

Board Agenda

October 1, 2013
10:00 a.m.



Andy Duyck
Chairman

Dick Schouten
District 1

Greg Malinowski
District 2
Vice Chair

Roy Rogers
District 3

Bob Terry
District 4

Charles D. Cameron Public Services Building, Shirley Huffman Auditorium
155 N. First Ave., Suite 300, MS 22, Hillsboro, OR 97124-3072, p: 503-846-8681
www.co.washington.or.us/BOC

Robert Davis, County Administrator

Bill Gaffi, General Manager, Clean Water Services

BOARD OF COUNTY COMMISSIONERS



Andy Duyck, Chairman: As Chairman of Washington County's five-member governing Board, Andy Duyck represents the entire County. He has operated his own business since 1983. Duyck Machine, Inc. produces metal and plastic components that are marketed throughout the country. Prior to opening his business, Mr. Duyck was employed as a machinist/foreman for OMET and Forest Grove Iron Works. Chairman Duyck has a degree in machine technologies from Portland Community College. As Commissioner, District 4, he served Western Washington County from January 1994 through December 2010. His current term as Chair runs through December 2014.



Dick Schouten, District 1 Commissioner: County Commissioner Dick Schouten has represented Aloha, Beaverton and Cooper Mt. area since June of 2000. Mr. Schouten's family migrated from the Netherlands to California when he was four. Following a childhood spent in Fresno, he completed his undergraduate work at Santa Clara University and earned his law degree from UCLA. After serving as legal counsel for California cities, Dick, his wife and two daughters moved to Washington County in 1992. He represented *The Make Our Park Whole Committee*, which helped obtain a 22-acre addition to the Tualatin Hills Nature Park. In 2003, he was awarded Oregon Parks Providers' "Legislator of the Year." Mr. Schouten serves on: the Board of Clean Water Services, Centro Cultural Board of Directors, Metro's Active Transportation Council, Homeless Plan Advisory Committee and Regional Disaster Preparedness Organization Board. Mr. Schouten's current term runs through December 2016.



Greg Malinowski, District 2 Commissioner and Vice Chair: District 2 Commissioner Greg Malinowski serves Washington County's northeastern corner including Bethany, Cedar Hills, Cedar Mill, Raleigh Hills, Rock Creek and portions of Beaverton and Hillsboro. Commissioner Malinowski and his family manage 60-acres of farmland growing organic hay and beef between Washington County's Bethany area and Portland's Forest Park. In addition, Mr. Malinowski has worked for over 30 years in high-technology manufacturing and quality inventory control with Merix and Tektronix. Commissioner Malinowski's community involvement has included service as a past chair of Washington County's Citizen Participation Organization 7 in the Bethany area. He is also a past president of the Forest Park Neighborhood Association representing the Tualatin Mountains area of northwest Portland. Mr. Malinowski holds an associate's degree in electronics servicing technology from Portland Community College. Commissioner Malinowski also serves on the Board of Clean Water Services. Mr. Malinowski's term runs from January 2011 through December 2014.



Roy Rogers, District 3 Commissioner: Commissioner Rogers represents District 3, which includes the cities of Tigard, Tualatin, King City and Sherwood. Certified Public Accountant, Mr. Rogers is a partner in the firm of Pauly Rogers & Company PC, one of the largest municipal auditors in the State of Oregon. Mr. Rogers' other governmental experience includes the Washington County Clean Water Services Board; Mayor, City of Tualatin (1978-1985); President, Oregon Mayor's Association; Metro Policy Committee on Transportation Study; and League of Oregon Cities Committees. Roy Rogers has served on the Board of Commissioners since January 1985. His current term runs through December 2016.



Bob Terry, District 4 Commissioner: District 4 Commissioner Bob Terry represents a large portion of the rural area of Washington County including Banks, Cornelius, Forest Grove, Gaston, Hillsboro, and North Plains. Since 1996, Mr. Terry has owned Fisher Farms, a regional provider of value-added nursery stock employing over 200 people and based in rural Washington County. Originally from St. Louis, Missouri, Mr. Terry served in the U.S. Navy from 1962 to 1966, including deployment aboard the supercarrier USS America. At the end of his military service, Mr. Terry resumed his education at the University of Chicago. Commissioner Terry's community and government experience includes service as: Past chair, A Child's Place education and childcare center; Past chair and president, Hillsboro Chamber of Commerce; Past chair and founder, the Oregon International Airshow in Hillsboro; Past President, the Oregon Association of Nurseries; Board member and chair, the Investment Committee, American Nursery and Landscape Association; Vice president, Agri-Business Council of Oregon; Charter council member, Tualatin Watershed Council; Past board member, Regional Investment Board; Past secretary, Washington County Budget Committee for 10 years; Commissioner Terry also serves on the Board of Clean Water Services. Mr. Terry's term runs from January 2011 through December 2014.

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1. ORAL COMMUNICATION

Limited to two minutes per individual; ten minutes total.

2. CONSENT AGENDA

The items on the Consent Agenda are considered routine and will all be adopted in one motion unless a Board member 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.

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LAND USE AND TRANSPORTATION

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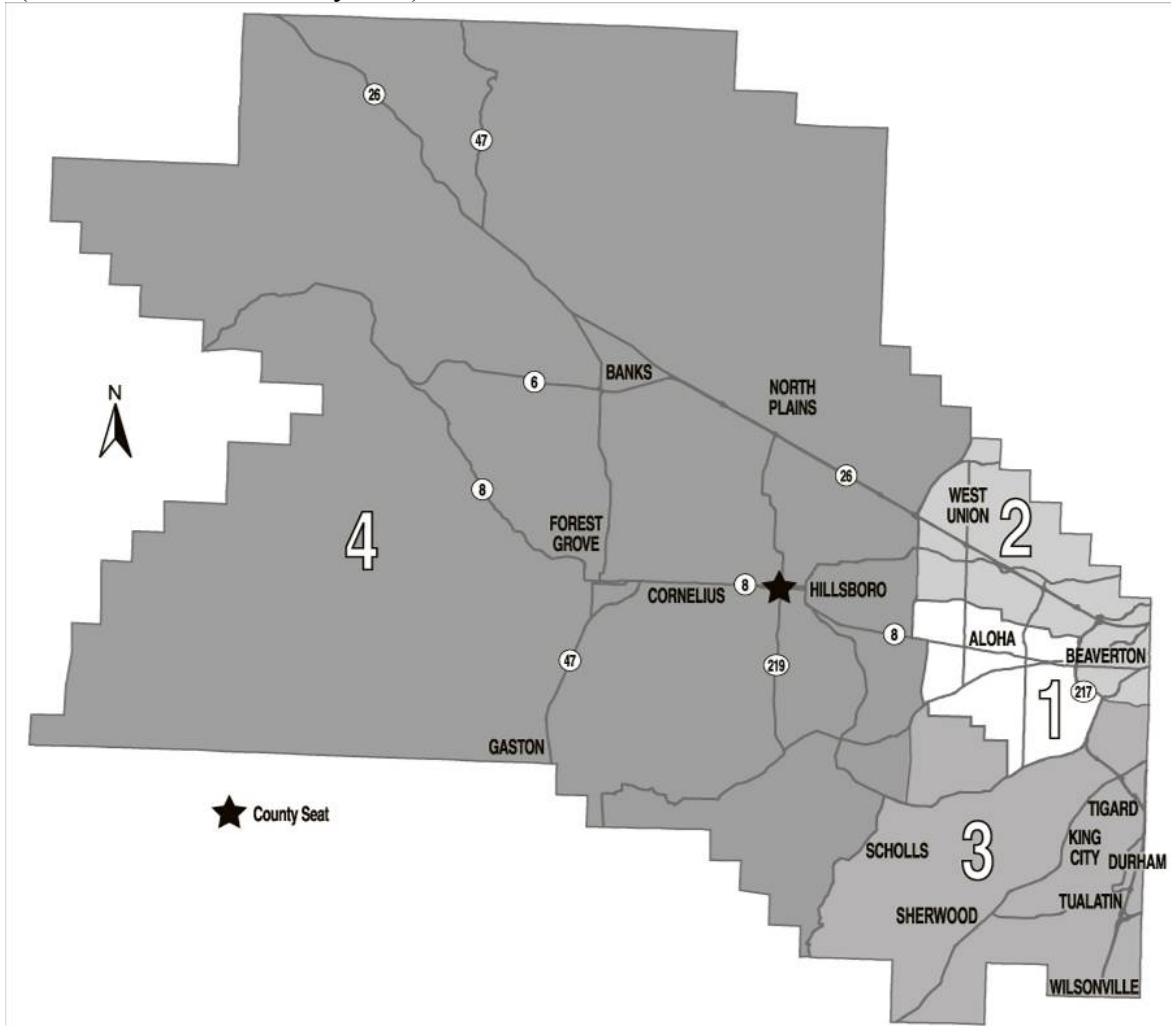
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COMMISSIONER DISTRICTS
(Chairman Serves Countywide)



OTHER COUNTY AND CWS CONTACTS

Robert Davis, County Administrator	846-8685	Don Bohn, Assistant County Administrator	846-8685
		Rob Massar, Assistant County Administrator	
County Departments			
		District Attorney, Robert Hermann	846-8671
Assessment & Taxation, Elections, Rich Hobernicht	846-8741	Health & Human Services, Rod Branan Including Animal Services, Disability, Aging and Veterans Services	846-4402
Auditor, John Hutzler	846-8798	Housing Services, Val Valfre, Director	846-4794
Community Corrections, Reed Ritchey	846-3400	Juvenile, Lynne Schroeder	846-8861
Community Development, Jennie Proctor	846-8814	Land Use and Transportation, Andrew Singelakis, Director	846-4530
Cooperative Library, Eva Calcagno	846-3222	Sheriff, Pat Garrett	846-2700
County Counsel, Alan Rappleyea	846-8747	Support Services, Don Bohn	846-8685
Clean Water Services			
William Gaffi, General Manager	681-3600	Diane Taniguchi-Dennis, Deputy General Manager	681-3602
Jerry Linder, General Counsel	681-3645	Mark Jockers, Government and Public Affairs Manager	681-4450

MEETINGS AND SCHEDULES

Current Meeting Schedule

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

Regular Business Meetings

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

Worksessions

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

Second Tuesdays of the Month

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

Board Meetings When There is a Fifth Tuesday in a Month

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

Executive Sessions

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

session issues. The Board recognizes the sensitivity of conducting closed sessions and only conducts them when confidentiality is required (and allowed by law) to protect the interests of Washington County and its taxpayers.

Once the Regular Business Meeting Begins

The Board's formal meetings typically include the following elements:

- *Call to Order:* At the start of the meeting, the Chairman (or Vice Chair) of the Board will call the meeting to order.
- *Oral Communication (for any items not scheduled for a public hearing):* This is the time when members of the audience may step forward at the start of the meeting to address the Board. This opportunity is time-limited to two minutes per individual and a maximum of 10 minutes total per topic regarding items not scheduled for public hearing. If more time is needed, another (longer) oral communication opportunity is available at the end of the regular agenda. Speakers may select only one Oral Communication opportunity.
- *Consent Agenda:* The items on the Consent Agenda are considered routine and will all be adopted in one motion unless a Board member 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.
- *Presentations, Proclamations, Boards and Commissions*
- *Public Hearings:* Special rules regarding testimony and time limits may be established by the Board at the start of the hearing.
- *Regular Agenda Items:* Regular agenda items are also known as "action" items and will follow the public hearings. These items are less formal than the public hearings but still provide the public the opportunity to comment on the proposed actions.
- *Second Opportunity for Oral Communication (for any items not scheduled for public hearing):* As noted above, this is the second opportunity for the public to address the Board if more than two minutes are needed. This opportunity is time-limited to 5 minutes per individual and 10 minutes per topic. The maximum time for Oral Communication is 30 minutes.
- *Board Announcements:* This is typically the time when the Board may want to provide other Board members, staff or the public with information regarding items that may or may not be on the Board's agenda.
- *Adjournment:* At the conclusion of the items on the Board's agenda, the Board Chair will formally conclude the Board's regular business meeting.

Ordinance Testimony Time Limits

Public testimony for ordinances may be presented within the following time limits:

First and second hearing - 3 minutes for individuals and 12 minutes for groups

Additional hearings - 2 minutes for individuals and 5 minutes for groups

Alternatives to Televised Proceedings

An alternative format to the televised proceedings of the meetings of the Washington County Board of Commissioners is available on request. Interested individuals may call the telephone number or TTY number noted below and request a verbatim transcript for this meeting.

Assistive Listening Devices

Assistive Listening Devices are available for persons with impaired hearing and can be scheduled for this meeting by calling 503-846-8685 no later than 5:00 p.m., on the Monday preceding the meeting.

Sign Language and Interpreters

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

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

Since these services must be scheduled with outside service providers, it is important to allow as much lead-time as possible. Please notify the County of your need by 5:00 p.m. on the Thursday preceding the meeting date (same phone number as listed above: 503-846-8685).

Meeting Protocol

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

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

Additional Meeting Materials

Documents identified as Clerk's Desk Items are available during the meeting with the Board Clerk. Anyone wishing to view Clerk's Desk Items electronically can click on the active link provided in the Board agenda. Documents identified as Attachments are part of the agenda.

**BOARD OF COMMISSIONERS
MEETING CALENDAR**

Tuesday, October 1, 2013

Worksession – 8:30 a.m.
Board Meeting – 10:00 a.m.

Tuesday, October 8, 2013

Extended Worksession
CANCELLED

Tuesday, October 15, 2013

Worksession – 8:30 a.m.
Board Meeting – 10:00 a.m.

Tuesday October 22, 2013

Worksession – 2:00 p.m.
Board Meeting – 6:30 p.m.

Tuesday, November 5, 2013

Worksession – 8:30 a.m.
Board Meeting – 10:00 a.m.

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AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Proclamation – County Administrative Office (CPO All)

Agenda Title: **PROCLAMATION IN HONOR OF NATIONAL HISPANIC HERITAGE MONTH**

Presented by: Robert Davis, County Administrative Office

SUMMARY:

In 1968 under President Lyndon Johnson, National Hispanic Heritage Month began as Hispanic Heritage Week, and was expanded in 1988 by President Ronald Reagan to Hispanic Heritage Month.

This proclamation dedicates September 15th – October 15th, 2013 as Hispanic Heritage Month in Washington County, in recognition of the contributions Hispanic/Latino members of our communities have made in Washington County.

Attachment: Proclamation

COUNTY ADMINISTRATOR’S RECOMMENDATION:

Proclaim September 15 – October 15, 2013 as Hispanic Heritage Month in Washington County.

Agenda Item No.	<u>3.a.</u>
Date:	10/01/13

Proclamation

Board of Commissioners for Washington County

A PROCLAMATION IN HONOR OF
NATIONAL HISPANIC HERITAGE MONTH
September 15 – October 15, 2013

WHEREAS, the observance of National Hispanic Heritage Month began as Hispanic Heritage Week in 1968 under President Lyndon Johnson, and was expanded to Hispanic Heritage Month in 1988 by President Ronald Reagan; and

WHEREAS, Hispanic/Latino members of our community have contributed immensely to the growth and stability of our county, helping to shape the character and future of Washington County; and

WHEREAS, the cultural, educational and political influences of Hispanics/Latinos in Washington County and Oregon can be seen and appreciated in all aspects of our life, as Hispanics/Latinos continue to be crucial to the cultural, economic, and political growth of our county; and

WHEREAS, the vitality of the Hispanic/Latino culture is a part of the unique fabric of our country through contributions in many professions and fields, including education, law, government, business, science, sports, and the arts, and through brave service in the United States Armed Forces, National Guard, and Reserve units.

NOW, THEREFORE, BE IT RESOLVED, that on this 1st day of October, 2013, the Washington County Board of Commissioners does hereby proclaim September 15th – October 15th, 2013 as Hispanic Heritage Month, and calls on the people of Washington County to observe this month with appropriate programs, activities, and ceremonies.

Andy Duyck, Washington County Board Chair

Recording Secretary

Minute Order

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Boards and Commissions (CPO All)

Agenda Title: ANNOUNCE VACANCIES ON COUNTY BOARDS & COMMISSIONS

Presented by: Robert Davis, County Administrator

SUMMARY

Due to term expirations and vacancies, we are requesting authorization to recruit for the following Board-appointed advisory committees:

- **Aging and Veteran Services Advisory Council (AVSAC)** – 5 current vacancies
- **Behavioral Health Council** – 4 current vacancies
- **Cultural Coalition of Washington County** – 3 vacancies (3 terms expiring 12/31/13)
- **Developmental Disabilities Council** – 10 vacancies (4 terms expiring 12/31/13; 6 current vacancies)
- **Fair Board** – 3 vacancies (3 terms expiring 12/31/13)
- **Fairgrounds Advisory Committee** – 3 vacancies (3 terms expiring 12/31/13)
- **Farm Board of Review**- 1 current vacancy
- **Homeless Plan Advisory Committee** – 6 vacancies (5 terms expiring 12/31/13; 1 current vacancy in the Hospital/Healthcare position)
- **Metzger Park Advisory Board** – 2 current vacancies
- **Northwest Area Commission on Transportation (NW ACT)** – 2 term expirations
- **Planning Commission** – 3 vacancies (2 terms expiring 01/31/14; 1 current vacancy)
- **Public Safety Coordinating Council** – 2 vacancies (2 terms expiring 01/01/14)
- **Rural Roads Operations and Maintenance Advisory Committee (RROMAC)** – 5 vacancies (5 terms expiring 12/01/13)
- **Urban Road Maintenance District Advisory Committee (URMAC)** – 4 vacancies (3 terms expiring 12/31/13; 1 current vacancy)

Per Board of Commissioner procedures, nominations will be solicited for these committees for a six-week period or until the positions are filled. The County Administrative Office will solicit applications from qualified individuals. Staff will keep the Commissioners apprised of applications received and of approaching deadlines.

As specified in the revised “Recruitment, Selection & Appointment Process,” there will be an opportunity for the Board to discuss appointments at a worksession prior to scheduling any formal action.

(continued)

COUNTY ADMINISTRATOR’S RECOMMENDATION:

Announce vacancies and authorize recruitment of applicants through November 12, 2013, or until all vacancies are filled.

Agenda Item No.	4.a.
Date:	10/01/13

ANNOUNCE VACANCIES ON BOARDS AND COMMISSIONS

BCC 10/01/13

Aging and Veteran Services Advisory Council (AVSAC) – 5 current vacancies

Description: Planning for future services and reviewing current programs are two key roles for these 13 volunteers. Their community ties and personal or professional familiarity with issues facing seniors and veterans make them an invaluable resource for Washington County Disability, Aging & Veterans' Services and the Board of Commissioners. The Council advises the department on policy, programs, and actions affecting the delivery of services and generally serves as an advocate for veterans and the elderly.

Members: Thirteen: consumers over age 60, Minority, an elected official, Veterans Healthcare Provider, Veterans Provider, General Public, under age 60 veteran and Rural

Term: 3 years

Contact: Janet Long, Aging & Veteran Services
(503) 846-3081

Behavioral Health Council – 4 current vacancies

Description: The Behavioral Health Council identifies community needs, recommends funding priorities, and helps select and evaluate service providers. The County's emphasis on contracting with community agencies for social services makes the work of this volunteer advisory council critical.

Members: Fifteen: recipients of service, advocates, professionals in the field, key referral sources, provider representatives, and lay citizens; county residents or have county work interests

Term: 3 years

Contact: Dawn Andresen, Health & Human Services
(503) 846-4555

Cultural Coalition of Washington County (CCWC) – 3 vacancies (3 terms expiring 12/31/13)

Description: The CCWC Administers distribution of any state funds distributed to Washington County from the Community Cultural Participation Grant Program of the Oregon Cultural Trust. The CCWC distributes funds through a competitive process to Washington County based organizations and artists to address priorities identified in the Washington County Cultural Plan.

Members: Between nine and fifteen members who reside in Washington County or are members of a business or organization significantly involved in arts, heritage or humanities activities in Washington County.

Term: 3 years

Contact: Eva Calcagno, Cooperative Libraries Manager
(503) 846-3233

ANNOUNCE VACANCIES ON BOARDS AND COMMISSIONS

BCC 10/01/13

Developmental Disabilities Council – 10 vacancies (4 terms expiring 12/31/13; 6 current vacancies)

Description: The Council identifies community needs, recommends funding priorities, and helps select and evaluate service providers. The County's emphasis on contracting with community agencies for social services makes the work of this volunteer advisory council critical.

Members: Fifteen members including recipients of service, advocates, professionals in the field, key referral sources, provider representatives, and lay citizens. Members are residents of the county or have work interests in the county.

