve Watt, 7881 SW Peters Road, Tigard, Oregon, was in favor of the LID. He characterized this proposal, though, as something which one person wants while all the rest of the people get to pay for it.

Hildur Bailey, 7950 SW Peters Road, Tigard, Oregon, did not want an LSI or an LID. However, she preferred the LID if given no other choice. Ms. Bailey testified that her septic system does work and is not hazardous to health. She said she has expressed her opposition previously in a letter. Ms. Bailey disagreed that seven properties are benefited; her view was that only Mr. Jehnke is benefited while the other properties are burdened in this instance.

Mike Heidling, 7955 SW Peters Road, Tigard, Oregon, informed the Board that he has a working system and that there is no evidence that it will stop working soon. He felt that this law was put into place for the wrong reasons—not to address health issues. Mr. Heidling regarded these rules as unjust. He alleged that Mr. Jehnke did not communicate with his neighbors about their costs relative to this sewer project. Mr. Heidling found it difficult to enter into a working relationship with this individual for that reason. He wanted to see competitive bids if the LID is formed.

Nora Curtis clarified that under the recommended option, there will be competitive bids.

Mr. Heidling did not remonstrate against the LID.

At this point, the Chairman called Eve Berry to speak but following protest from her and others, altered the order of those testifying.

Keith Jehnke, 8005 SW Peters Road, Tigard, Oregon, testified that he has learned about this process as it has unfolded, just as everyone else has. He recognized that no one seems to believe him and that the only concern seems to be about dollars.

Vice Chair Rogers did not wish to deal in personalities. He proposed going with an LSI, fixing the price, and paying Mr. Jehnke a reasonable interest rate.

Mr. Jehnke responded that he and Clean Water Services staff discussed this but that staff did not believe this would be serviceable.

Bill Gaffi stated that the LSI fee is established to work out on average. He said that the developer, though, does not get more than he spends. Mr. Gaffi observed that in some cases, the LSI is more or less but that the developer only gets what he spends. He explained that the rest goes back into the rate base.

It seemed to Vice Chair Rogers that if the Board could come up with an understanding with Mr. Jehnke on an amount, this could be divided up with an interest rate and hook up by neighbors could occur in ten years, if desired.

Bob Cruz noted that Mr. Jehnke proposed something similar. He reported that staff talked with legal counsel about this and found nothing wrong with this if it was a private contract between Mr. Jehnke and the rest of the neighborhood. Mr. Cruz said that it was difficult to write down such a process—leaving open-ended how much people would pay—and to determine what share to refund others as future property owners connect. He pointed out that this would be difficult because you would not know ultimately how many people would connect within ten years or up to a certain point. Mr. Cruz said that staff would have difficulty in administering such an arrangement.

Vice Chair Rogers again tried to explain his proposal.

Mr. Cruz gathered that the Vice Chair would like an LSI based on project specifics as opposed to a general LSI, which is developed as a backup to the LID process. He perceived that this proposal would actually be an LID, administered by Clean Water Services. Mr. Cruz explained that the line being in the street adjacent to the property is what triggers the connection time—not whether the project is an LID, LSI or developer project constructed by permit. He indicated that this is within the Code of Clean Water Services—not necessarily State law.

Vice Chair Rogers was trying to get to where the residents did not have to hook up for ten years.

Mr. Cruz verified that they do not have to hook up for ten years if they have working systems. He reaffirmed that the LID is definitely cheaper than the LSI, with a reasonable carrying cost of 3.5 percent for this particular project.

Nora Curtis pointed out that the difference is that the District is carrying that cost as opposed to Mr. Jehnke. She said that several property owners wish to avail themselves of a connection incentive at the time they connect. Ms. Curtis indicated that they also want the fixed number to be the number including the incentives.

Commissioner Duyck observed that to do that would take away the whole point of having an incentive.