Term: 3 years

Contact: Mary Lanxon, Developmental Disabilities Supervisor
(503) 846-3128

Fair Board – 3 vacancies (3 terms expiring 12/31/13)

Description: The Fair Board's primary function is to oversee the planning, preparation and production of the County Fair. The Fair Board develops both short and long-term plans for the promotion and production of the County Fair and provides input to the County's Facilities Maintenance Plan of the Fairgrounds.

Members: Seven members selected from a variety of interests determined by the Board of Commissioners, including: Agriculture, Livestock, Youth/Education, Exhibitors/Vendors and Urban Agriculture. In lieu of a citizen representative, one member may be from the Board of Commissioners.

Term: 3 years

Contact: Rod Rice, County Administrative Office
(503) 846-8685

Fairgrounds Advisory Committee – 3 vacancies (3 terms expiring 12/31/13)

Description: The Fairgrounds Advisory Committee provides input on the priorities and development of the Fairgrounds Master Plan, and other plans including: capital projects, maintenance, non-fair marketing and other strategic initiatives. As advocates, this committee works with local partners and the community at-large to communicate and encourage participation in Fairground developments.

Members: Nine members who represent the county geographically and in fields of interest or occupation. Two members are ex officio: a member of the Board of Commissioners and the President of the Fair Board (or designee).

Term: 2 years

Contact: Rod Rice, County Administrative Office
(503) 846-8685

ANNOUNCE VACANCIES ON BOARDS AND COMMISSIONS

BCC 10/01/13

Farm Board of Review – 1 current vacancy

Description: The Farm Board of Review is an advisory panel to the County Assessor. The Board meets once each year to inform the Assessor regarding farm land rents and other information pertaining to the valuation of farmland for property taxation as provided by Oregon law.

Members: Five members with knowledge of agricultural land rents and current farming practices who are residents of the county. Three members are appointed by the Board of Commissioners, and two members are appointed by the County Tax Assessor.

Term: 2 years

Contact: Steve Harris, Assessment & Taxation Appraisal Division Manager
(503) 846-8826

Homeless Plan Advisory Committee – 6 vacancies (5 terms expiring 12/31/13; 1 current vacancy in the Hospital/Healthcare position)

Description: The Committee provides high-level oversight to the implementation of the 10-Year Plan to End Homelessness, encourages collaborative partnership building, provides guidance to the annual work plan, works to create resources and funding, and promotes and sustains the vision and leadership of the 10-Year Plan. The committee also advises the county Homeless Program Coordinator, the Director of Housing Services, the County Administrator, and the Board of County Commissioners.

Members: Seventeen representatives from areas including: Washington County Commissioner official, a mayor or city councilor, philanthropy, business, Housing Authority of Washington County, a nonprofit housing provider, a nonprofit service provider, Washington County Sheriff's Office, Washington County Community Corrections, state or federal entitlement/mainstream resource programs, a representative from the two major hospitals, a representative from the faith community, 3 citizens at-large and a homeless/formerly homeless consumer.

Term: 3 years

Metzger Park Advisory Board (MPAB) – 2 current vacancies

Description: Maintains a proud tradition of overseeing the only park in the County supported through a Local Improvement District. The Board plans and helps with park maintenance needs, deals with the administrative issues involved in running an active urban park.

Members: Nine members (seven regular and two alternates) who own property within the Metzger Park Local Improvement District.

Term: 3 years

Contact: Todd Winter, Parks Manager
(503) 359-5732

ANNOUNCE VACANCIES ON BOARDS AND COMMISSIONS

BCC 10/01/13

Northwest Area Commission on Transportation (NW ACT) – 2 term expirations

Description: The Northwest Area Commission on Transportation (NWACT) is an advisory body chartered by the Oregon Transportation Commission. NWACT addresses all aspects of transportation (surface, marine, air, and transportation safety) with primary focus on the state transportation system. NWACT considers regional and local transportation issues in northwest Oregon that affect the state system.

NWACT plays a key advisory role in the development of the Statewide Transportation Improvement Program (STIP), which schedules funded transportation projects. NWACT establishes a public process for area project selection priorities for the STIP. Through that process, they prioritize transportation problems and solutions and recommend projects in their area to be included in the STIP.

Members: Two Citizen-At-Large members representing western Washington County. Members are non-elected citizens selected from private interests including but not limited to freight, trucking, bicycle, pedestrian, public transportation system, public interest advocacy groups, environmental, land use, local citizens, business, education, minority organizations, public safety providers, non-profit organizations, etc.

Term: 2 years

Contact: Sia Lindstrom, County Administrative Office
(503) 846-8853

Planning Commission – 3 vacancies (2 terms expiring 12/01/13; 1 current vacancy)

Description: The Planning Commission advises the Board of County Commissioners on land use and transportation planning issues. They conduct public hearings, make final decisions on some changes to land use plans, and convey recommendations to the Board or comprehensive plan and community development ordinances.

Members: Nine members who are residents of the county. Generally, two members are appointed by each Commissioner, and one by the Board Chair as an At-large appointment. No more than two members can be engaged principally in the buying, selling, or development of new estate. No more than two members can be engaged in the same occupation.

Term: 4 years

Contact: Paul Schaefer, Sr. Planner, Land Use & Transportation
(503) 846-8817

Public Safety Coordinating Council – 2 vacancies (2 terms expiring 01/01/14)

Description: Coordinates local criminal justice and juvenile justice policy; recommends usage of state resources for public safety purposes

ANNOUNCE VACANCIES ON BOARDS AND COMMISSIONS

BCC 10/01/13

Members: Members required by statute, including a State Court Judge, elected public safety and justice officials, other stakeholders from city, county and state agencies, and those members appointed by the Board of Commissioners

Term: 2 years

Contact: Rod Rice, County Administrative Office
(503) 846-8685

Rural Roads Operations and Maintenance Advisory Committee (RROMAC) – 5 vacancies (5 terms expiring 12/01/13)

Description: RROMAC studies rural road operations and maintenance concerns in Washington County, works with county staff to develop program and funding alternatives and makes recommendations to the Board of County Commissioners.

Members: Ten members and two alternates who reside or have business interests in the county; The Board of Commissioners also appoints one of its members to the Committee, although they are not an official member. Members represent different groups that have an interest in rural roads.

Term: 4 years

Contact: Stacia Sheelar, Land Use & Transportation Operations
(503) 846-7615

Urban Road Maintenance District Advisory Committee (URMDAC) – 4 vacancies (3 terms expiring 12/31/13; 1 current vacancy)

Description: URMDAC advises the Board and staff on matters related to road maintenance provided by the Urban Road Maintenance District (URMD). Members review and make recommendations regarding service levels and annual work programs, assist in evaluating the cost effectiveness and efficiency of URMD, and advise on continuation of URMD and/or other long-range funding opportunities for road maintenance.

Members: Eight (8) residents of the Urban Road Maintenance District appointed by the Board; Two (2) alternate members are also appointed. This urban roads advisory committee is similar in function to the long-standing Rural Roads Operations and Maintenance Advisory Committee (RROMAC). Eligible candidates must live in urban unincorporated Washington County (areas outside of cities, such as Rock Creek, Cedar Mill, Bethany, Cedar Hills, Raleigh Hills, Garden Home, Metzger, Bull Mountain, Hazeldale, Aloha, and Reedville).

Term: 3 years

Contact: Stacia Sheelar, Land Use & Transportation Operations
(503) 846-7615

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing – Third Reading and Third Public Hearing
 Land Use & Transportation; County Counsel (CPO All)

Agenda Title: **PROPOSED A-ENGROSSED ORDINANCE NO. 768 – AN
 ORDINANCE AMENDING THE TRANSPORTATION PLAN
 ELEMENT OF THE COMPREHENSIVE PLAN**

Presented by: Andrew Singelakis, Director of Land Use & Transportation
 Alan Rappleyea, County Counsel

SUMMARY:

A-Engrossed Ordinance No. 768 proposes to amend the Washington County Transportation System Plan (TSP). The ordinance makes significant changes to the TSP modifying and updating all transportation strategies and policies including reorganization into goals, objectives and strategies. A-Engrossed Ordinance No. 768 is posted on the county's land use ordinance web page at the following link:

<http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2013-land-use-ordinances.cfm>

After the Board’s initial public hearing on August 6, 2013 the Board directed engrossment of the ordinance to include changes recommended by the Planning Commission (PC).

A staff report will be provided to the Board prior to the October 1, 2013 hearing and posted on the above land use ordinance web page. Copies of the report will also be available electronically and at the Clerk’s desk prior to the meeting.

Consistent with Board policy, testimony about the ordinance is limited to two minutes for individuals and five minutes for a representative of a group.

Clerk’s Desk Item: Staff Report (*click on the Attachments Panel to access electronic copy*)

DEPARTMENT’S REQUESTED ACTION:

Read A-Engrossed Ordinance No. 768 by title only and conduct the second public hearing on the engrossed ordinance. At the conclusion of the hearing, adopt A-Engrossed Ordinance No. 768 and associated findings.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	5.a.
Date:	10/01/13

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AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing – Third Reading and Third Public Hearing
Land Use & Transportation; County Counsel (CPO All)

Agenda Title: **PROPOSED A-ENGROSSED ORDINANCE NO. 769 – AN ORDINANCE AMENDING ELEMENTS OF THE COMPREHENSIVE PLAN RELATING TO THE RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT (RLUIPA)**

Presented by: Andrew Singelakis, Director of Land Use & Transportation
Alan Rappleyea, County Counsel

SUMMARY:

A-Engrossed Ordinance No. 769 proposes to amend the Comprehensive Framework Plan for the Urban Area and the Community Development Code relating to the Religious Land Use and Institutionalized Persons Act (RLUIPA). A-Engrossed Ordinance No. 769 is posted on the county's land use ordinance web page at the following link:

<http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2013-land-use-ordinances.cfm>

The Board conducted its initial hearing for Ordinance No. 769 on August 20, 2013 and directed engrossment of the ordinance to make several changes. A description of those changes was included in the staff report for the August 20 hearing. The Board held its first hearing for A-Engrossed Ordinance No. 769 on September 24, 2013 and continued the hearing to October 1, 2013.

A staff report for the October 1 hearing will be provided to the Board prior to the hearing and posted on the above land use ordinance web page. Copies of the report will also be available electronically and at the Clerk’s desk prior to the meeting.

Consistent with Board policy, testimony about the ordinance is limited to two minutes for individuals and five minutes for a representative of a group.

Clerk’s Desk Item: Staff Report (*click on the Attachments Panel to access electronic copy*)

DEPARTMENT’S REQUESTED ACTION:

Read A-Engrossed Ordinance No. 769 by title only and conduct the second public hearing for the engrossed ordinance. At the conclusion of hearing, adopt A-Engrossed Ordinance No. 769.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	5.b.
Date:	10/01/13

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AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing – Third Reading and Third Public Hearing
Land Use & Transportation; County Counsel (CPO All)

Agenda Title: **PROPOSED A-ENGROSSED ORDINANCE NO. 770 - AN
ORDINANCE AMENDING THE COMMUNITY DEVELOPMENT
CODE RELATING TO SOLAR AND WIND ENERGY**

Presented by: Andrew Singelakis, Director of Land Use & Transportation
Alan Rappleyea, County Counsel

SUMMARY:

A-Engrossed Ordinance No. 770 amends the Community Development Code to add a definition for Wind Energy Conversion Systems in Section 106 (Definitions) and add accessory use standards in Section 430 (Special Use Standards) for Wind Energy Conversion Systems and Solar Energy Collection Systems. A-Engrossed Ordinance No. 770 adds a tower height measurement methodology that excludes extensions and consistently exempts all roof-top mounted energy systems from land use district height limits. The proposed ordinance is posted on the county's land use ordinance web page at the following link:

<http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2013-land-use-ordinances.cfm>

The Board conducted its initial hearing for Ordinance No. 770 on August 20, 2013 and directed engrossment of the ordinance to make several changes. A description of those changes was included in the staff report for the August 20 hearing. The Board held its first hearing for A-Engrossed Ordinance No. 770 on September 24, 2013 and continued the hearing to October 1, 2013.

A staff report for the October 1 hearing will be provided to the Board prior to the hearing and posted on the above land use ordinance web page. Copies of the report will also be available electronically and at the Clerk’s desk prior to the meeting.

Consistent with Board policy, testimony about the ordinance is limited to two minutes for individuals and five minutes for a representative of a group.

Clerk’s Desk Item: Staff Report (*click on the Attachments Panel to access electronic copy*)

DEPARTMENT’S REQUESTED ACTION:

Read A-Engrossed Ordinance No. 770 by title only and conduct the second public hearing for the engrossed ordinance. At the conclusion of hearing, adopt A-Engrossed Ordinance No. 770.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	5.c.
Date:	10/01/13

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AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing – First Reading and First Public Hearing
Land Use & Transportation; County Counsel (CPO All)

Agenda Title: **PROPOSED ORDINANCE NO. 774 – AN ORDINANCE
AMENDING THE COMMUNITY DEVELOPMENT CODE
RELATING TO ACCESSORY DWELLING UNITS**

Presented by: Andrew Singelakis, Director of Land Use & Transportation
Alan Rappleyea, County Counsel

SUMMARY:

Ordinance No. 774 proposes to amend the Community Development Code (CDC) by changing the land use review process for Accessory Dwelling Units (ADUs) to a Type I process in the R-5 (Residential 5 Units Per Acre) and R-6 (Residential 6 Units Per Acre) land use districts. The ordinance increases the allowed floor area of ADUs that are designed to comply with the Americans with Disabilities Act (ADA) to a maximum of 800 square feet.

Ordinance No. 774 is posted on the county's land use ordinance web page at the following link:
<http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2013-land-use-ordinances.cfm>

On September 18, 2013 the Planning Commission (PC) conducted a public hearing for this ordinance. The PC voted to recommend engrossment of the ordinance to allow a maximum 800 square foot floor area for detached ADUs, with an allowed increase in floor area of up to 15 % for ADUs designed to comply with ADA standards.

A staff report will be provided to the Board prior to the October 1, 2013 hearing and posted on the above land use ordinance web page. Copies of the report will also be available at the Clerk's desk prior to the hearing.

Consistent with Board policy, testimony about the ordinance is limited to three minutes for individuals and 12 minutes for a representative of a group.

Clerk's Desk Item: Staff Report (*click on the Attachments Panel to access electronic copy*)

DEPARTMENT'S REQUESTED ACTION:

Read Ordinance No. 774 by title only and conduct the first public hearing. At the conclusion of the hearing, direct engrossment of the ordinance to include the changes described in the staff report. Continue the hearing to October 15 and 22, 2013 and direct staff to prepare and mail notice of the amendments consistent with requirements of Chapter X of the County Charter.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	5.d.
Date:	10/01/13

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AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing – First Reading and First Public Hearing
Land Use & Transportation; County Counsel (CPO 1 & 7)

Agenda Title: **PROPOSED ORDINANCE NO. 775 – AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FOR THE URBAN AREA AND THE TRANSPORTATION PLAN RELATING TO AREA 93**

Presented by: Andrew Singelakis, Director of Land Use & Transportation
Alan Rappleyea, County Counsel

SUMMARY:

Ordinance No. 775 proposes to amend elements of Washington County’s Comprehensive Plan relating to Area 93. Although Area 93 is currently located within Multnomah County, state legislation (Oregon House Bill 3067) established a process for a jurisdictional transfer from Multnomah County to Washington County, with the effective date of January 1, 2014 for the transfer. The changes proposed in Ordinance No. 775 will take effect on January 1, 2014, when the Area 93 transfer to Washington County becomes effective. Ordinance No. 775 is posted on the county's land use ordinance web page at the following link:

<http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2013-land-use-ordinances.cfm>

On September 18, 2013 the Planning Commission (PC) conducted a public hearing for this ordinance. The PC voted to recommend engrossment to add the Urban Road Maintenance District (URMD) as an Area 93 service provider, and recommended that staff address tree protection issues and language to nullify the ordinance provisions if the jurisdictional transfer is not completed. A staff report will be provided to the Board prior to the October 1, 2013 hearing and posted on the above land use ordinance web page. Copies of the report will also be available at the Clerk’s desk prior to the hearing.

Consistent with Board policy, testimony about the ordinance is limited to three minutes for individuals and 12 minutes for a representative of a group.

Clerk’s Desk Item: Staff Report (*click on the Attachments Panel to access electronic copy*)

DEPARTMENT’S REQUESTED ACTION:

Read Ordinance No. 775 by title only and conduct the first public hearing. At the conclusion of the hearing, direct engrossment of the ordinance to include the changes described in the staff report. Continue the hearing to October 15 and 22, 2013 and direct staff to prepare and mail notice of the amendments consistent with requirements of Chapter X of the County Charter.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>5.e.</u>
Date:	10/01/13

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AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing – First Reading and First Public Hearing
Land Use & Transportation; County Counsel (CPO All)

Agenda Title: **PROPOSED ORDINANCE NO. 776 – AN ORDINANCE
AMENDING ELEMENTS OF WASHINGTON COUNTY’S
COMPREHENSIVE PLAN RELATING TO HOUSEKEEPING
AND GENERAL UPDATE CHANGES**

Presented by: Andrew Singelakis, Director of Land Use & Transportation
Alan Rappleyea, County Counsel

SUMMARY:

Ordinance No. 776 proposes to amend elements of Washington County’s Comprehensive Plan relating to housekeeping and general update changes. Ordinance No. 776 is posted on the county's land use ordinance web page at the following link:

<http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2013-land-use-ordinances.cfm>

On September 18, 2013 the Planning Commission (PC) conducted a public hearing for this ordinance. The PC’s recommendation will be included in the staff report, which will be provided to the Board prior to the October 1, 2013 hearing and posted on the above land use ordinance web page. Copies of the report will also be available at the Clerk’s desk prior to the hearing.

Consistent with Board policy, testimony about the ordinance is limited to three minutes for individuals and 12 minutes for a representative of a group.

Clerk’s Desk Item: Staff Report (*click on the Attachments Panel to access electronic copy*)

DEPARTMENT’S REQUESTED ACTION:

Read Ordinance No. 776 by title only and conduct the first public hearing. At the conclusion of the hearing, order engrossment of the ordinance to include the changes described in the staff report. Continue the hearing to October 15 and 22, 2013 and direct staff to prepare and mail notice of the amendments consistent with requirements of Chapter X of the County Charter.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	5.f.
Date:	10/01/13

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AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing – Land Use & Transportation (CPO 6)

Agenda Title: VACATION REQUEST FOR A PORTION OF COUNTY ROAD
1960 – SW 175TH PLACE

Presented by: Andrew Singelakis, Director of Land Use & Transportation

SUMMARY:

On August 20, 2013, the Board initiated the Vacation of a portion of County Road 1960 (SW 175th Place) situated in the North One-half of Section 6, Township 2 South, Range 1 West, of the Willamette Meridian, Washington County, Oregon, as described and shown in the attached Vacation Report. Minute Order No. 13-239 set today, October 1, 2013, as the time and place for a public hearing on the requested Vacation. Proper notification has been made pursuant to ORS 368.346 and Minute Order No. 13-239.

This portion of County Road 1960 is in the urban growth boundary and has been incorporated into the City of Beaverton. A conceptual or master plan for the area surrounding the road is in its development stage, and typically the City, County, and Metro will try to capitalize on existing rights-of-way and other resources to facilitate future development. The City of Beaverton opposes this vacation since the right-of-way may be needed in the future.

The vacation petition was signed by 100% of the abutting property owners currently holding title to the adjoining properties; however, the Beaverton School District is currently in condemnation proceedings to acquire the adjoining lands for a future school. The School District also opposes this vacation as the right-of-way may be needed for future access to their facilities. (continued)

(continued)

- Attachments:
1. Resolution and Order
 2. Vacation Report with legal description and Map (Exhibit “A”)
 3. Letter from the City of Beaverton opposing this vacation
 4. Letter from the Beaverton School District opposing this vacation

DEPARTMENT’S REQUESTED ACTION:

Conduct a public hearing and adopt the attached Resolution and Order, which denies the petition for the proposed vacation of a portion of County Road 1960 situated in the North One-half of Section 6, T2S, R1W, W.M., Washington County, Oregon.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>5.g.</u>
Date:	<u>10/01/13</u>

VACATION REQUEST FOR A PORTION OF COUNTY ROAD 1960 – SW 175TH PLACE
BCC 10/01/13

Staff has reviewed this vacation request and has determined that the portion of County Road 1960 proposed to be vacated may be necessary in the future, and that a road vacation is premature to the formation and adoption of the necessary conceptual master plan for the new urban growth area that is now in the city limits of Beaverton. The standard that the Board uses to determine whether to vacate a road is to determine whether the vacation is in the public's interests. Based on the August 20, 2013 road report, the interests expressed by the City of Beaverton and the Beaverton School District, the staff recommendation is that vacating this right-of-way is not in the public interest.

The attached Resolution and Order denies the requested vacation. However, if the Board determines that a vacation of the proposed area is in the public interest, another Resolution and Order has been prepared which will grant the requested vacation. If the Board approves that Resolution and Order, the City of Beaverton will, by their own resolution or order, need to concur in the findings of the county governing body in the vacation proceedings for the vacation to become final.

IN THE BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

In the Matter of the Vacation of a portion of)
County Road 1960 (SW 175th Place) lying)
in the North One-half of Section 6, T2S, R1W,))
W.M., Washington County, Oregon)

RESOLUTION AND ORDER

NO. _____
VACATION NO. 502

The above-entitled matter having come on regularly before the Board at its meeting October 1, 2013; and

It appearing to the Board that a petition has been filed to Vacate a portion of County Road 1960 (SW 175th Place) situated in the North One-half of Section 6, T2S, R1W, W.M, Washington County, Oregon, and that the petition was signed by owners of 100% of the property to be vacated and by the owners of 100% of the abutting properties, pursuant to ORS 368.351. Pursuant to ORS 368.351, a public hearing is required for the proposed vacation since the county road official's assessment of the proposed vacation is that it is not in the public interest to vacate as reflected in the unfavorable road report; and

It appearing to the Board that said petition did describe the portion of County Road 1960 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 portion of County Road proposed to be vacated is within the corporate limits of the City of Beaverton; and

It appearing to the Board that notification was provided by posting, publication, and service, pursuant to ORS 368.346(3); 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 attached hereto, and by this reference made a part hereof, in accordance with ORS 368.346; and

It appearing to the Board that the Department of Land Use and Transportation, the County Road Official, the City of Beaverton, and the Beaverton School District oppose the proposed vacation as it is not in the public interest; it is therefore

RESOLVED AND ORDERED that based on the staff report and submittals from the City of Beaverton and the Beaverton School District that the portion of County Road 1960 described and shown in the Vacation Report may be necessary for future use and that it is in the public interest to keep all of it as County Road right of way; it is therefore

RESOLVED AND ORDERED that the petition to vacate a portion of County Road 1960 described and shown in the Vacation Report is hereby denied;

Dated this 1st day of October, 2013.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

Chairperson

Recording Secretary

Approved as to form

Alan A. Rappleyea
County Counsel
for Washington County, Oregon

Date: _____

Page 2 – R&O No.
Vacation No. 502

**DEPARTMENT OF LAND USE AND TRANSPORTATION
REPORT ON VACATION NO. 502**

August 20, 2013

COUNTY ROAD 1960 (SW 175th PLACE)

A request for vacation proceedings has been received by the staff for the Board of County Commissioners to vacate a portion of County Road 1960 (SW 175th Place), situated in Washington County as shown on the attached Exhibit "A" and described as follows:

All that portion of County Road 1960 (SW 175th place) lying southerly of a line being radial to the centerline of SW 175th Avenue (County Road 3110) at centerline station 113+00.00 as shown on Survey Number 31,345. Said portion of said road being in the North One-half of Section 6, Township 2 South, Range 1 West, of the Willamette Meridian, Washington County, Oregon.

The owners of the property abutting the portion of County Road 1960 to be vacated are:

2S1 06, TL 200

Crescent Grove Cemetery Association,
An Oregon nonprofit corporation
9925 SW Greenburg Rd
Tigard, OR 97223

2S1 06, TL 800

Harold K. Ward Revocable Living Trust (an undivided one-half interest)
5535 Culvert Drive, SE
Salem, OR 97301

And the

Residuary Credit Shelter Trust under the last Will of Alma
M. Ward, dated January 30, 1985 (an undivided one-half interest)
5050 E. Hart Lake Loop
Wasilla, AK 99654

CRITERIA FOR EVALUATION OF ROAD VACATION REQUEST

1) Conformance with the County's Comprehensive Plan

The portion of County Road 1960 (SW 175th Place) described herein and proposed to be vacated is now an unimproved County Road right-of-way that may be needed for public purposes. Figure 4E of the 2020 Washington County Transportation Plan, adopted in October of 2002, classifies the re-aligned road known as SW 175th Avenue as the proposed arterial and classifies the old road known as SW 175th Place as becoming a local street.

2) Use of the Right-of-Way

The area proposed for vacation is unimproved County Road right-of-way that may be necessary for future use. This area has recently been adopted into the Urban Growth Boundary and is now in the corporate limits of the City of Beaverton. The City needs to work on and adopt a conceptual master plan for the area that will likely use existing resources to facilitate future developments. The City of Beaverton has submitted a letter, attached hereto, that opposes this road vacation until the planning for the area and future public infrastructure is completed.

The Beaverton School District is currently in condemnation proceedings to acquire the properties adjoining the right-of-way proposed to be vacated. They have also provided a letter, attached hereto, that opposes this road vacation. The School District may participate in a road vacation in the future; however, only after the City of Beaverton has completed their conceptual planning for this property, and the School District concludes its condemnations and has completed final plans for its facilities.

The right-of-way proposed to be vacated may be needed in the future and to vacate this right-of-way would be premature as planning for the area is not completed. Vacating this portion of County Road is not in the public interest.

3) Impact of Utilities and Emergency Services

There may be adverse impacts to public utility providers and emergency services if the right-of-way is vacated and needed in the future.

4) Limits of Vacation and Evaluation of "Public Road" Status

SW 175th Avenue is a new road that was constructed in 2009 heading northerly from the intersection of SW Roy Rogers Road and SW Scholls Ferry Road. This road was established by the Board of County Commissioners as County Road 3110. SW 175th Avenue re-aligned and widened the arterial county road now known as SW 175th Place, which was established as County Road 1960. SW 175th Place runs due south to intersect SW Scholls Ferry Road 890 feet westerly of the intersection of SW Roy Rogers Road. Prior to the removal of the road surface, SW 175th Place had substandard structural sections, a dangerous vertical alignment, and it did not align horizontally with SW Roy Rogers Road which is the main arterial road south of SW Scholls Ferry Road leading to the City of Sherwood. As a result, the new SW 175th Avenue was constructed to improve public safety and traffic patterns along the arterial roads by aligning the north-south arterials at one intersection, improving the road structure, and dramatically improving the vertical and horizontal road alignments.

SW 175th Place (C.R. 1960) is a 50.00 foot County Road Right-of-Way that is no longer improved. During the construction of SW 175th Avenue, the impervious surface was removed from SW 175th Place to minimize the realignment project impacts to water quality and hydrology to the maximum extent practicable. This is a standard Best Management Practice (BMP), per DEQ and EPA guidance. In addition to following DEQ and EPA guidance, removing the impervious surfaces allowed the contractor to collectively work with the adjacent property owners and to distribute ±15,000 cubic yards of excavation from the new SW 175th Avenue alignment into the old SW 175th Place right-of-way, thereby filling the voids from the poor verticals and cross slopes of SW 175th place. Doing this not only added value to the adjoining land, but it increased the area to be farmed by 57,000 square feet, more or less, it improved the grades for farming activities, and it improved the grades for a future local access road.

SW 175th place is now in the Urban Growth Boundary and has been recently incorporated into the City limits of Beaverton. The land lying south of SW Scholls Ferry Road and east of SW 175th Place has been annexed into the City limits of Tigard and much of the area is owned by Arbor Homes, a large housing developer. As a result of these boundary changes, the Beaverton School District is currently in condemnation proceedings with the adjoining property owners so they can build a future school. Neither the City, the County, or Metro has an approved conceptual master plan of the area so the extent of the future public roads is uncertain.

In 2009, Washington County paid \$13,850 to the farmer and \$849,000 to the land owner, Crescent Grove, for the right-of-way and easements necessary for SW 175th Avenue project. If SW 175th Place is vacated, the public would need to re-purchase the right-of-way at future costs in order to construct a local access road in the same location. Therefore, it is too soon to vacate the right-of-way. Based on the 2012 tax rate for the area and the land being farmed and placed into farm deferral, vacating the right-of-way would only generate about \$10.00 per year in additional taxes to the county.

Vacating the proposed portion of County Road 1960 is a premature act that may have adverse impacts on the public, public utilities, school district, and emergency services.

Based on the above statements, it is recommended that the Board of Commissioners deny the vacation of the road proposed herein, as it is not in the public interest.

Gary A. Stockhoff, P.E.
Washington County Engineer

PROPOSED ROAD VACATION

VACATION 502

A PORTION OF SW 175TH PLACE (C.R. 1960)



NOT TO SCALE

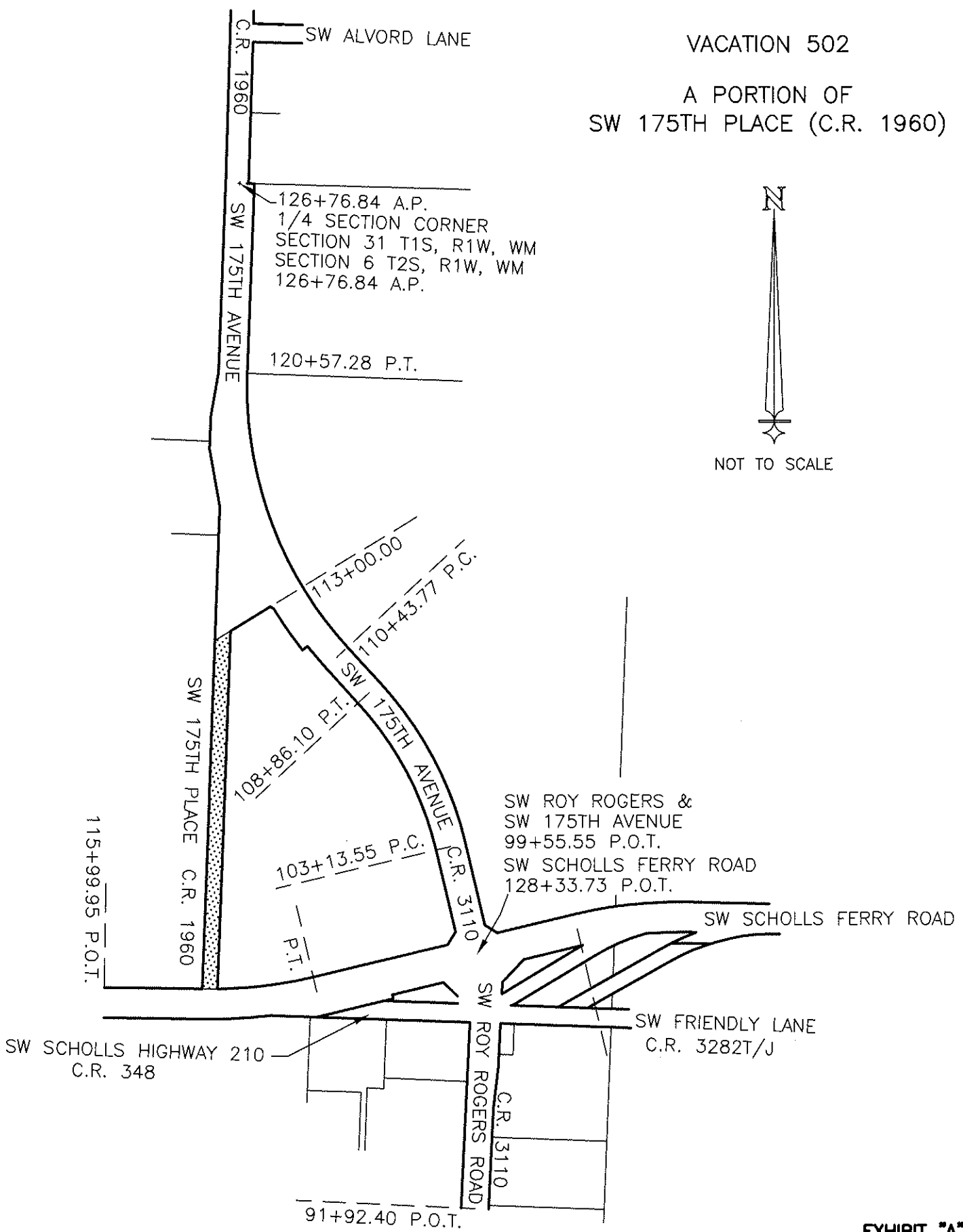


EXHIBIT "A"



Community & Economic Development

May 17, 2013

Scott Young, PLS
Survey Supervisor
Washington County Surveyors Office
1400 SW Walnut Street, MS 17
Hillsboro, OR 97123

RE: Vacation 502, SW 175th Place

Dear Mr. Young:

Thank you for providing the City with the opportunity to provide comments to the record on the above-referenced County casefile. City planning staff has reviewed the materials in the casefile and offer the following comments.


Point number three of the materials provided by the applicant states that "no portion of the Right of Way is situated within the corporate limits of any city or town." This is not an accurate statement. The subject right-of-way is located entirely within the corporate limits of the city of Beaverton. The area in which the subject right-of-way is located was annexed by the City pursuant to Ordinance 4594 adopted by the Beaverton City Council on December 11, 2012 and became effective on January 17, 2013. The annexation area is known in the City as the South Cooper Mountain Annexation Area (SCMAA) and consists of 21 parcels totaling approximately 540 acres. The annexation was facilitated by the Urban Growth Boundary expansion decision reached by the Metro Council in 2012. The street is, however, a County maintained road and it is appropriate that the County is the agency to consider the requested vacation.

The City is currently developing a Metro Code compliant concept plan for all of South Cooper Mountain, including the Urban Reserve area known as Area 6B. The City is also preparing a Metro Code compliant community plan for the SCMAA to implement the concept plan. In this planning effort, the County is a key participant as mandated by the Reserves decision and Intergovernmental Agreement between Washington County and Metro. Per terms of a separate IGA between the City of Beaverton and Washington County, the City is authorized to do long-range planning for the whole planning area, including the portions that remain under County jurisdiction. Also participating in the planning effort are all of the property owners in the SCMAA, including the applicants for the vacation. The SCMAA Community Plan will establish the land use policies and development patterns for the area. This includes the location of future rights-of-way for streets. We believe that because the City is conducting this community planning effort, which will establish the land use patterns and circulation pattern for the area, *vacating any existing public right-of-way is a premature act at this point in time.* The City will capitalize on existing resources through the planning effort to facilitate the future development of the area. Vacating public right-of-way before the planning effort is complete is inefficient

Scott Young
May 17, 2013
Page 2

disposition of public resources and will not be a benefit to public interest. We encourage the County to not approve the vacation request.

Should you have any questions about this letter or the City's ongoing planning effort for the South Cooper Mountain area, please feel free to contact me at (503) 526-2422 or Valerie Sutton at (503) 526-2496.

Sincerely, 

Don Mazziotti
Community & Economic Development Director

c: Crescent Grove Cemetery
Ward Family Trust
Valerie Sutton

May 20, 2013

Scott Young, PLS
Survey Supervisor
Washington County Surveyors Office
1400 SW Walnut St, MS 17
Hillsboro, OR 97123

Re: Vacation 502, SW 175th Place

Dear Mr. Young:

The Beaverton School District has received materials jointly submitted by Crescent Grove Cemetery Association and the Ward trusts concerning the subject vacation. As both the County and City of Beaverton are aware, the School District has initiated condemnation proceedings to acquire substantial property from both of these vacation petitioners, directly bearing upon the proposed vacation. In the case of the Ward trusts, the School District is acquiring all of the approximate 31 acres owned by the trusts. The condemnation case is scheduled for trial on September 24, 2013. Likewise, the School District has condemned approximately 14 acres owned by the Cemetery Association, located immediately west and abutting SW 175th/Roy Rogers. That parcel includes all of the Association's holdings west of 175th/Roy Rogers Rd. The condemnation of the Cemetery Association parcel is not yet scheduled for trial.

At this point, it is unclear as to the future use of the old right of way. The City of Beaverton land use and infra-structure planning processes are in their early stages. It seems imprudent to remove this property from public ownership without knowing how it might be used under the City's new plans.

Clearly, the School District has a legal interest in any vacation proceedings concerning this property. Both the parcels identified above will come under School District ownership. The School District is unwilling to consent to any change in status quo for the subject property, until the District concludes its condemnations and its facilities planning and the City of Beaverton also determines future planning and use of this property.

Please keep the School District informed of any matters concerning the vacation petition. The School District intends to fully participate in any vacation process consistent with the positions outlined in this letter.

Thank you for taking these comments into consideration.

Sincerely,

Ron Porterfield
Deputy Superintendent
Operations and Support Services

District Goal for 2010-2015: All students will show continuous progress toward their personal learning goals, developed in collaboration with teachers and parents, and will be prepared for post-secondary education and career success.

The Beaverton School District recognizes the diversity and worth of all individuals and groups. It is the policy of the Beaverton School District that there will be no discrimination or harassment of individuals or groups based on race, color, religion, gender, sexual orientation, gender identity, gender expression, national origin, marital status, age, veterans' status, genetic information or disability in any educational programs, activities or employment.

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AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Action – Land Use & Transportation (CPO All)

Agenda Title: ADOPT FINDINGS FOR A-ENGROSSED ORDINANCE NO. 768

Presented by: Andrew Singelakis, Director of Land Use & Transportation

SUMMARY:

A-Engrossed Ordinance No. 768 amends the Washington County Transportation System Plan (TSP). The ordinance makes significant changes to the TSP, modifying and updating all transportation strategies and policies including reorganization into goals, objectives and strategies. A-Engrossed Ordinance No. 768 is posted on the county's land use ordinance web page at the following link:

<http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2013-land-use-ordinances.cfm>

As required by ORS 197.615, post acknowledgment comprehensive plan amendments (e.g., amendments made to the County's Comprehensive Plan after it was acknowledged by the State Department of Land Conservation and Development as complying with the Statewide Planning Goals) must be accompanied by findings setting forth the facts and analysis showing that the amendments are consistent with the applicable Statewide Planning Goals, Oregon Revised Statutes, State Administrative Rules and the applicable provisions of Washington County's Comprehensive Plan. Additionally, as required by Title 8 of Metro's Urban Growth Management Functional Plan, any amendment to a comprehensive plan or implementing ordinance shall be consistent with the requirements of the Functional Plan.

Attached is the Resolution and Order to adopt the findings for A-Engrossed Ordinance No. 768. Prior to October 1, 2013 the proposed findings will be provided to the Board, posted on the above land use ordinance web page, and will also be available at the Clerk's desk.

Clerk's Desk Item: Findings (*click on the Attachments Panel to access electronic copy*)

Attachment: Resolution and Order

DEPARTMENT'S REQUESTED ACTION:

Adopt the findings for A-Engrossed Ordinance No. 768 and authorize the Chair to sign the Resolution and Order memorializing the action.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	6.a.
Date:	10/01/13

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

3 In the Matter of Adopting) RESOLUTION AND ORDER
4 Legislative Findings in Support)
of A-Engrossed Ordinance No. 768) No. _____

5 This matter having come before the Washington County Board of Commissioners at its
6 meeting of October 1, 2013; and

7 It appearing to the Board that the findings contained in Exhibit "A" summarize relevant facts
8 and rationales with regard to compliance with the Statewide Planning Goals, Oregon Revised
9 Statutes and Administrative Rules, Washington County's Comprehensive Plan, and titles of Metro's
10 Urban Growth Management Functional Plan relating to A-Engrossed Ordinance No. 768; and

11 It appearing to the Board that the findings attached as Exhibit "A" constitute appropriate
12 legislative findings with respect to the adopted ordinance; and

13 It appearing to the Board that the Planning Commission, at the conclusion of its public hearing
14 on July 17, 2013, made a recommendation to the Board, which is in the record and has been
15 reviewed by the Board; and

16 It appearing to the Board that, in the course of its deliberations, the Board has considered the
17 record which consists of all notices, testimony, staff reports, and correspondence from interested
18 parties, together with a record of the Planning Commission's proceedings, and other items submitted
19 to the Planning Commission and Board regarding this ordinance; it is therefore,

20 RESOLVED AND ORDERED that the attached findings in Exhibit "A" in support of
21 A-Engrossed Ordinance No. 768 are hereby adopted.