Commissioner Schouten agreed and recalled that the purpose of the incentive was to encourage people to hook up earlier than the ten year amortization period. He observed that one of the parties that is not represented in one sense are all of the folks who are already connected to the sewer system. Commissioner Schouten noted that the Board has made a policy decision for the 470,000 people in the County (nearly all of whom live inside the Urban Growth Boundary) that over time everyone needs to connect into the sanitary system. He reviewed that it is not wise from a policy standpoint or a public health standpoint to have septic tanks inside the Urban Growth Boundary. Commissioner Schouten said that Clean Water Services is providing people with amortization time and is giving them some options.

Chairman Brian asked if Option 1 includes the incentive.

Nora Curtis responded that only Option 2 does not include the connection incentive because there are no District administrative or engineering costs.

Chairman Brian reviewed that Option 1 has the public bid as well.

Commissioner Duyck thanked Mr. Jehnke for negotiating and being willing to pay more than what he normally would have to. He observed that Mr. Jehnke has been cooperative so far in trying to craft something palatable to his neighbors.

Eve Berry, 7955 SW Peters Road, Tigard, Oregon, asked if the early incentive fee could remain the same for ten years.

Nora Curtis explained that the connection incentive fee is only available for one year.

Eve Berry asked if there is a way to do an LID based on lot rather than acreage so that Mr. Jehnke would have three lots.

Chairman Brian explained that the practice is to calculate how many lots you could have on each piece of property.

Eve Berry did not remonstrate against the LID tonight as she had done on a prior occasion.

Nora Curtis presented written correspondence from Gretchen Downey—the last property owner from which the Board has not heard. She reported that this was submitted at the time of ballot. Ms. Curtis read from the communication, “In lieu of my ballot, I am opposed to the LSI for the Peters Road sewer project. If forced to choose between the two, because no other option is available, I would choose the LID.”

Chairman Brian calculated that there are three remonstrances (37.5 percent) to the project.

Nora Curtis stated that under the LSI program, a developer applies for an LSI and the benefited properties are identified. She went on to say that if there is an arrangement that has been made between the developer and an individual property owner, the LSI fee is assessed at the time the property comes in to connect. Ms. Curtis summarized that they pay not only the connection fee but also whatever the LSI fee is at the time. She informed the Board that if, however, they come in with a letter from the developer saying that this person has contributed their fair share, then Clean Water Services does not assess the LSI fee. Ms. Curtis stated that if the property owners wish to work out a private arrangement with Mr. Jehnke either now or at some point in the future, that is an allowed option for them under the LSI program. She said that an LSI does not absolutely require that an LSI fee be collected if there has been another arrangement with the developer of the property.

Eve Berry interjected that the neighbors have never been informed of this before tonight.

Chairman Brian asked if the Board’s approval of the LID tonight would preclude the neighbors from meeting with Mr. Jehnke and with working out an LSI arrangement privately.

Ms. Curtis specified that the Board’s action tonight would order the improvements to go forward as a Local Improvement District.

Chairman Brian suggested closing the public hearing and not accepting any further public testimony (unless invited for Board clarification). He further proposed allowing the neighbors a few more weeks in which to work out a deal with Mr. Jehnke. Chairman Brian asked Nora Curtis to repeat what she told the Board earlier about the LSI.

Ms. Curtis stated that the LSI, in its most basic form, is a program to reimburse the developer for the cost of building off-site sewer. She explained that the way in which the developer gets reimbursed is that he either agrees that someone has already paid him their fair share or the District collects a fee and pays the developer. Ms. Curtis reviewed that the District collects the LSI fee and the connection permit fee at the time that the connection permit is issued. She said that if the property owner walks in and the

developer has said he is not expecting to be reimbursed from this person because he has given an easement or paid “x” amount of dollars, etc., that is fine and the District does not collect the fee.

Vice Chair Rogers noticed that the problem is that if the parties work out an agreement themselves, they must work through a private lender and will not be able to utilize Bancroft financing.

Commissioner Schouten asked staff to enumerate the advantages of the Bancroft loan as opposed to private financing.