22 DATED this 1st day of October, 2013.

23 BOARD OF COUNTY COMMISSIONERS
24 FOR WASHINGTON COUNTY, OREGON

25 APPROVED AS TO FORM:

Chairman

26
27 _____
28 County Counsel
For Washington County, Oregon

Recording Secretary

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Action – Land Use & Transportation (CPO All)

Agenda Title: ADOPT FINDINGS FOR A-ENGROSSED ORDINANCE NO. 769

Presented by: Andrew Singelakis, Director of Land Use & Transportation

SUMMARY:

A-Engrossed Ordinance No. 769 amends the Comprehensive Framework Plan for the Urban Area and the Community Development Code relating to the Religious Land Use and Institutionalized Persons Act (RLUIPA). A-Engrossed Ordinance No. 769 is posted on the county's land use ordinance web page at the following link:

<http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2013-land-use-ordinances.cfm>

As required by ORS 197.615, post acknowledgment comprehensive plan amendments (e.g., amendments made to the County's Comprehensive Plan after it was acknowledged by the State Department of Land Conservation and Development as complying with the Statewide Planning Goals) must be accompanied by findings setting forth the facts and analysis showing that the amendments are consistent with the applicable Statewide Planning Goals, Oregon Revised Statutes, State Administrative Rules and the applicable provisions of Washington County's Comprehensive Plan. Additionally, as required by Title 8 of Metro's Urban Growth Management Functional Plan, any amendment to a comprehensive plan or implementing ordinance shall be consistent with the requirements of the Functional Plan.

Attached is the Resolution and Order to adopt the findings for A-Engrossed Ordinance No. 769. Prior to October 1, 2013 the proposed findings will be provided to the Board, posted on the above land use ordinance web page, and will also be available at the Clerk's desk.

Clerk's Desk Item: Findings (*click on the Attachments Panel to access electronic copy*)

Attachment: Resolution and Order

DEPARTMENT'S REQUESTED ACTION:

Adopt the findings for A-Engrossed Ordinance No. 769 and authorize the Chair to sign the Resolution and Order memorializing the action.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	6.b.
Date:	10/01/13

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

3 In the Matter of Adopting) RESOLUTION AND ORDER
4 Legislative Findings in Support)
of A-Engrossed Ordinance No. 769) No. _____

5 This matter having come before the Washington County Board of Commissioners at its
6 meeting of October 1, 2013; and

7 It appearing to the Board that the findings contained in Exhibit "A" summarize relevant facts
8 and rationales with regard to compliance with the Statewide Planning Goals, Oregon Revised
9 Statutes and Administrative Rules, Washington County's Comprehensive Plan, and titles of Metro's
10 Urban Growth Management Functional Plan relating to A-Engrossed Ordinance No. 769; and

11 It appearing to the Board that the findings attached as Exhibit "A" constitute appropriate
12 legislative findings with respect to the adopted ordinance; and

13 It appearing to the Board that the Planning Commission, at the conclusion of its public hearing
14 on August 7, 2013, made a recommendation to the Board, which is in the record and has been
15 reviewed by the Board; and

16 It appearing to the Board that, in the course of its deliberations, the Board has considered the
17 record which consists of all notices, testimony, staff reports, and correspondence from interested
18 parties, together with a record of the Planning Commission's proceedings, and other items submitted
19 to the Planning Commission and Board regarding this ordinance; it is therefore,

20 RESOLVED AND ORDERED that the attached findings in Exhibit "A" in support of
21 A-Engrossed Ordinance No. 769 are hereby adopted.

22 DATED this 1st day of October, 2013.

23 BOARD OF COUNTY COMMISSIONERS
24 FOR WASHINGTON COUNTY, OREGON

25 APPROVED AS TO FORM:

26 Chairman

27 _____
28 County Counsel
For Washington County, Oregon

Recording Secretary

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Action – Land Use & Transportation (CPO All)

Agenda Title: ADOPT FINDINGS FOR A-ENGROSSED ORDINANCE NO. 770

Presented by: Andrew Singelakis, Director of Land Use & Transportation

SUMMARY:

A-Engrossed Ordinance No. 770 amends the Community Development Code to add a definition for Wind Energy Conversion Systems in Section 106 (Definitions) and adds accessory use standards in Section 430 (Special Use Standards) for Wind Energy Conversion Systems and Solar Energy Collection Systems. A-Engrossed Ordinance No. 770 adds a tower height measurement methodology that excludes extensions and consistently exempts all roof-top mounted energy systems from land use district height limits. A-Engrossed Ordinance No. 770 is posted on the county's land use ordinance web page at the following link:

<http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2013-land-use-ordinances.cfm>

As required by ORS 197.615, post acknowledgment comprehensive plan amendments (e.g., amendments made to the County's Comprehensive Plan after it was acknowledged by the State Department of Land Conservation and Development as complying with the Statewide Planning Goals) must be accompanied by findings setting forth the facts and analysis showing that the amendments are consistent with the applicable Statewide Planning Goals, Oregon Revised Statutes, State Administrative Rules and the applicable provisions of Washington County's Comprehensive Plan. Additionally, as required by Title 8 of Metro's Urban Growth Management Functional Plan, any amendment to a comprehensive plan or implementing ordinance shall be consistent with the requirements of the Functional Plan.

Attached is the Resolution and Order to adopt the findings for A-Engrossed Ordinance No. 770. Prior to October 1, 2013 the proposed findings will be provided to the Board, posted on the above land use ordinance web page, and will also be available at the Clerk's desk.

Clerk Desk Item: Findings (*click on the Attachments Panel to access electronic copy*)

Attachment: Resolution and Order

DEPARTMENT'S REQUESTED ACTION:

Adopt the findings for A-Engrossed Ordinance No. 770 and authorize the Chair to sign the Resolution and Order memorializing the action.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>6.c.</u>
Date:	10/01/13

1 IN THE BOARD OF COUNTY COMMISSIONERS

2 FOR WASHINGTON COUNTY, OREGON

3 In the Matter of Adopting) RESOLUTION AND ORDER
4 Legislative Findings in Support)
of A-Engrossed Ordinance No. 770) No. _____

5 This matter having come before the Washington County Board of Commissioners at its
6 meeting of October 1, 2013; and

7 It appearing to the Board that the findings contained in Exhibit "A" summarize relevant facts
8 and rationales with regard to compliance with the Statewide Planning Goals, Oregon Revised
9 Statutes and Administrative Rules, Washington County's Comprehensive Plan, and titles of Metro's
10 Urban Growth Management Functional Plan relating to A-Engrossed Ordinance No. 770; and

11 It appearing to the Board that the findings attached as Exhibit "A" constitute appropriate
12 legislative findings with respect to the adopted ordinance; and

13 It appearing to the Board that the Planning Commission, at the conclusion of its public hearing
14 on August 7, 2013, made a recommendation to the Board, which is in the record and has been
15 reviewed by the Board; and

16 It appearing to the Board that, in the course of its deliberations, the Board has considered the
17 record which consists of all notices, testimony, staff reports, and correspondence from interested
18 parties, together with a record of the Planning Commission's proceedings, and other items submitted
19 to the Planning Commission and Board regarding this ordinance; it is therefore,

20 RESOLVED AND ORDERED that the attached findings in Exhibit "A" in support of
21 A-Engrossed Ordinance No. 770 are hereby adopted.

22 DATED this 1st day of October, 2013.

23 BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

24
25 APPROVED AS TO FORM:

Chairman

26
27
28 _____
County Counsel
For Washington County, Oregon

Recording Secretary

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Action – Land Use & Transportation and County Counsel (CPO All)

Agenda Title: **INTRODUCTION AND FIRST READING OF PROPOSED ORDINANCE NO. 778 – AN ORDINANCE ADOPTING CHAPTER 3.14 OF THE WASHINGTON COUNTY CODE IMPOSING A VEHICLE REGISTRATION FEE**

Presented by: Andrew Singelakis, Director of Land Use & Transportation
Alan Rappleyea, County Counsel

SUMMARY:

On September 24, 2013, your Board authorized County Counsel to file an ordinance to adopt Chapter 3.14 of the Washington County Code imposing a vehicle registration fee.

The 2009 Jobs and Transportation Act (House Bill 2001) amended Oregon Revised Statutes (ORS) 801.041 to authorize the governing body of a county with a population of 350,000 or more to enact an ordinance establishing registration fees for vehicles on or after July 1, 2013. ORS 801.041 also contains provisions governing such fees. Revenues from such fees must be shared between the county and cities within the county. In addition, Section 3a of Article IX of the Oregon Constitution provides that such revenues must be used exclusively for the construction, reconstruction, improvement, repair, maintenance, operation and use of public highways, roads, streets and roadside rest areas in this state; for the cost of related administration; and for the retirement of bonds for which such revenues have been pledged. If adopted, the county will use its share of the fee revenues for maintenance and operations on county roads. Filed Ordinance 778 will be available at the Clerk's Desk prior to the October 1, 2013 Board of Commissioners meeting.

Clerk's Desk Item: Filed Ordinance 778 (*click on the Attachments Panel to access electronic copy*)

DEPARTMENT'S REQUESTED ACTION:

Conduct first reading of proposed Ordinance 778 by title only and continue to October 15, 2013 for second reading and first public hearing.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>6.d.</u>
Date:	10/01/13

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AGENDA

**CLEAN WATER SERVICES
BOARD OF DIRECTORS**

Agenda Category: Consent

CPO 4M

Agenda Title: AWARD SECOND AMENDMENT TO THE PROFESSIONAL SERVICES MASTER CONTRACT FOR WASTEWATER TREATMENT ENGINEERING TO CH2M HILL, INC. FOR THE DURHAM COGENERATION PROJECT

Presented by: Diane Taniguchi-Dennis, Deputy General Manager (rn)

SUMMARY

Clean Water Services' (District) Board of Directors (Board) previously authorized CH2M Hill, Inc. (CH2M Hill) by Minute Order 12-35 to provide final design for the Durham Cogeneration and Brown Grease Receiving Facilities Phase 5D2 Project (Project). The Project will replace the plant's existing cogeneration unit with a new expanded facility to maximize utilization of digester gas produced at the facility through the on-site generation of electricity and hot water production for process and building heating. The Project also includes constructing a receiving and handling building for restaurant grease trap waste (brown grease) and other specialized liquid wastes that will be fed into the plant's existing digesters to increase the amount of gas production and the corresponding amount of cogeneration, while reducing the negative impacts of grease on the collection system.

The Board awarded the construction contract for the Project to James W. Fowler Co. on July 23, 2013 by Minute Order 13-57. District desires to have CH2M Hill provide engineering services during construction.

The Second Amendment provides for engineering services during construction of the facilities described above and for engineering services beyond the scope of the final design contract. Services during construction include assisting the District with administration of the construction contract; monitoring the performance of the construction contractor; inspecting and verifying that the

(continued)

REQUESTED ACTION

Award the Second Amendment to the Professional Services Master Contract for Wastewater Treatment Engineering to CH2M Hill, Inc., in an amount not to exceed \$1,772,286.

Agenda Item No.	<u>2.a.</u>
Date:	10/01/13

**AWARD SECOND AMENDMENT TO THE PROFESSIONAL SERVICES MASTER
CONTRACT FOR WASTEWATER TREATMENT ENGINEERING TO CH2M HILL, INC.
FOR THE DURHAM COGENERATION PROJECT
10/01/13**

contractor's work complies with the contract documents; and assisting the District in responding to events, such as changes, that occur during construction. Engineering services beyond the scope of the final design contract include design of hot water supply and return systems using cogeneration waste heat to replace natural gas used to heat ancillary plant heating loads in the Solids Building and tunnels; evaluated the option to provide waste heat to the adjacent Tigard Tualatin Aquatic District's swim center; conducted Value Engineering and associated redesign; assisted the District in the Durham Facility Plan District formation (rezoning) process with the City of Tigard; assisted the District in preparing the grant application to the Oregon Department of Energy; and evaluated the plant's digester Complex structure to allow incorporation of an innovative digester gas storage vessel.



AGENDA

**CLEAN WATER SERVICES
BOARD OF DIRECTORS**

Agenda Category: Consent

CPO 15

Agenda Title: **AWARD CONTRACT FOR ENGINEERING SERVICES FOR THE FOREST GROVE TREATMENT WETLANDS PROJECT NO. 6405, WESTERN WETLANDS, TO KENNEDY/JENKS CONSULTANTS, INC.**

Presented by: Bill Gaffi, General Manager (sk)

SUMMARY

The next stage of the Forest Grove Treatment Wetlands Project (Project) is to design and prepare for construction of the Western Wetlands portion of the Project. Clean Water Services (District) conducted a Request for Proposal process in February 2013 to select various consultants to perform work in specialized areas. Kennedy/Jenks Consultants, Inc. (Kennedy/Jenks) was selected to do vertical subsurface wetland treatment design. The Western Wetlands portion of the Project will be a vertical subsurface wetland treatment design, Kennedy/Jenk's area of expertise.

Engineering services for the Western Wetlands will be completed in two phases. This contract is for Phase 1 only. Phase 1 includes preliminary engineering and selecting a construction management general contractor (CMGC) to construct the improvements. Phase 2 will include developing final design with the CMGC and services during construction. District will negotiate a separate scope of work and enter into a separate Contract for Professional Services with Kennedy/Jenks for Phase 2.

REQUESTED ACTION

Award Contract for Engineering Services for the Forest Grove Treatment Wetlands Project No. 6405, Phase 1 of the Western Wetlands, to Kennedy/Jenks Consultants, Inc., in an amount not to exceed \$684,279.

Agenda Item No.	<u>2.b.</u>
Date:	10/01/13

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AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

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

Agenda Title: SET PUBLIC HEARING TO VACATE THE PUBLIC SLOPE AND DRAINAGE EASEMENTS AS RECORDED IN DEED DOCUMENT NOS. 92-064144 AND 92-068622, VACATION 503

Presented by: Andrew Singelakis, Director of Land Use & Transportation

SUMMARY:

The County Engineer requests that the Board initiate the Vacation of the public slope and drainage easements recorded in Deed Document Nos. 92-064144 and 92-068622, situated in the northeast one-quarter of Section 8, T2S, R1W, W.M., Washington County, Oregon, as described and shown in the attached Vacation Report.

The easement area proposed to be vacated is in the process of being subdivided and due to the new improvements; these easements are no longer needed by the public. Utilities have been notified of the vacation and there will not be any adverse impacts on utility providers or the abutting properties.

All but one of the adjoining property owners has signed the vacation petition. The owner of tax map 2S1 08AA tax lot no. 6000 has not opposed this vacation, but did not sign the petition. As a result, ORS 368.346 requires the County to hold a public hearing on this matter. Therefore, we ask the Board to set the date of November 19, 2013 for the public hearing. ORS 368.346 also requires public notification of this hearing.

Attachments: Vacation Report with legal description and Map (Exhibit “A”)

DEPARTMENT’S REQUESTED ACTION:

Approve and set November 19, 2013 at 10:00 am, 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 Vacation. Direct that notification to the public be made by posting, publication, and by service on each person with a recorded interest in any abutting real property pursuant to ORS 368.346.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>2.c.</u>
Date:	<u>10/01/13</u>

**DEPARTMENT OF LAND USE AND TRANSPORTATION
REPORT ON VACATION NO. 503**

October 1, 2013

VACATION OF THE PUBLIC SLOPE AND DRAINAGE EASEMENTS RECORDED IN DEED DOCUMENT NOS. 92-064144 AND 92-068622

A request for vacation proceedings has been received by the staff for the Board of County Commissioners to Vacate the public slope and drainage easements recorded in Deed Document Nos. 92-064144 and 92-068622. Said easements are shown on the attached Exhibit "A", and are more particularly described as follows:

The public slope and drainage easements recorded in Deed Document Nos. 92-064144 and 92-068622, and situated in the northeast One-quarter of Section 8, T2S, R1W, W.M., Washington County, Oregon.

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

2S1 08AA, TL 6000

Bull Mountain Home Owners Association
By Venture Properties Inc
15555 SW Bangy Rd
Lake Oswego, OR 97035

2S1 08AA, TL 1600

Bull Mountain Meadows, LLC
7327 SW Barnes Rd
Portland, OR 97225

CRITERIA FOR EVALUATION OF ROAD VACATION REQUESTS

1) Conformance with the County's Comprehensive Plan

The public slope and drainage easements recorded in Deed Document Nos. 92-064144 and 92-068622 are no longer needed by the public as a result of a new subdivision being developed on the property. The subdivision was approved by planning and the infrastructure was approved through the engineering development review process.

2) Use of the Right-of-Way or Easements

These easements are no longer in use and will not be needed for future use.

3) Impact of Utilities and Emergency Services

Utility providers and Emergency Services are not affected by this proposed vacation.

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

The easements proposed to be vacated are in the unincorporated area of Washington County and are no longer needed by the public.

The limits of the easements proposed to be vacated are logical and justifiable, and the vacation of these easements 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 easements proposed herein, as it is in the public interest.

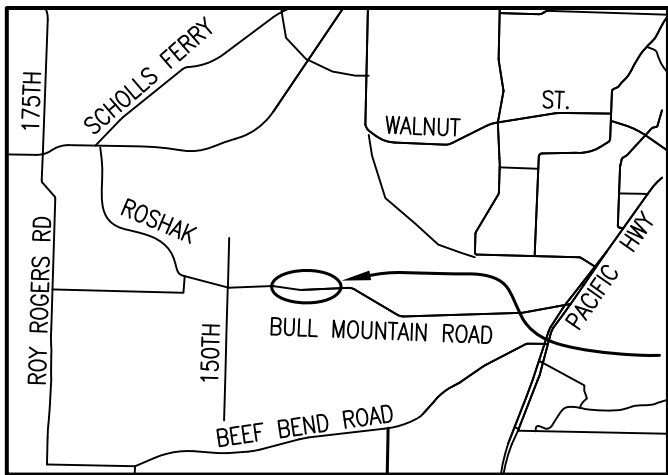
Gary A. Stockhoff, P.E.
Washington County Engineer

PROPOSED VACATION

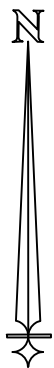
VACATION NO. 503

SLOPE AND DRAINAGE
EASEMENTS

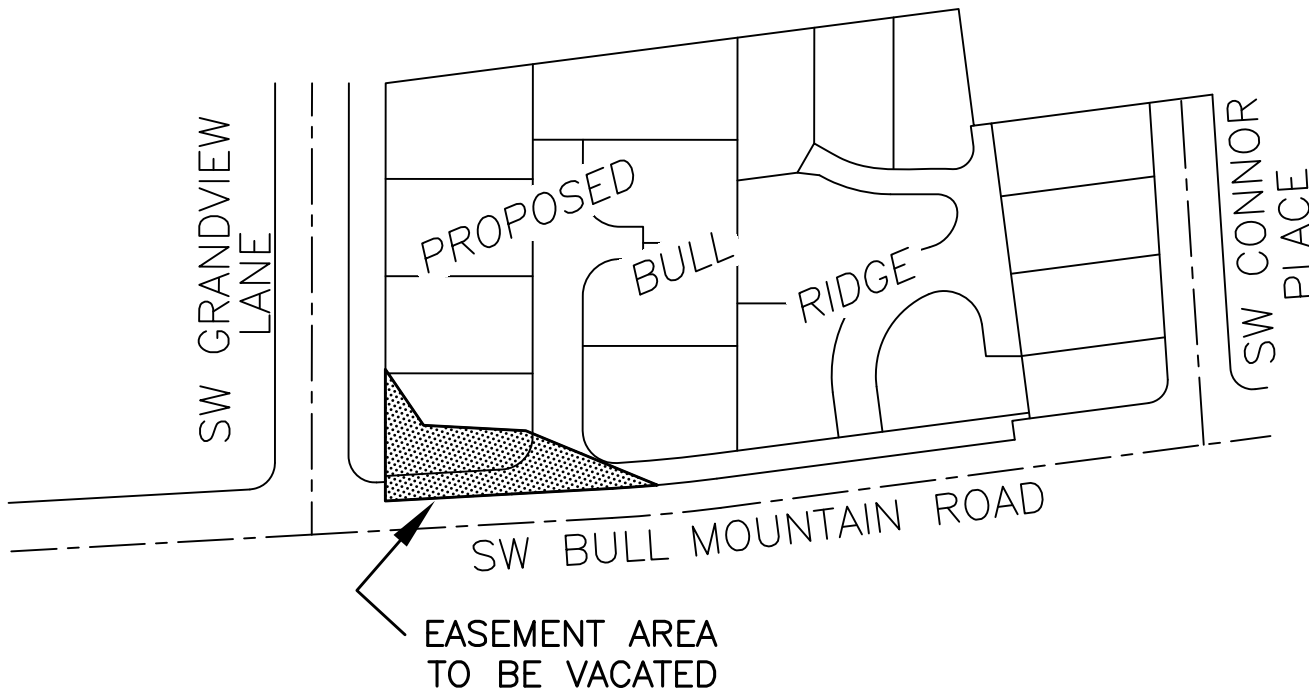
DEED DOCUMENT NOS.
92-064144
AND
92-068622



VICINITY MAP



NOT TO SCALE



AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – LUT/Maintenance Local Improvement District (CPO 4B)
Agenda Title: APPROVE ESTABLISHMENT OF A ROAD MAINTENANCE LOCAL IMPROVEMENT DISTRICT (MLID) FOR BULL RIDGE
Presented by: Andrew Singelakis, Director of Land Use & Transportation

SUMMARY

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 feasibility report was prepared for this MLID that establishes a base annual assessment of \$262.78 or \$18.77 per lot with a maximum annual assessment of \$525.56 or \$37.54 per lot. However, with the passage of the Urban Road Maintenance District (URMD) in 1994, these charges will not be assessed. As required by Resolution and Order No. 87-108, MLIDs and their assessments are established for administrative purposes with assessments only initiated should the URMD expire.

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>Per Lot</u>	<u>Maximum Annual Assessment Total</u>
BULL RIDGE	14	\$37.54	\$525.56

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 and Vicinity Map-Exhibit A
 3. Petition-Exhibit B
 4. Waiver-Exhibit C
 5. Feasibility Report-Exhibit D
 6. Assessment Roll-Exhibit E

DEPARTMENT'S REQUESTED ACTION:

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

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>2.d.</u>
Date:	<u>10/01/13</u>

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

3 In the Matter of Receiving a Petition, Approving)
a Feasibility Report, Establishing a Road) RESOLUTION AND ORDER
4 Maintenance Local Improvement District (MLID))
and Authorizing the Proposed Work, Imposing a) NO _____
5 Maximum Annual Assessment, Receiving an)
Assessment Roll for, but not Limited to,)
6 Maintenance and Repair of Local Public Streets)
Serving BULL RIDGE subdivision.)
7

8 This matter having come before the Board at its meeting of October 1, 2013: and

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

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

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

19 It appearing to the Board that a waiver of the right to notice, hearing, and remonstrance
20 (opposition) regarding the formation of the MLID together with the proposed work and
21 assessment of costs was signed by **100%** of the property owner(s) within the proposed MLID at
22 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

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

5 It appearing to the Board that a program of, but not limited to, maintenance and repair
6 of the local public streets is necessary and that a maximum annual assessment of **\$37.54** per lot
7 should be imposed as the amount considered the maximum necessary for the annual work
8 thereof; and

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

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

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

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

18 **RESOLVED AND ORDERED** that the proposed MLID as described in the feasibility
19 report is hereby established; and it is further

20 **RESOLVED AND ORDERED** that the maximum annual assessment for all functions
21 proposed in this MLID shall be **\$37.54** for each lot that the assessment roll described in Exhibit
22 E is approved and the assessment imposed but not levied; and it is further

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

3 Dated this 1st day of October 2013.

4 BOARD OF COUNTY COMMISSIONERS
5 FOR WASHINGTON COUNTY, OREGON

6
7 _____
Chairman

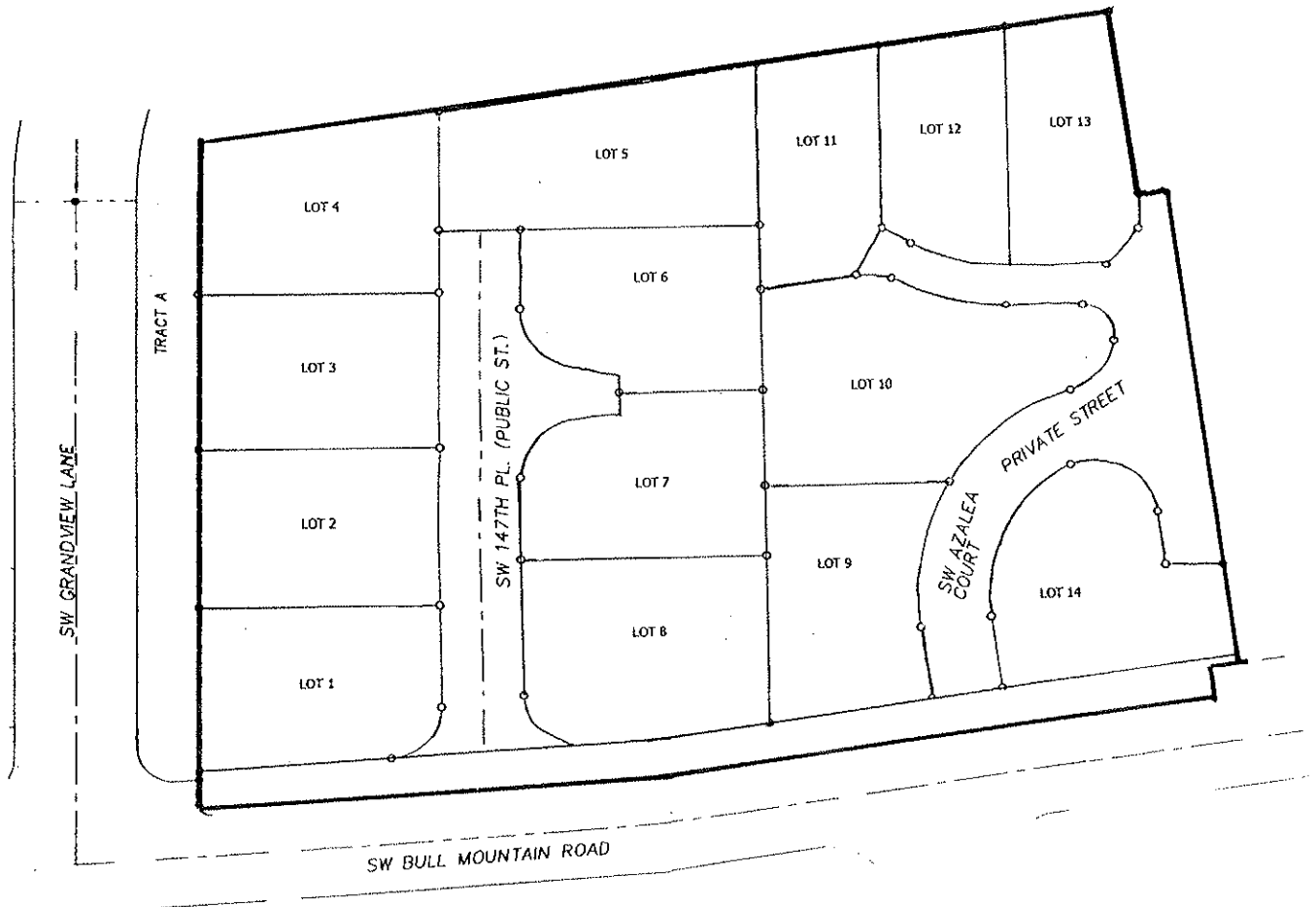
8
9 _____
Recording Secretary

ASSESSMENT MAP

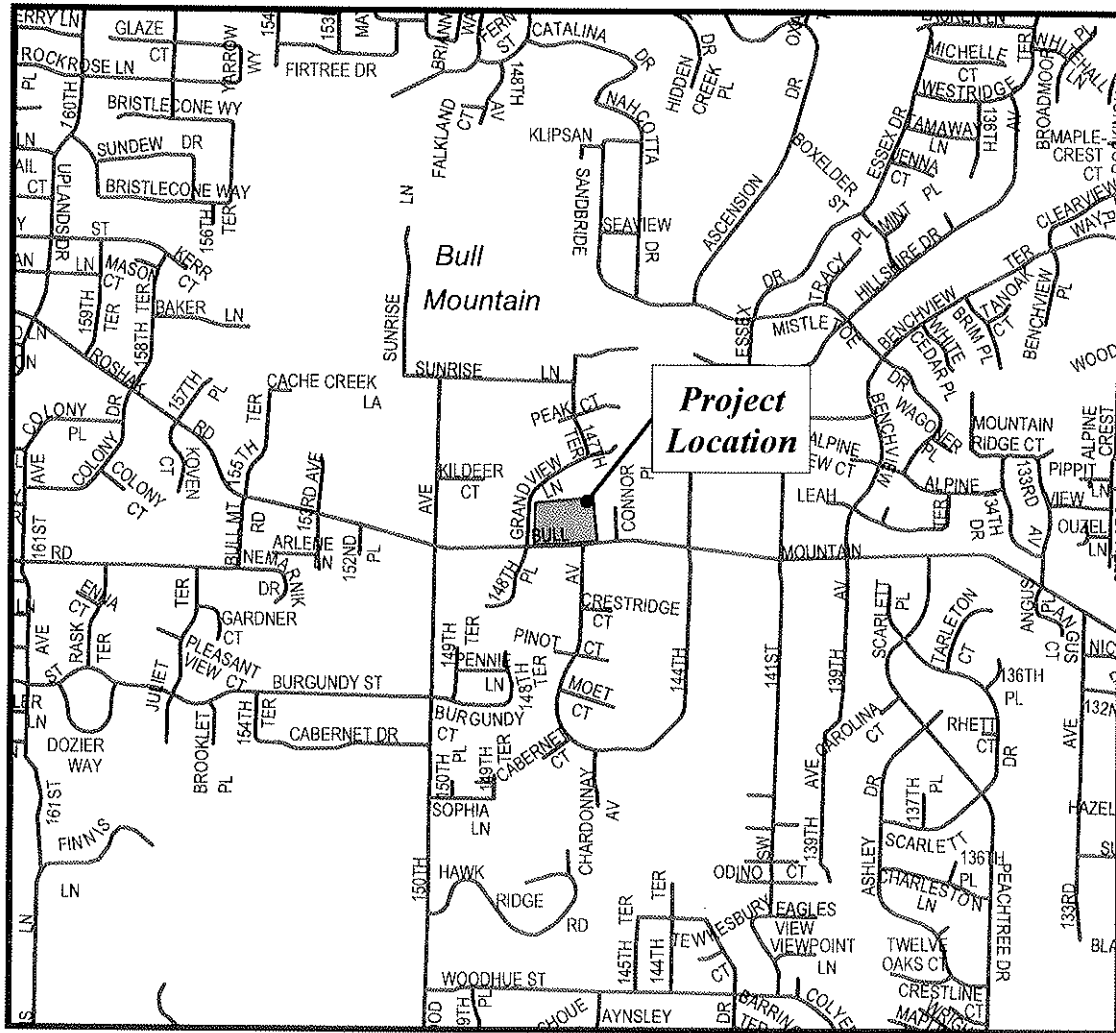
BULL RIDGE

WASHINGTON COUNTY

ROAD MAINTENANCE LOCAL IMPROVEMENT DISTRICT



**VICINITY MAP
BULL RIDGE
WASHINGTON COUNTY
ROAD MAINTENANCE LOCAL IMPROVEMENT DISTRICT**



**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 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>Bull Ridge</u>)))))))	PETITION <u>Bull Ridge</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 Bull Ridge.

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
9/4/13	GRAHAM COLTON	12555 SW HALL BLVD
	Graham Colton	TIGARD, OR 97223

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

After recording please return to:
Washington County Dept. of Land Use & Transportation
Operations and Maintenance
1400 SW Walnut St. MS 51, Hillsboro, OR 97123-5625

Washington County, Oregon
09/09/2013 03:27:23 PM
D-IPPS Cnt=1 Stn=21 RECORDS1
\$10.00 \$5.00 \$11.00 \$15.00 - Total = \$41.00

2013-081824



TO BE RECORDED IN DEED RECORDS

NOTE: Washington County 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.

Nancy Schmidt
Nancy Schmidt
Washington County Operations

I, Richard Hobernicht, 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.

Richard Hobernicht, Director of Assessment and Taxation, Ex-Officio County Clerk



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

The undersigned, referred to herein as "owner", is the owner of certain lots in the "**Bull Ridge**" 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. 12-143 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.

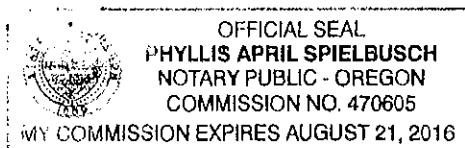
IN WITNESS WHEREOF, the Grantor below named, has caused this instrument to be duly signed hereto. Dated this 4 day of Sept, 2013.

Arnon Colton
Name: Bull Mountain Meadows LLC

STATE OF OREGON)
County of Washington) ss.

Clackamas PMS
BE IT REMEMBERED that on this 4 day of Sept, 2013, before me, the undersigned, a notary public in and for said County and State, personally appeared the within named **Bull Mountain Meadows LLC** known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that same was executed freely and voluntarily.

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



Phyllis April Spielbusch
Notary Public for Oregon
My commission expires: 8-21-2016

APPROVED AS TO FORM
By Dan R. Olsen
Chief Assistant County Counsel, August 1987

**LEGAL DESCRIPTION FOR THE
BULL RIDGE SUBDIVISION
STREET LIGHTING DISTRICT AND THE
ROAD MAINTENANCE DISTRICT**

September 6, 2013

THE FOLLOWING DESCRIBED TRACT OF LAND BEING COMPRISED OF THAT LAND AS DESCRIBED IN DEED DOCUMENT NO. 2012-060264 AND TRACT "B" OF THE DULY RECORDED PLAT OF "IRONWOOD ESTATES", SITUATED IN THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 2-SOUTH, RANGE 1-WEST OF THE WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON.

BEGINNING AT A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "AKS ENGR" MARKING THE SOUTHWEST CORNER OF TRACT "A" OF "IRONWOOD ESTATES"; THENCE DESCRIBING THE PLAT BOUNDARY, S 82° 34'09" W 12.00 FEET TO THE SW CORNER OF TRACT "B", "IRONWOOD ESTATES"; THENCE ALONG THE SOUTHERLY EXTENSION OF THE WEST LINE OF LAST SAID TRACT "B", S 07°24'49" E 13.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SW BULL MOUNTAIN ROAD, BEING (20.00 FEET FROM THE CENTERLINE WHEN MEASURED AT RIGHT ANGLES THERETO); THENCE ALONG THE RIGHT OF WAY LINE S 82°34'09" W 204.06 FEET TO A POINT OF CURVE; THENCE ALONG THE ARC OF A 980.00 FOOT RADIUS CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 04°14'29" (THE CHORD OF WHICH BEARS S 84°41'24" W 72.53 FEET) AN ARC DISTANCE OF 72.55 FEET; THENCE S 86°48'38" W 153.21 TO AN INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE EAST LINE OF TRACT "A" OF THE "BULL MOUNTAIN ESTATES" PLAT; THENCE ALONG LAST SAID EAST LINE AND THE EXTENSION THEREOF, N 00°02'17" E 283.76 FEET TO THE SOUTH LINE OF "BULL MOUNTAIN ESTATES"; THENCE ALONG LAST SAID SOUTH LINE, N 82°36'47" E 392.51 FEET TO THE MOST SOUTHERLY, SOUTHEAST CORNER OF "BULL MOUNTAIN ESTATES"; THENCE ALONG THE WEST LINE OF THAT LAND AS DESCRIBED IN DEED DOCUMENT No. 96-068742, S 07°24'50" E 79.92 FEET TO THE NORTHWEST CORNER OF TRACT "B", "IRONWOOD ESTATES"; THENCE N 82°35'48" E 12.00 FEET TO THE NORTHWEST CORNER OF LOT 3, "IRONWOOD ESTATES"; THENCE ALONG THE EAST LINE OF LAST SAID TRACT "B", S 07°24'50" E 202.14 FEET TO THE INITIAL POINT OF BEGINNING.

CONTAINING: 2.82 ACRES.

FEASIBILITY REPORT

BULL RIDGE

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 **BULL RIDGE** 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	\$525.56	\$525.56	\$37.54 (14 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
BULL RIDGE
ROAD MAINTENANCE LOCAL IMPROVEMENT DISTRICT

MAXIMUM
ANNUAL
ASSESSMENT

<u>Tax Lot</u>	<u>Owner Name</u>	<u>Legal Description</u>	<u>Lot</u>	<u>Total</u>
2S18AA – 01600 & 07000	Bull Mountain Meadows LLC 7327 SW Barnes Rd #419 Portland OR 97224	BULL RIDGE 14 lots	\$37.54	\$525.56

* 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 13)

Agenda Title: INITIATE PROCEEDINGS TO LEGALIZE NW PURDIN ROAD AS COUNTY ROAD NO. 3291; SET DATE FOR A PUBLIC HEARING

Presented by: Andrew Singelakis, Director of Land Use & Transportation

SUMMARY:

NW Purdin Road has been maintained as a County Road for over 100 years. This 40.00 foot wide road was originally established in 1894 as County Road 320. The Washington County Road District map dated July 1, 1911 shows this portion of NW Purdin Road to be in the same general alignment as it is today and the road has been on the County work program schedule and maintenance records since its origination. The legal location of the road does not conform to the traveled alignment, is uncertain, and can not be properly located. As a result, staff has determined that this portion of NW Purdin Road needs to be clarified and it should be legalized in order to fix its location to be consistent with the traveled and maintained location. This board action and the associated Record of Survey will accomplish that, and they will resolve any right of way issues in this area.

ORS 368.201 through ORS 368.221 allows for the legalization of the road in its traveled location. ORS 368.206(1)(c) requires that the County cause notice of proceedings for legalization to be provided under ORS 368.401 through 368.426 by service to owners of abutting land and by posting. ORS 368.206(1)(b) requires that the County Road Official file a written report, including a survey, with the County governing body.

Attachments: 1. Exhibit Map
2. Road Official's Report with attached proposed Record of Survey

DEPARTMENT'S REQUESTED ACTION:

Initiate the process to Legalize a County Road. Accept the attached Road Report and proposed Record of Survey. Set November 19, 2013, at 10:00 a.m., in the auditorium of the Washington County Public Services Building, Hillsboro, Oregon, at your regularly scheduled meeting as the time and place for a hearing to legalize NW Purdin Road, depicted on the attached proposed Record of Survey, as County Road No. 3291. Direct that notification be made by service to owners of abutting land and by posting pursuant to ORS 368.401 through 368.426.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

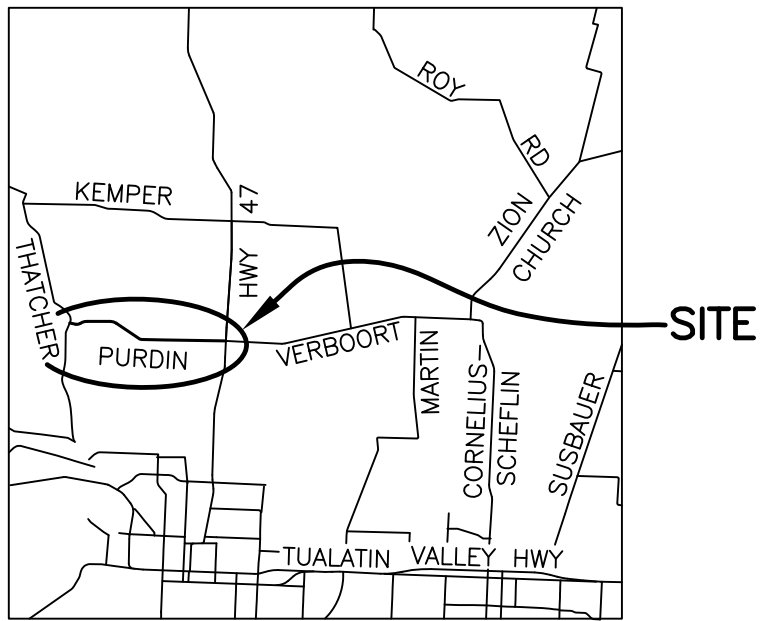
I concur with the requested action.