Nora Curtis responded that Bancroft financing is typically at a lower interest rate. She explained that the interest rate is set by the Oregon Bond Index rate, which is typically lower than a bank.

The public hearing was closed.

It was moved to:

- Close the public hearing (no further testimony will be taken).
- Defer the vote on this matter to January 20, 2004. Board will vote on the LID (or alternate proposal) at that time.
- Encourage neighbors and staff to meet for further discussion in the interim, if desired.

Motion – Rogers

2nd – Duyck

Vote – 4-0

Vice Chair Rogers asked the General Manager to, if necessary, facilitate a meeting and provide some staff for that purpose.

Chairman Brian commented that the intent is to provide the opportunity for something more advantageous for all of the property owners.

5. COOPERATIVE LIBRARY SERVICES

5.a.

MO 03-408

Consideration of Five-Year Local Option Levy for Cooperative Library Services – FY 04-05 through FY 08-09 – Direct County Counsel to Draft Ballot Title

Chairman Brian announced that the Board has found that not all of the pieces are yet in place to direct County Counsel to draft a ballot title and explanatory statement for consideration of a five-year Local Option Levy for Cooperative Library Services. He said that this discussion would be deferred indefinitely.

Charles Cameron anticipated that this item would return sometime after the first of the new year.

Henry Kane, 12077 SW Camden Lane, Beaverton, Oregon, identified himself as the first Chairman of the Washington County Library Board. He said that he initiated the \$12,000 county-wide planning grant, which carried. Mr. Kane recalled that as Chairman, he had to fight the other members of the committee in order to cut this down to what people would vote for. He remembered that the margin was so close that it was incredible. Mr. Kane was afraid that if the Board includes the Regional Arts and Culture Council in the measure, it will carry it to defeat. He differentiated between arts/culture and libraries, pointing out that these are not the same thing. Mr. Kane believed that arts and culture are, in many ways, controversial. He said that if the County decides to include this, it must place this in the ballot title. Mr. Kane believed that this would defeat the measure. He intended to resign from the library committee as a matter of principle if the Board proceeds in this manner. Mr. Kane also planned to tell the people what they will and will not get and provide examples. He reiterated that art is controversial—particularly abstract art, which is understood only by the initiated. Mr. Kane anticipated that he would write opinion pieces, be on radio talk shows, and debate supporters of the measure. He argued that the County does not need to take taxpayer money for the Regional Arts and Culture Council.

Chairman Brian recognized that there are other points of view. He observed that libraries are increasingly multi-media centers, with music, movies, and many other things besides a book warehouse. Chairman Brian said that his experience with local area art groups has not exhibited any controversy surrounding choices. His understanding was that this money is aimed at youth education and multi-media art/cultural activities in the libraries and classrooms. Chairman Brian did not associate the evil with it that Mr. Kane did but looked forward to further discussions on the topic.

Mr. Kane suggested that if this is placed on the ballot, the County should ensure that all of that money stays in Washington County and does not get diverted to Portland.

Vice Chair Rogers looked forward to receiving further information from Mr. Kane. He believed that the arts define not only our country but also the world. Vice Chair Rogers felt that it is important to have the arts.

Mr. Kane proposed placing the arts on the ballot as a separate item. He defined the proposal as log-rolling and recalled that he won such a case against the 1995 Legislature.

Chairman Brian informed Mr. Kane that the County has already clearly discussed and limited this such that it would be spent only in Washington County.

Mr. Kane preferred that the library spent these funds.

6. ORAL COMMUNICATION

None.

7. BOARD ANNOUNCEMENTS

Chairman Brian announced that there will be no Board Meetings on December 23 or 30, 2003. He noted that the next Board Meeting will take place on January 6, 2004.

The Chair wished everyone a happy, safe holiday.

8. ADJOURNMENT: 8:30 a.m.

Motion – Rogers

2nd – Schouten

Vote – 4-0

MINUTES APPROVED THIS ____ DAY _____ 2004

RECORDING SECRETARY

CHAIRMAN

Washington County, Oregon

Board of Commissioners

last update: December 29, 2003

MEETING NOTICE WASHINGTON COUNTY BOARD OF COMMISSIONERS

JANUARY 6, 2004

10:00 A.M.

Tom Brian, Chairman
Roy Rogers, Vice Chair

Dick Schouten, Commissioner
John Leeper, Commissioner
Andy Duyck, Commissioner

The Board of Commissioners will meet for a general worksession in Room 140 of the Public Services Building at 8:30 a.m.

- **Worksession Agenda** (PDF, 8K) (RTF, 53K)

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.

*** SEE ATTACHED AGENDA - POSTED JANUARY 2, 2004 ***

WASHINGTON COUNTY BOARD OF COMMISSIONERS AUDITORIUM

JANUARY 6, 2004

All public meetings are recorded.

The agenda items listed below are provided in Adobe Acrobat and Rich Text Format. The latest free Acrobat reader may be downloaded from:

<http://www.adobe.com/products/acrobat/readstep.html>. As some of the attachments are not available in Rich Text Format, you may call 503-846-8685 for an alternative means of viewing these items.

1. CONSENT AGENDA

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

2. ORAL COMMUNICATION

Limited to two minutes per individual; ten minutes total.

3. BOARDS AND COMMISSIONS

- a. Appointment to the Land Use Ordinance Advisory Commission (LUOAC) (PDF, 17K) (RTF, 21K) 11

4. PUBLIC HEARING - CLEAN WATER SERVICES

- a. Conduct a Public Hearing and Adopt Revised Design and Construction Standards (All CPOs) (PDF, 40K) (RTF, 70K) 13

5. PUBLIC HEARINGS - LAND USE AND TRANSPORTATION

- a. Consider Plan Amendment to Change the Plan Designation on a 17.2-Acre Parcel (CPO 14) (PDF, 216K) (RTF, 17K) 25
- b. Annexation to Tualatin Valley Water District (CPO 1, 3, 4M, 6, 7, 8) (PDF, 14K) (RTF, 16K) 31
- c. Annexation of Approximately 10.31 Acres to the Clean Water Services District (CPO 10) (PDF, 191K) (RTF, 38K) 35
- d. Approve Vacation of a Portion of SW Oak Street (CPO 11) (PDF, 58K) (RTF, 30K) 45

6. PUBLIC HEARING - COUNTY ADMINISTRATIVE OFFICE

- a. Conduct Public Hearing/Approve Findings/Grant Exemption/Authorize Negotiation with York International Corporation for Variable Speed Drives on York Chillers, Facilities Management Division (PDF, 8K) (RTF, 17K) 53

7. BOARD OF COMMISSIONERS

- a. Appoint Vice Chair for the Board of Commissioners (All CPOs) (PDF, 6K) (RTF, 9K) 55

8. ASSESSMENT AND TAXATION

- a. Establish Security Deposit for Formation Elections (PDF, 6K) (RTF, 11K) 57

9. ORAL COMMUNICATION

10. BOARD ANNOUNCEMENTS

11. ADJOURNMENT

CONSENT AGENDA

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CLEAN WATER SERVICES

a. Acquire Easements to Provide Sanitary and Storm Sewer Service to Properties in Clean Water Services' Service District (PDF, 20K) (RTF, 43K)	79
b. Declare Necessity and Purpose for Acquisition of Easements Across Certain Real Property and Authorize Clean Water Services to Proceed with Condemnation Action for the Completion of Woods No. 2 LSI Project (CPO 6) (PDF, 61K) (RTF, 21K)	85
c. Endorse Boundary Change No. WA-6103 for Annexation to Clean Water Services' Service District (CPO 9) (PDF, 281K) (RTF, 17K)	91
d. Approve Amendment 4 to Master Agreement for Engineering Services with Murray, Smith & Associates, Inc. for the River Road Pump Station and Force Main Project (PDF, 15K) (RTF, 12K)	95
e. Approve a Three-Year Contract with Northstar Chemical Inc. for the Purchase of Sodium Bisulfite (PDF, 14K) (RTF, 12K)	97
f. Award Primary Contract for Purchase of Sodium Hypochlorite to Pioneer Americas LLC (PDF, 14K) (RTF, 12K)	99
g. Accept Construction of Harvest Hills Local Improvement District as Final and Release Retainage to Landis & Landis Construction, LLC (CPO 3) (PDF, 14K) (RTF, 11K)	101
h. Approve the Master Agreement Contracts for Land Use Planning Services for Engineering and Water Quality Projects (PDF, 14K) (RTF, 12K)	103