Agenda Item No.	<u>2.e.</u>
Date:	<u>10/01/13</u>

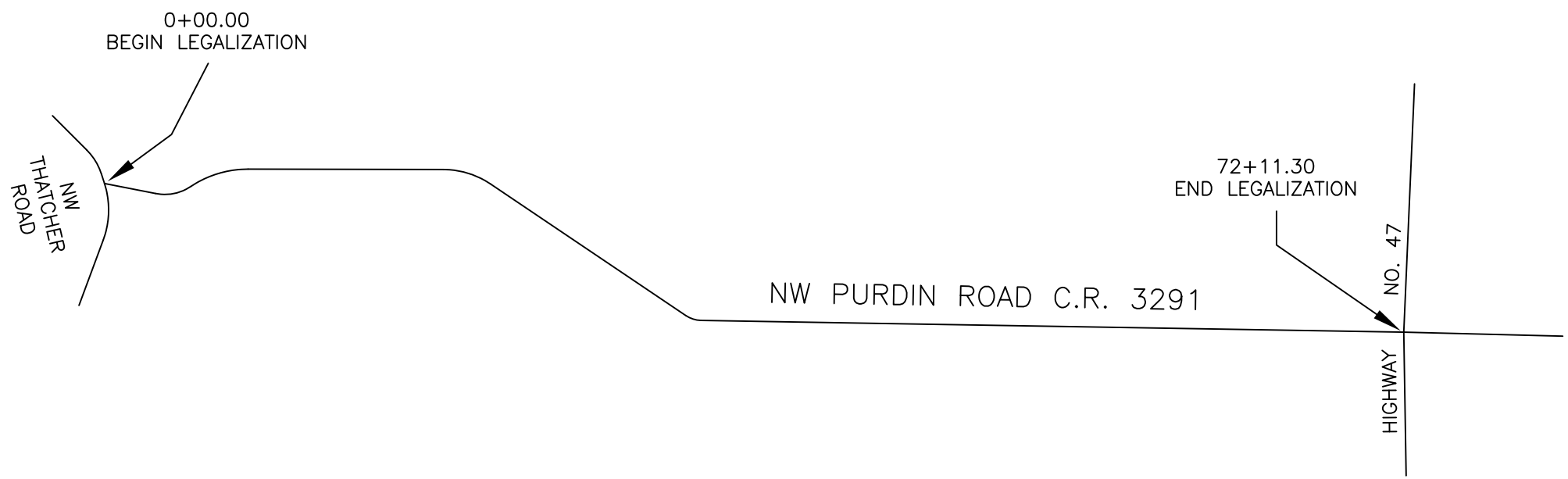
PROPOSED ROAD
LEGALIZATION

C.R. 3291

EXHIBIT MAP



NOT TO SCALE



Road Report

NW Purdin Road
Proposed County Road No. 3291

Date: October 1, 2013

To: Washington County Board of Commissioners
From: Gary A. Stockhoff, P.E., Washington County Engineer
RE: THE MATTER OF ESTABLISHING AND LEGALIZING NW PURDIN ROAD
AS COUNTY ROAD NO. 3291

This report is respectfully submitted, pursuant to and as required by ORS 368.206(b), in the initiation of proceedings to legalize a county road.

NW Purdin Road is maintained by Washington County but there is uncertainty as to the location of the legal roadway. Research and analysis of the record documents along with survey field work concludes that the legal right of way cannot be accurately surveyed and that a portion of the record county road notes do not conform to the traveled road.

NW Purdin Road was originally established in 1894 as County Road No. 320. The Washington County Road District map dated July 1, 1911 shows NW Purdin Road to be in the same general alignment as it is today and it has been on the County work program schedule and maintenance records since its origination. Based upon the maintenance records, survey records, fences, and other features in the area, this road has been traveled in its current location for over 100 years.

ORS 368.201 provides that a county governing body may initiate proceedings to legalize a county road under ORS 368.201 to 368.221 if the location of the road cannot be accurately determined due to either numerous alterations of the road or a defective survey of the road or adjacent property, or if the road as traveled and used for 10 years or more does not conform to the location of a road described in the county records. This roadway meets the criteria for legalization.

The record documents for County Road No. 320 state a road width of 40.00 feet, and as a result, that portion of NW Purdin Road established and known as County Road No. 320 can be legalized to a width of 40.00 feet pursuant to ORS 368.206(1)(a)(A). In areas where additional rights of way were dedicated by dedication deed documents and the rights of way are greater than the 40.00 foot county road width, the legalized width should be to the dedicated lines as retraced and shown on the proposed record of survey.

No permanent structures that predate the traveled alignment of the road are in the proposed right of way.

Based on the foregoing facts, I recommend initiating proceedings to legalize NW Purdin Road as shown on the attached proposed Record of Survey. Upon completion of the legalization, any records showing the location of the road that conflict with the legalized alignment become void. This will be the most expeditious method of fixing the location of the right of way.

Attachment: Proposed Record of Survey

Gary A. Stockhoff, P.E.
Washington County Engineer

RECORD OF SURVEY FOR WASHINGTON COUNTY, OREGON

PLAT OF COUNTY ROAD 3291

LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 30, T1N, R3W, AND IN THE SOUTHEAST AND SOUTHWEST ONE-QUARTERS OF SECTION 24, AND THE NORTHEAST ONE-QUARTER OF SECTION 25, T1N, R4W, W.M., WASHINGTON COUNTY, OREGON

NARRATIVE:

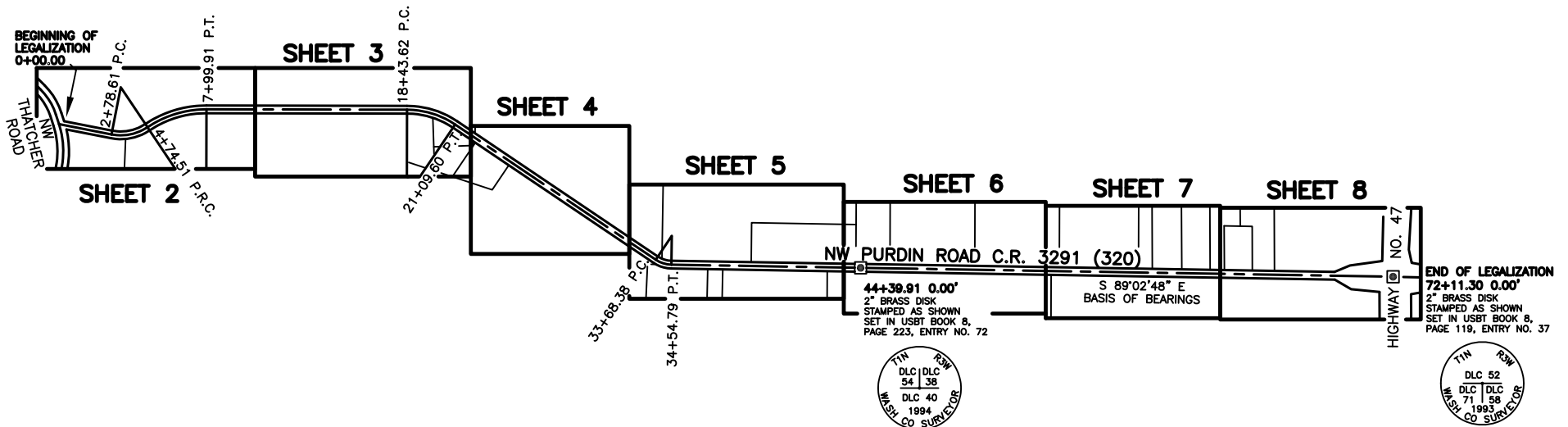
THE PURPOSE OF THIS SURVEY IS TO MONUMENT THE CENTERLINE AND RIGHTS-OF-WAY OF NW PURDIN ROAD AS LEGALIZED AS COUNTY ROAD 3291 IN RESOLUTION AND ORDER 13-XXX.

BASIS OF BEARINGS:

HELD S 89°02'48" E PER USBT BOOK 8, PAGE 223, ENTRY NUMBER 72 BETWEEN THE 2 INCH BRASS DISK IN A MONUMENT BOX AT THE SOUTHEAST CORNER OF THE ELLISON JOHNSON DONATION LAND CLAIM 54, BEING THE SOUTHWEST CORNER OF THE JAMES JOHNSON DONATION LAND CLAIM 38, ON THE NORTH LINE OF THE ORUS BROWN DONATION LAND CLAIM 40 AND THE 2 INCH BRASS DISK IN A MONUMENT BOX AT THE NORTHWEST CORNER OF THE ALVIN C. BROWN DONATION LAND CLAIM 58, BEING ALSO THE NORTHEAST CORNER OF THE ORUS BROWN DONATION LAND CLAIM 71 AND A POINT ON THE SOUTH LINE OF THE JAMES JOHNSON DONATION LAND CLAIM 52.

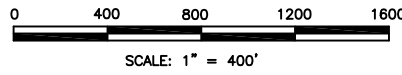
NW PURDIN ROAD - 40.00 FEET WIDE:

BETWEEN STATIONS 0+00.00 AND 72+11.30, THE ROAD WAS LEGALIZED TO A BASE WIDTH OF 40.00 FEET PER COUNTY ROAD 320, EXCEPT WHERE MODIFIED BY ADDITIONAL DEDICATIONS SHOWN AND LABELED ON THIS SURVEY.



LEGEND

○	SET 3/4" X 30" GALVANIZED IRON PIPE WITH YPC STAMPED "COUNTY SURVEYOR" UNLESS OTHERWISE NOTED	SN	SURVEY NUMBER
●	FOUND MONUMENT AS NOTED	IR	IRON ROD
▲	SET 1/2" X 24" IR WITH RPC STAMPED "COUNTY TRAVERSE", UNLESS OTHERWISE NOTED	IP	IRON PIPE
□	MONUMENT BOX	C.R.	COUNTY ROAD
		YPC	YELLOW PLASTIC CAP
		RPC	RED PLASTIC CAP
		(XX)	FORMER COUNTY ROAD NUMBER



WASHINGTON COUNTY SURVEYOR'S OFFICE

ACCEPTED FOR FILING _____

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON JULY 25, 1991 JAMES H. ELAM 2496

RENEWAL DATE 12/31/13

CALCULATIONS JK
DRAWN BY JK
CHECKED BY MC
CHECKED BY SY

SCALE: 1" = 400'
DATE: XX-XX-XX
SHEET: 1 OF 8

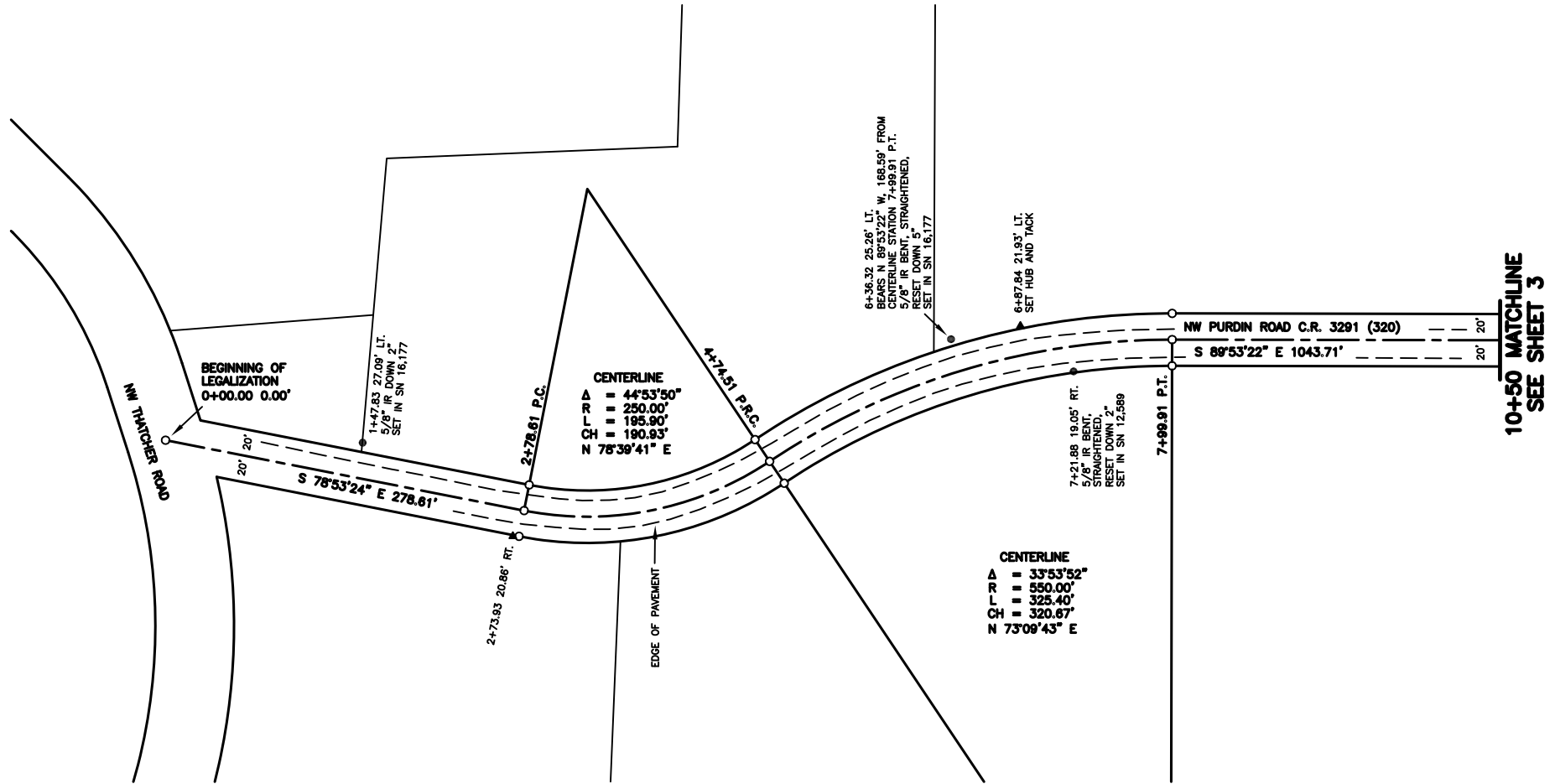


WASHINGTON COUNTY SURVEYOR
DEPARTMENT OF LAND USE AND TRANSPORTATION
155 NORTH FIRST AVENUE, SUITE 350
HILLSBORO, OREGON 97124
(503) 846-8723

RECORD OF SURVEY FOR WASHINGTON COUNTY, OREGON

PLAT OF COUNTY ROAD 3291

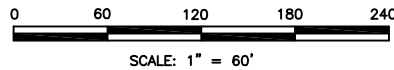
LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 30, T1N, R3W, AND IN THE SOUTHEAST AND SOUTHWEST ONE-QUARTERS OF SECTION 24, AND THE NORTHEAST ONE-QUARTER OF SECTION 25, T1N, R4W, W.M., WASHINGTON COUNTY, OREGON



10+50 MATCHLINE
SEE SHEET 3

LEGEND

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		YPC	YELLOW PLASTIC CAP
		RPC	RED PLASTIC CAP
		(XX)	FORMER COUNTY ROAD NUMBER



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 26, 1991
JAMES H. ELAM
2496

RENEWAL DATE 12/31/13

CALCULATIONS JK
DRAWN BY JK
CHECKED BY MC
CHECKED BY SY

SCALE: 1" = 60'
DATE: XX-XX-XX
SHEET: 2 OF 8



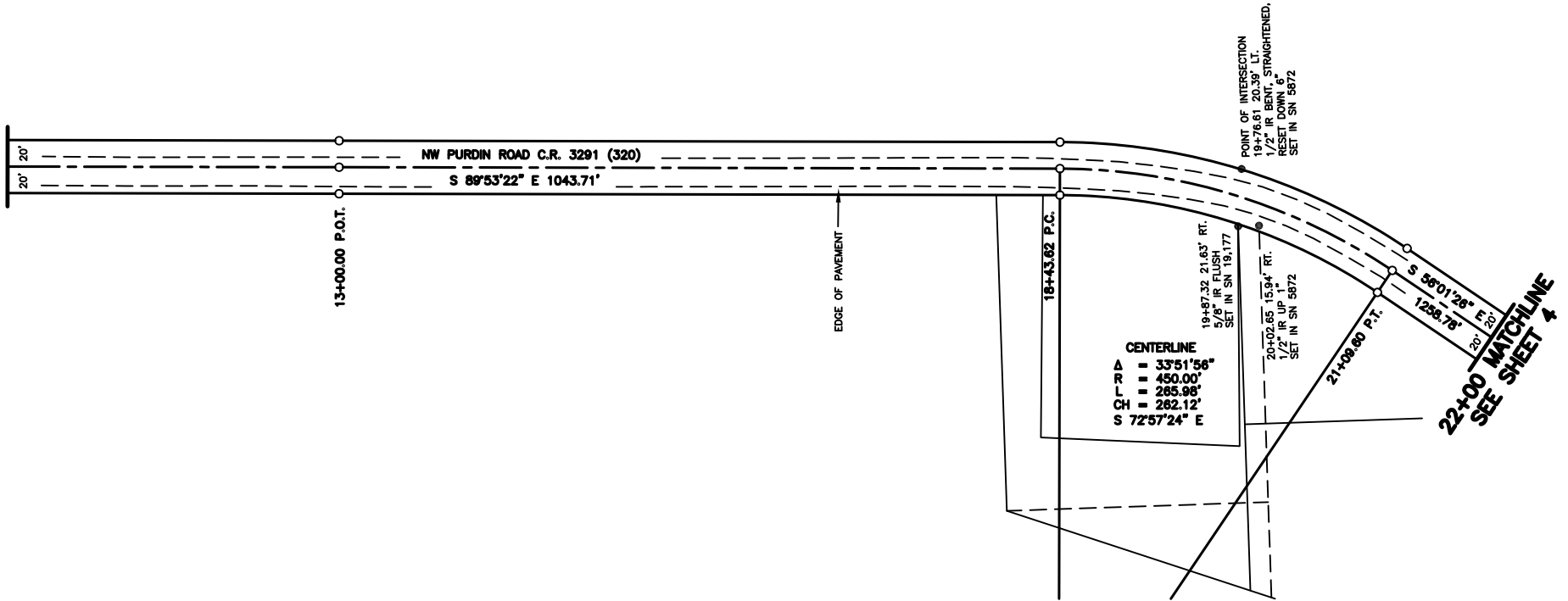
WASHINGTON COUNTY SURVEYOR
DEPARTMENT OF LAND USE AND TRANSPORTATION
155 NORTH FIRST AVENUE, SUITE 350
HILLSBORO, OREGON 97124
(503) 846-8723

RECORD OF SURVEY FOR WASHINGTON COUNTY, OREGON

PLAT OF COUNTY ROAD 3291

LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 30, T1N, R3W, AND IN THE SOUTHEAST AND SOUTHWEST ONE-QUARTERS OF SECTION 24, AND THE NORTHEAST ONE-QUARTER OF SECTION 25, T1N, R4W, W.M., WASHINGTON COUNTY, OREGON

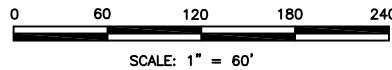
SEE SHEET 2
10+50 MATCHLINE



CENTERLINE
 $\Delta = 33^{\circ}51'56''$
 $R = 450.00'$
 $L = 285.98'$
 $CH = 282.12'$
 $S 72^{\circ}57'24'' E$

LEGEND

○	SET 3/4" X 30" GALVANIZED IRON PIPE WITH YPC STAMPED "COUNTY SURVEYOR" UNLESS OTHERWISE NOTED	SN	SURVEY NUMBER
●	FOUND MONUMENT AS NOTED	IR	IRON ROD
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		YPC	YELLOW PLASTIC CAP
		RPC	RED PLASTIC CAP
		(XX)	FORMER COUNTY ROAD NUMBER



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 25, 1991
JAMES H. ELAM
2496

RENEWAL DATE 12/31/13

CALCULATIONS JK
DRAWN BY JK
CHECKED BY MC
CHECKED BY SY

SCALE: 1" = 60'
DATE: XX-XX-XX
SHEET: 3 OF 8

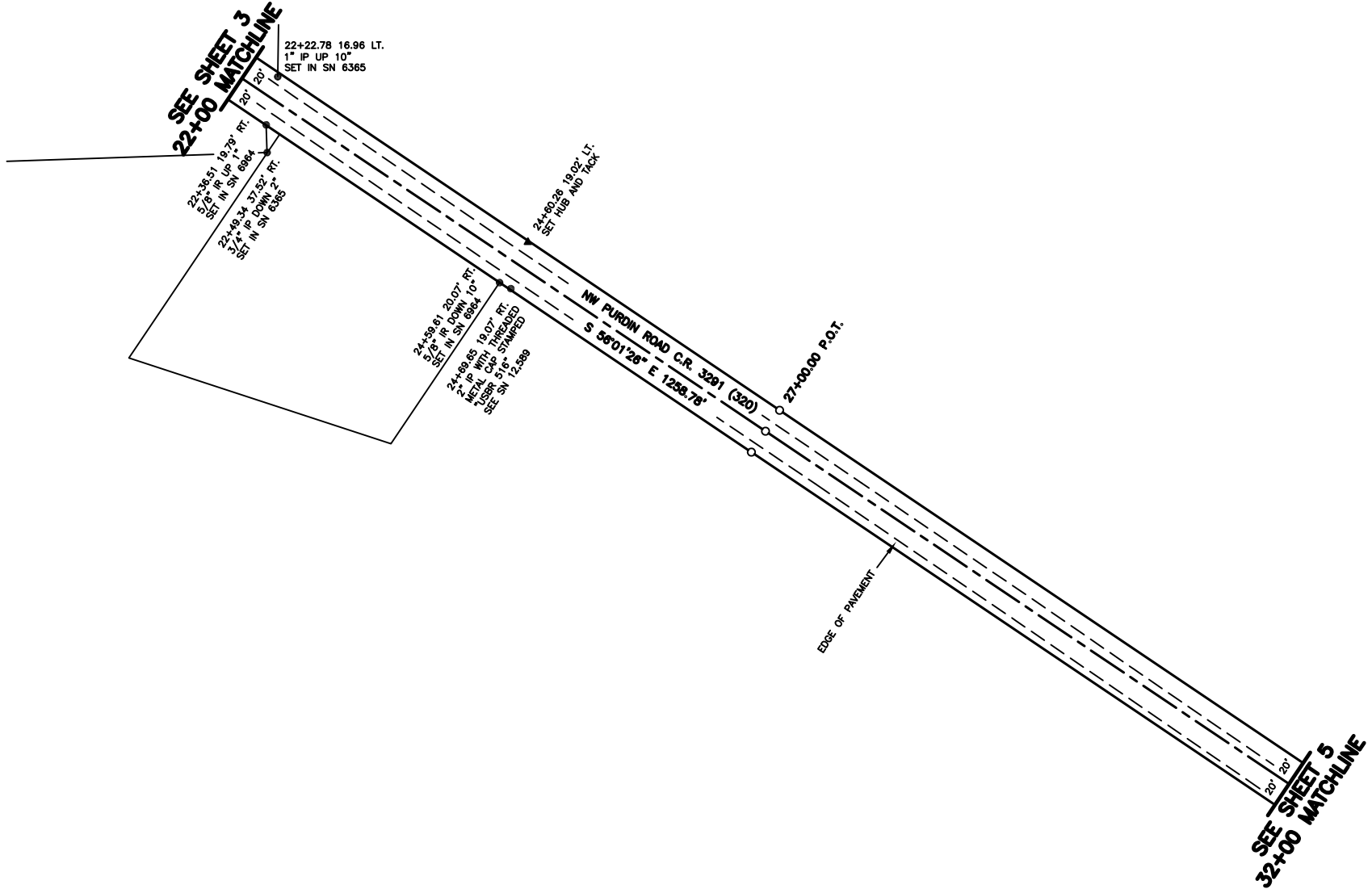


WASHINGTON COUNTY SURVEYOR
DEPARTMENT OF LAND USE AND TRANSPORTATION
155 NORTH FIRST AVENUE, SUITE 350
HILLSBORO, OREGON 97124
(503) 846-8723

RECORD OF SURVEY FOR WASHINGTON COUNTY, OREGON

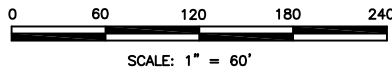
PLAT OF COUNTY ROAD 3291

LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 30, T1N, R3W, AND IN THE SOUTHEAST AND SOUTHWEST ONE-QUARTERS OF SECTION 24, AND THE NORTHEAST ONE-QUARTER OF SECTION 25, T1N, R4W, W.M., WASHINGTON COUNTY, OREGON



LEGEND

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REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 25, 1991
JAMES H. ELAM
2496

RENEWAL DATE 12/31/13

CALCULATIONS JK
DRAWN BY JK
CHECKED BY MC
CHECKED BY SY

SCALE: 1" = 60'
DATE: XX-XX-XX
SHEET: 4 OF 8

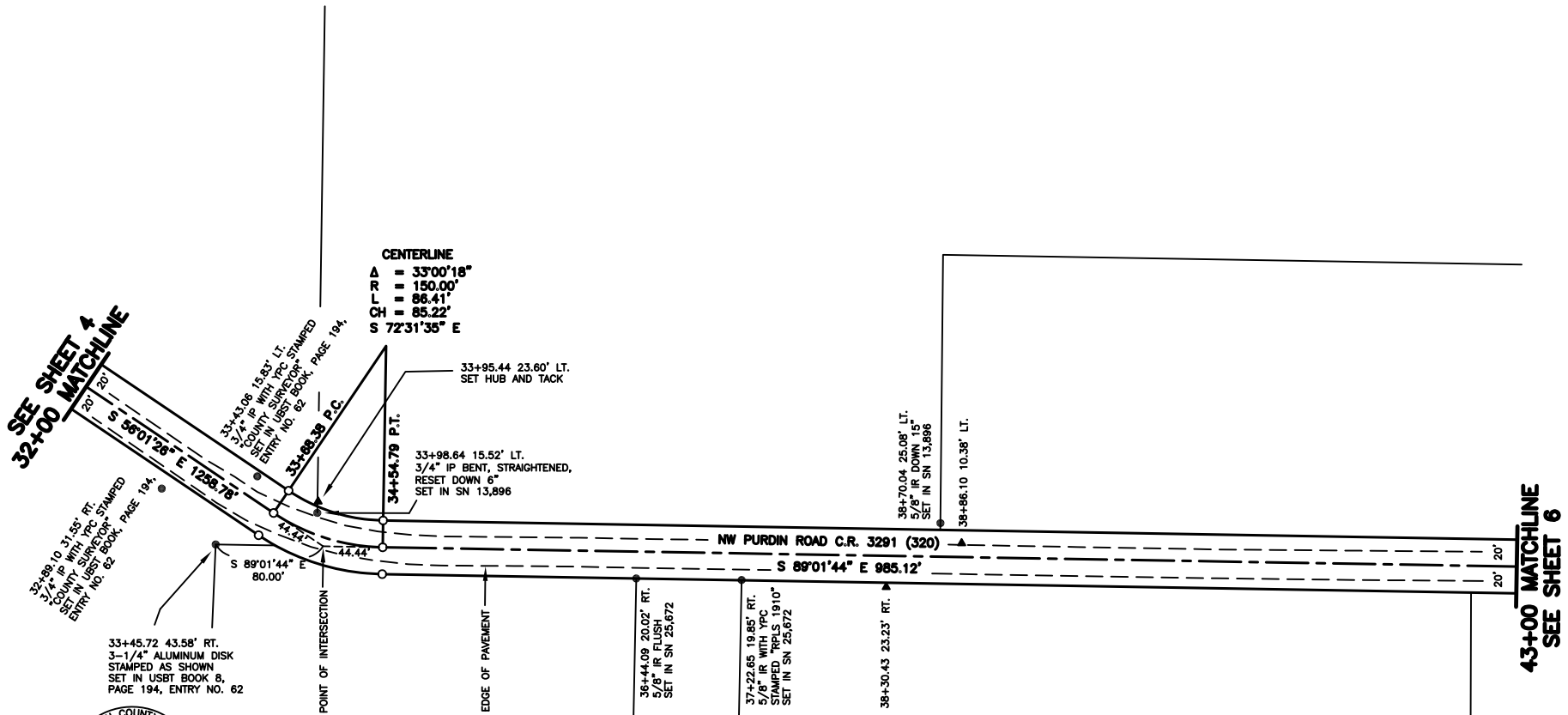


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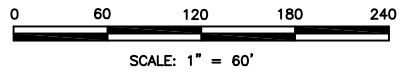
PLAT OF COUNTY ROAD 3291

LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 30, T1N, R3W, AND IN THE SOUTHEAST AND SOUTHWEST ONE-QUARTERS OF SECTION 24, AND THE NORTHEAST ONE-QUARTER OF SECTION 25, T1N, R4W, W.M., WASHINGTON COUNTY, OREGON



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		(XX)	FORMER COUNTY ROAD NUMBER

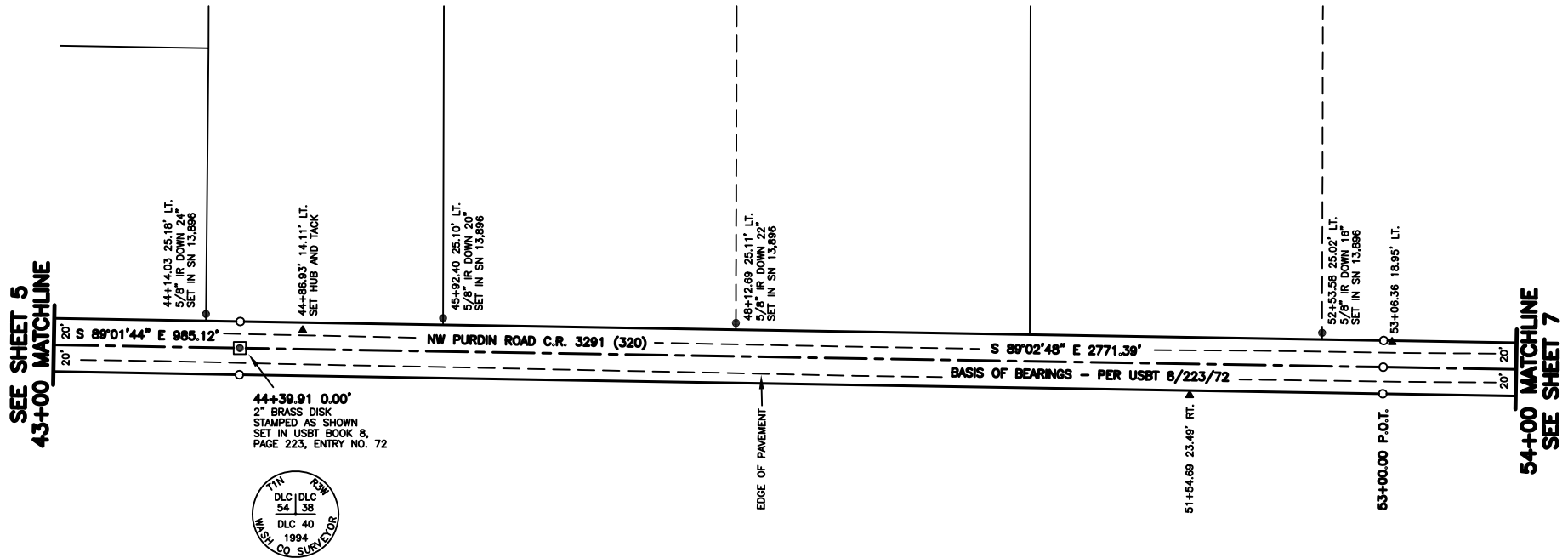


REGISTERED PROFESSIONAL LAND SURVEYOR	CALCULATIONS JK DRAWN BY JK CHECKED BY MC CHECKED BY SY	WASHINGTON COUNTY SURVEYOR DEPARTMENT OF LAND USE AND TRANSPORTATION 155 NORTH FIRST AVENUE, SUITE 350 HILLSBORO, OREGON 97124 (503) 846-8723	
OREGON JULY 25, 1991 JAMES H. ELAM 2496 RENEWAL DATE 12/31/13	SCALE: 1" = 60' DATE: XX-XX-XX SHEET: 5 OF 8		81

RECORD OF SURVEY FOR WASHINGTON COUNTY, OREGON

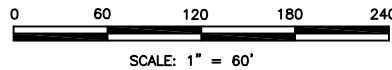
PLAT OF COUNTY ROAD 3291

LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 30, T1N, R3W, AND IN THE SOUTHEAST AND SOUTHWEST ONE-QUARTERS OF SECTION 24, AND THE NORTHEAST ONE-QUARTER OF SECTION 25, T1N, R4W, W.M., WASHINGTON COUNTY, OREGON



LEGEND

○	SET 3/4" X 30" GALVANIZED IRON PIPE WITH YPC STAMPED "COUNTY SURVEYOR" UNLESS OTHERWISE NOTED	SN	SURVEY NUMBER
●	FOUND MONUMENT AS NOTED	IR	IRON ROD
▲	SET 1/2" X 24" IR WITH RPC STAMPED "COUNTY TRAVERSE", UNLESS OTHERWISE NOTED	IP	IRON PIPE
□	MONUMENT BOX	C.R.	COUNTY ROAD
		YPC	YELLOW PLASTIC CAP
		RPC	RED PLASTIC CAP
		(XX)	FORMER COUNTY ROAD NUMBER



REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 25, 1991
JAMES H. ELAM
2496

RENEWAL DATE 12/31/13

CALCULATIONS	JK
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CHECKED BY	SY
SCALE:	1" = 60'
DATE:	XX-XX-XX
SHEET:	6 OF 8

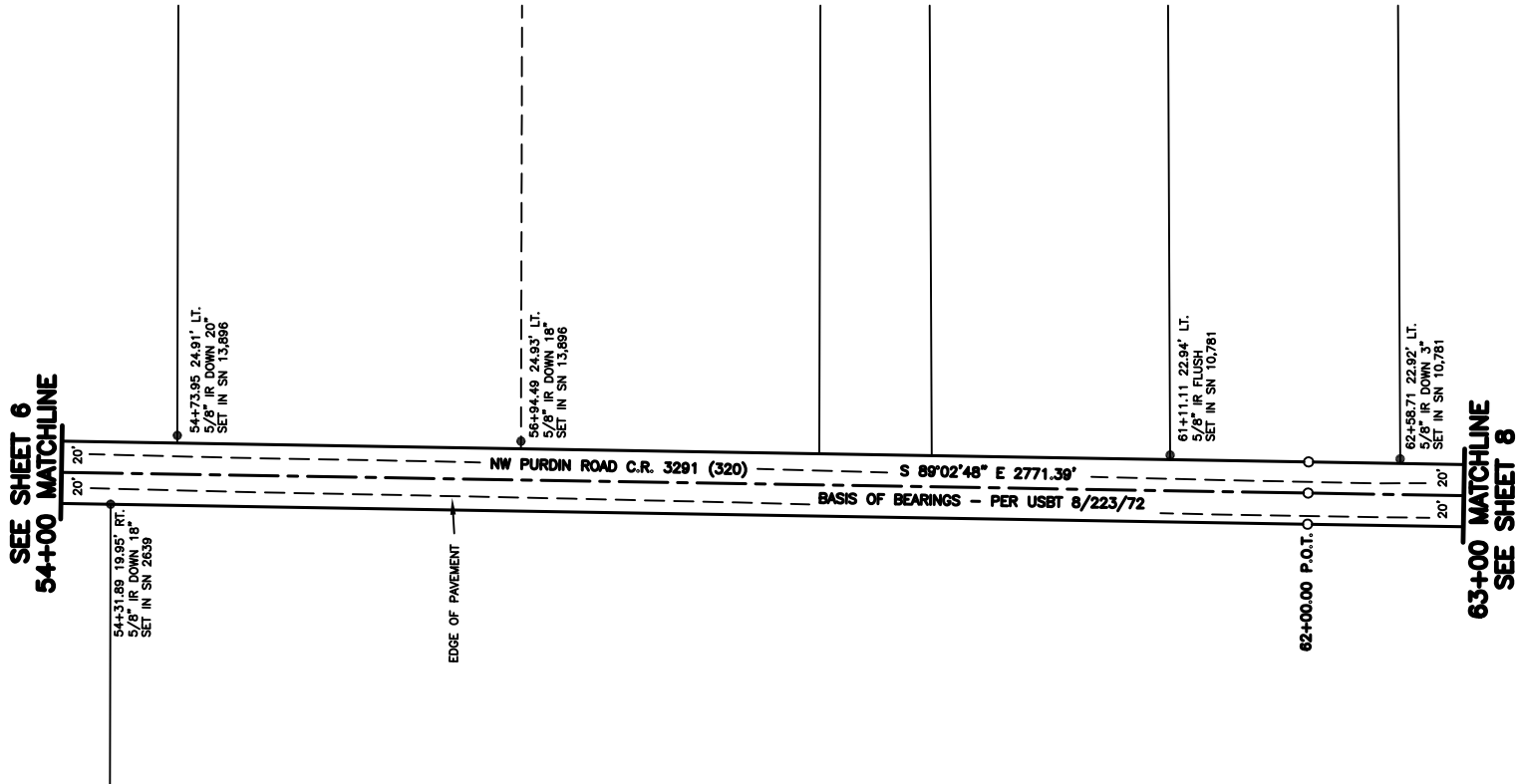


WASHINGTON COUNTY SURVEYOR
DEPARTMENT OF LAND USE AND TRANSPORTATION
155 NORTH FIRST AVENUE, SUITE 350
HILLSBORO, OREGON 97124
(503) 846-8723

RECORD OF SURVEY FOR WASHINGTON COUNTY, OREGON

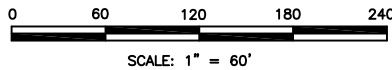
PLAT OF COUNTY ROAD 3291

LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 30, T1N, R3W, AND IN THE SOUTHEAST AND SOUTHWEST ONE-QUARTERS OF SECTION 24, AND THE NORTHEAST ONE-QUARTER OF SECTION 25, T1N, R4W, W.M., WASHINGTON COUNTY, OREGON



LEGEND

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		YPC	YELLOW PLASTIC CAP
		RPC	RED PLASTIC CAP
		(XX)	FORMER COUNTY ROAD NUMBER



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 25, 1991
JAMES H. ELAM
2496

RENEWAL DATE 12/31/13

CALCULATIONS JK
DRAWN BY JK
CHECKED BY MC
CHECKED BY SY

SCALE: 1" = 60'
DATE: XX-XX-XX
SHEET: 7 OF 8



WASHINGTON COUNTY SURVEYOR
DEPARTMENT OF LAND USE AND TRANSPORTATION
155 NORTH FIRST AVENUE, SUITE 350
HILLSBORO, OREGON 97124
(503) 846-8723

RECORD OF SURVEY FOR WASHINGTON COUNTY, OREGON

PLAT OF COUNTY ROAD 3291

LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 30, T1N, R3W, AND IN THE SOUTHEAST AND SOUTHWEST ONE-QUARTERS OF SECTION 24, AND THE NORTHEAST ONE-QUARTER OF SECTION 25, T1N, R4W, W.M., WASHINGTON COUNTY, OREGON

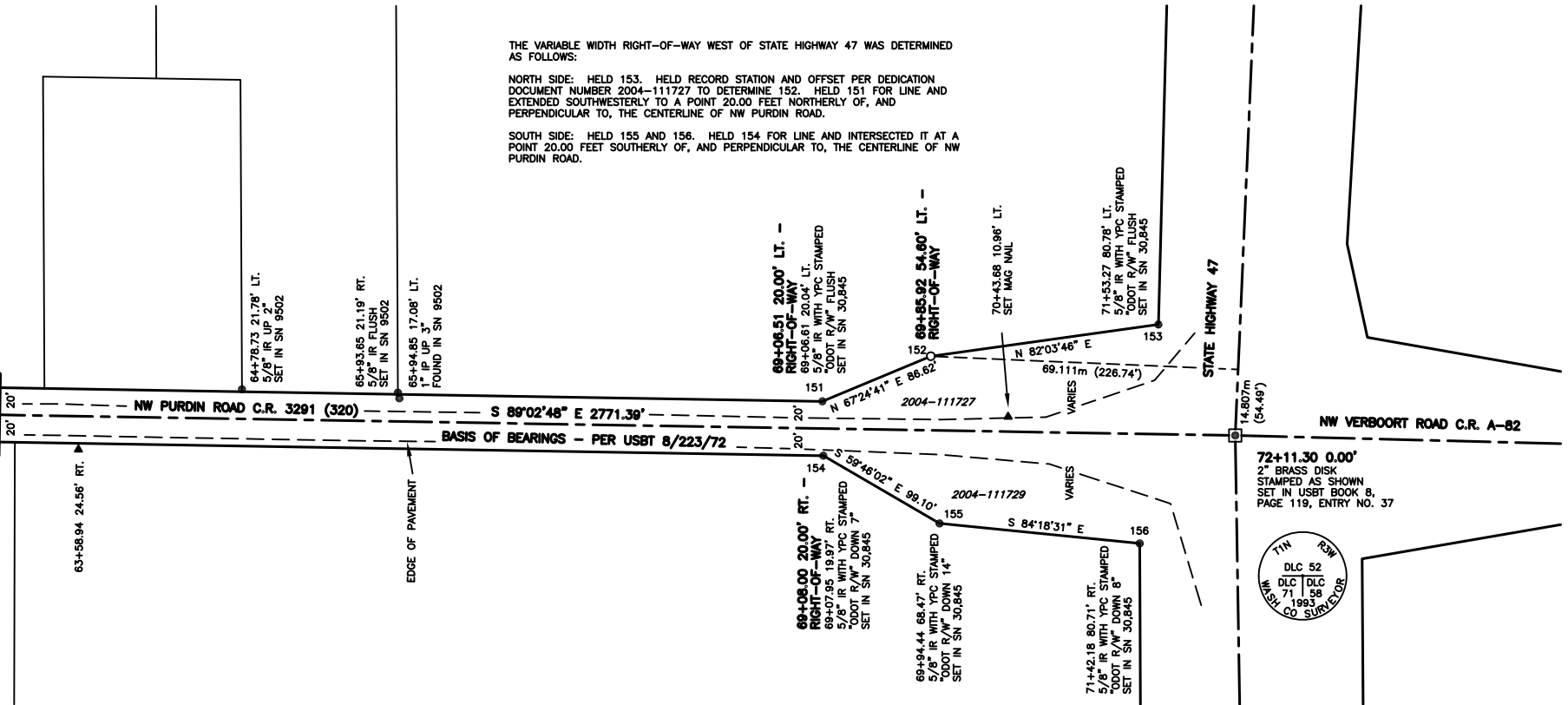


THE VARIABLE WIDTH RIGHT-OF-WAY WEST OF STATE HIGHWAY 47 WAS DETERMINED AS FOLLOWS:

NORTH SIDE: HELD 153. HELD RECORD STATION AND OFFSET PER DEDICATION DOCUMENT NUMBER 2004-111727 TO DETERMINE 152. HELD 151 FOR LINE AND EXTENDED SOUTHWESTERLY TO A POINT 20.00 FEET NORTHERLY OF, AND PERPENDICULAR TO, THE CENTERLINE OF NW PURDIN ROAD.