- i. Award the Contract for Rock Creek Phase 6A Expansion and Upgrade Project to Slayden Construction, Inc. (PDF, 14K) (RTF, 12K) 105
- j. Accept the Sherwood Pump Station Rehabilitation Project as Final and Authorize Final Release of Retainage to Triad Mechanical, Inc. (PDF, 14K) (RTF, 11K) 107

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- k. Authorize the Execution of the Quitclaim Deed for Exchange of Properties for Baseline Road - 201st To 231st - Phase 3 Project (CPO 6,7,9) (PDF, 213K) (RTF, 16K) 109
- l. Approve Declaration of Necessity and Protective Rent Payments for Right-of-Way Acquisition for Lower Boones Ferry/Boones Ferry to Bridgeport (CPO 4M) (PDF, 188K) (RTF, 17K) 117
- m. Approve Establishment of a Road Maintenance Local Improvement District (MLID) for Cascadian Heights No. 2 (CPO 7) (PDF, 326K) (RTF, 24K) 123
- n. Approve Establishment of a Road Maintenance Local Improvement District (MLID) for Wild Rose (CPO 6) (PDF, 387K) (RTF, 24K) 135
- o. Approve Agreement with City of Hillsboro for Construction Management Services (CPO 8,9) (PDF, 42K) (RTF, 11K) 147
- p. Delegation of Subdivision Plat Signature Authority-Direct County Counsel to Draft and File Ordinance (CPO 3) (PDF, 6K) (RTF, 12K) 149
- q. Approve Setting a Public Hearing to Transfer Jurisdiction of Certain County Roads to the City of Beaverton (CPO 2,3,6) (PDF, 231K) (RTF, 11K) 151
- r. Approve Modification of Easement Agreement with the United States Fish and Wildlife Department (CPO 4B, 5) (PDF, 50K) (RTF, 12K) 159
- s. Approve Agreement with the City of Tigard for Utility Work for the SW Walnut Street Improvement Project: SW 121st Avenue to SW 135th Avenue (CPO 4B) (PDF, 115K) (RTF, 12K) 161
- t. Approve Usage of the Water Resources Model/Flood Model 163

PROVISION
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Amendment/Consulting Services for the Urban Renewal Project
(PDF, 13K) (RTF, 23K)

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- v. Designate Newspapers of General Circulation in Washington County 169
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- w. Authorize Increase of 3.00 Full Time Equivalent (FTE) Facilities 173
Maintenance Technician Positions in the Department of Support
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- x. Approve Resolution and Order Declaring Certain Child Care 183
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- y. Form Assessment Area, Authorize Maximum Annual Assessment, 187
and Impose a First Year Assessment for Cascadian Heights No. 2
(CPO 7)
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- z. Accept Petition and Set Public Hearing for Street Lighting Services 197
for Wedgefield Estates (CPO 6)
(PDF, 288K) (RTF, 24K)

BOARD OF COMMISSIONERS Meeting Calendar

Tuesday, January 6, 2004

Worksession - 8:30 a.m.
Board Meeting - 10:00 a.m.

Tuesday, January 13, 2004

Board Retreat - 9:00 a.m.-4:00 p.m.
(Jenkins Estate)

Tuesday, January 20, 2004

Worksession - 8:30 a.m.

Board Meeting - 10:00 a.m.

Tuesday, January 27, 2004

Worksession - 2:00 p.m.

Board Meeting - 6:30 p.m.

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