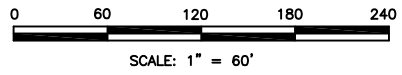
SOUTH SIDE: HELD 155 AND 156. HELD 154 FOR LINE AND INTERSECTED IT AT A POINT 20.00 FEET SOUTHERLY OF, AND PERPENDICULAR TO, THE CENTERLINE OF NW PURDIN ROAD.

SEE SHEET 7
63+00 MATCHLINE



LEGEND

○	SET 3/4" X 30" GALVANIZED IRON PIPE WITH YPC STAMPED "COUNTY SURVEYOR" UNLESS OTHERWISE NOTED	SN	SURVEY NUMBER
●	FOUND MONUMENT AS NOTED	IR	IRON ROD
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		(XX)	FORMER COUNTY ROAD NUMBER



REGISTERED PROFESSIONAL LAND SURVEYOR OREGON JULY 28, 1991 JAMES H. ELAM 2496 RENEWAL DATE 12/31/13	CALCULATIONS JK DRAWN BY JK CHECKED BY MC CHECKED BY SY SCALE: 1" = 60' DATE: XX-XX-XX SHEET: 8 OF 8
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WASHINGTON COUNTY SURVEYOR
DEPARTMENT OF LAND USE AND TRANSPORTATION
155 NORTH FIRST AVENUE, SUITE 350
HILLSBORO, OREGON 97124
(503) 846-8723

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Land Use & Transportation (CPO 12F)

Agenda Title: APPROVE INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF FOREST GROVE FOR ROAD REPAIRS AND AMEND THE FY 2013-14 WORK PROGRAM

Presented by: Andrew Singelakis, Director of Land Use & Transportation

SUMMARY:

In accordance with ORS 373.270 the City of Forest Grove has requested that Washington County transfer its jurisdiction of Willamina Avenue, Hawthorne Street and 26th Avenue to the city. City and County staff have reviewed the condition of the subject roads and agreed that they are in need of repair. As a condition of the jurisdictional transfer the County has agreed to pay the estimated cost, \$262,888.89, to bring the roads up to an acceptable condition. Payment will not be made until after the transfer of jurisdiction is complete.

Funds are available and payment will be made by the Road Fund. With your approval the Fiscal Year 2013-14 Annual Work Program will be amended to reflect this work.

Attachment: 1. Road Description – Exhibit “A”
2. Map – Exhibit “B”

DEPARTMENT’S REQUESTED ACTION:

Approve and authorize signing the IGA and approve amending FY 2013-14 Work Program.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	2.f.
Date:	10/01/13

EXHIBIT "A"

1. HAWTHORNE STREET 23RD AVENUE TO 26TH AVENUE

SHOWN ON EXHIBIT "B"

All that portion of County Road 601 lying between angle point 1 of said road and that portion of said road transferred to the City of Forest Grove in County Road 2672T/J. Said road being situated in the East one-half of Section 31, T1N, R3W, W.M.

2. 26th AVENUE HAWTHORNE STREET TO SUNSET DRIVE

SHOWN ON EXHIBIT "B"

All that portion of County Road 601 lying between its angle point 1 terminus point. Said road being situated in the all one-quarters of Section 31, T1N, R3W, W.M.

3. WILLAMINA AVENUE SUNSET DRIVE TO JAMES CT.

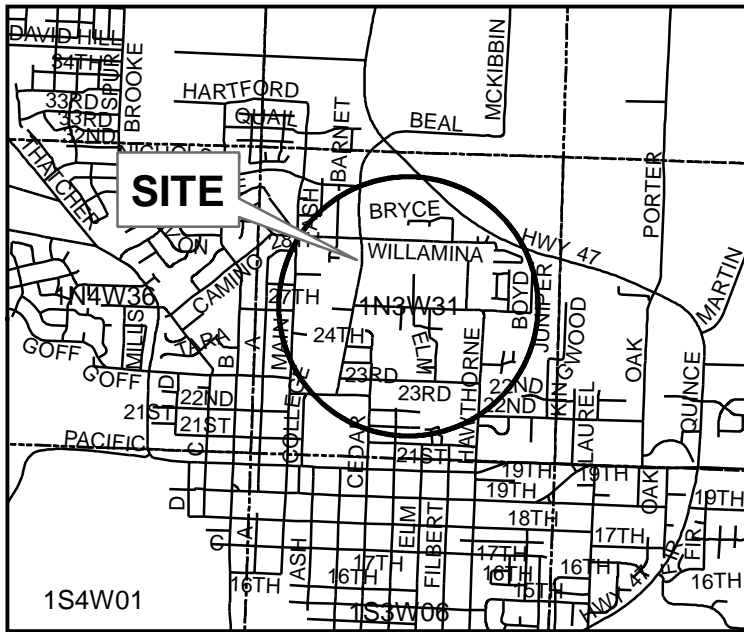
SHOWN ON EXHIBIT "B"

All of County Road 1271. Said road being situated in the North one-half of Section 31, T1N, R3W, W.M.

4. WILLAMINA AVENUE SUNSET DRIVE TO MAIN ST.

SHOWN ON EXHIBIT "B"

All that portion of County Road 646 lying between the beginning point of said road and that portion transferred to the City of Forest Grove in County Road 2146T/J. Said road being situated in the Northwest one-quarter of Section 31, T1N, R3W, W.M.

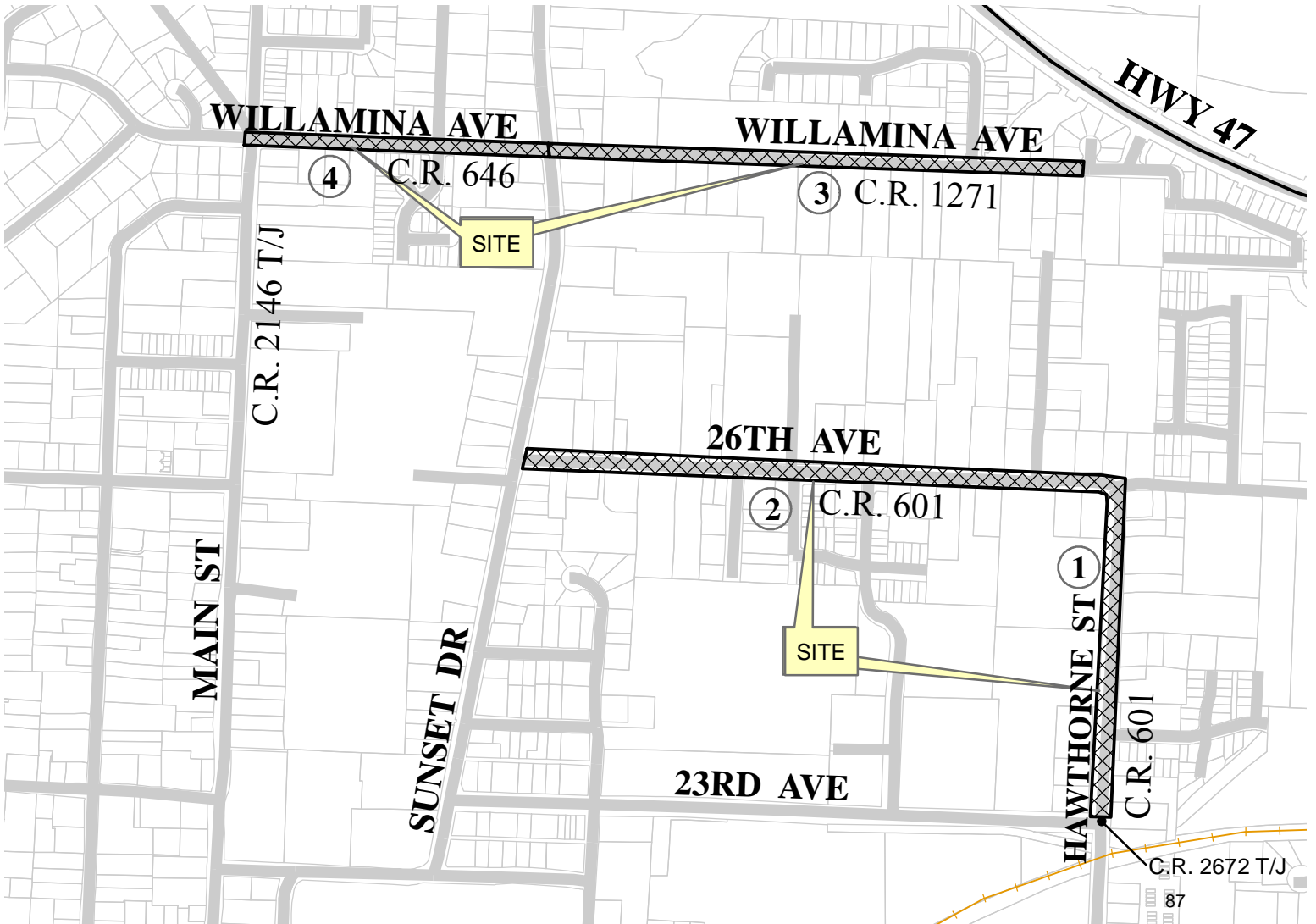
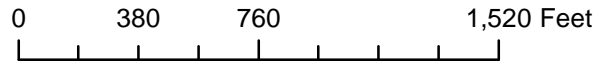


VICINITY MAP

TRANSFER OF JURISDICTION

EXHIBIT "B"

- ① HAWTHORNE STREET
- ② 26TH AVENUE
- ③ WILLAMINA AVENUE
- ④ WILLAMINA AVENUE



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AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Land Use & Transportation (CPO 12F)

Agenda Title: SET A PUBLIC HEARING TO TRANSFER JURISDICTION OF PORTIONS OF SW WILLAMINA AVENUE (C.R. 646 AND 1271), SW 26TH AVENUE (C.R. 601), AND SW HAWTHORNE STREET (C.R. 601) TO THE CITY OF FOREST GROVE AS CR 3292 T/J

Presented by: Andrew Singelakis, Director, Land Use & Transportation

SUMMARY:

The City of Forest Grove has, by City Resolution No. 2013-61, requested the Transfer of Jurisdiction of portions of SW Willamina Avenue (C.R. 646 and 1271), SW 26th Avenue (C.R. 601), and SW Hawthorne Street (C.R. 601) from the County to the City of Forest Grove. ORS 373.270 requires the County to hold a public hearing on this matter. Therefore, we ask the Board to set the date of November 5, 2013 for the public hearing. ORS 373.270 requires notification of this hearing.

Attachment: 1. Road Description – Exhibit “A”
2. Map – Exhibit “B”

DEPARTMENT’S REQUESTED ACTION:

Set November 5, 2013 at 10:00 am 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 Forest Grove (C.R. 3292 T/J). Direct that notification to the public be made by posting pursuant to ORS 373.270.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>2.g.</u>
Date:	<u>10/01/13</u>

EXHIBIT "A"

1. HAWTHORNE STREET
23RD AVENUE TO 26TH AVENUE

SHOWN ON EXHIBIT "B"

All that portion of County Road 601 lying between angle point 1 of said road and that portion of said road transferred to the City of Forest Grove in County Road 2672T/J. Said road being situated in the East one-half of Section 31, T1N, R3W, W.M.

2. 26th AVENUE
HAWTHORNE STREET TO SUNSET DRIVE

SHOWN ON EXHIBIT "B"

All that portion of County Road 601 lying between its angle point 1 terminus point. Said road being situated in the all one-quarters of Section 31, T1N, R3W, W.M.

3. WILLAMINA AVENUE
SUNSET DRIVE TO JAMES CT.

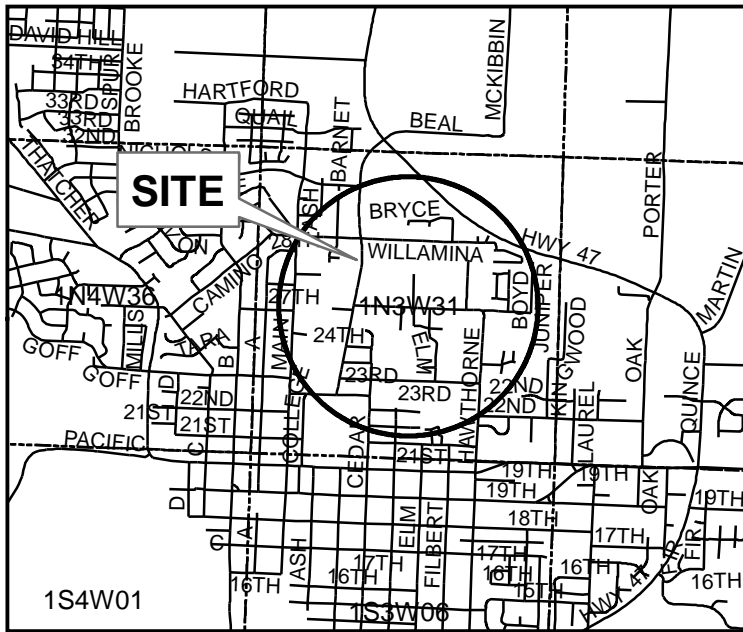
SHOWN ON EXHIBIT "B"

All of County Road 1271. Said road being situated in the North one-half of Section 31, T1N, R3W, W.M.

4. WILLAMINA AVENUE
SUNSET DRIVE TO MAIN ST.

SHOWN ON EXHIBIT "B"

All that portion of County Road 646 lying between the beginning point of said road and that portion transferred to the City of Forest Grove in County Road 2146T/J. Said road being situated in the Northwest one-quarter of Section 31, T1N, R3W, W.M.

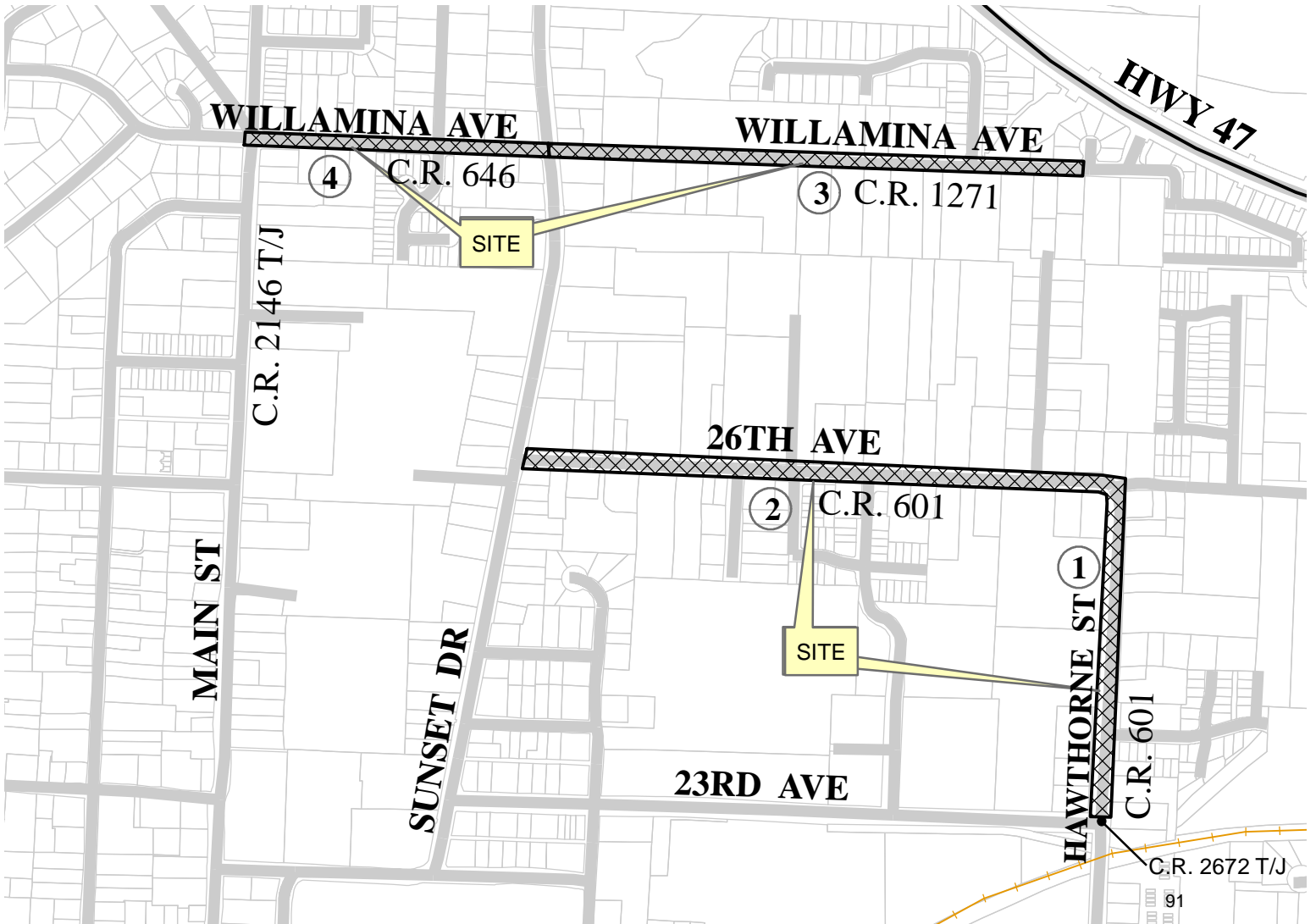
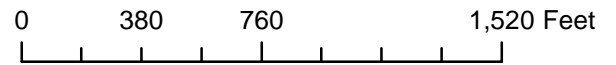


VICINITY MAP

TRANSFER OF JURISDICTION

EXHIBIT "B"

- ① HAWTHORNE STREET
- ② 26TH AVENUE
- ③ WILLAMINA AVENUE
- ④ WILLAMINA AVENUE



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AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – District Attorney (CPO All)

Agenda Title: AUTHORIZE ACCEPTANCE OF STATE FUNDS FROM
DEPARTMENT OF JUSTICE FOR VICTIM ASSISTANCE

Presented by: Bob Hermann, District Attorney

SUMMARY

This agenda item requests your Board’s consideration and acceptance of a Criminal Fine Account (CFA) state grant. The grant funds are available from the State Department of Justice in the amount of \$441,414 and are intended for providing required services to victims of crime.

This 2013-2015 biennial grant award was anticipated in the county's fiscal 2013-14 budget process and the amount is included in the county's fiscal 2013-14 adopted budget.

Funds have been provided to the county from the Criminal Fine Account to support the District Attorney’s Victim Assistance Program since the creation of the account in 1987. This grant award continues a process created in 2010 when the Oregon Department of Justice re-categorized the funds as grant funds. DOJ determined that greater oversight of the funds will be possible through the grant award and reporting process, similar to those established for other DOJ funding. The Unitary Assessment funds will be used primarily to fund 2.89 FTE Victim Assistance Specialist positions included in the FY13-14 budget adopted by your Board in June 2013. The positions provide advocacy for all types of victims in criminal cases. The grant does not request any matching funds. The CFA grants are non-competitive amounts set aside for each county to use for the purposes of victim assistance and advocacy and will continue to be granted annually.

This grant has been included in the Department of Justice’s e-grant database and a document authorizing the County Administrator to perform an internet/online “Click-to-Agree” action to accept the funds is requested and included with the supporting documentation.

DEPARTMENT’S REQUESTED ACTION:

Upon completion of the contract review process, approve the contract described above and authorize the County Administrator or designee to agree to terms and conditions and authorize the District Attorney to accept a \$441,414 Criminal Fine Account grant from the Department of Justice to provide services to victims of crimes.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>2.h.</u>
Date:	10/01/13

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AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Health and Human Services

Agenda Title: ACCEPT GRANT AWARD TO PROVIDE OUTPATIENT DRUG COURT SUBSTANCE ABUSE TREATMENT SERVICES FOR ADULTS AND FAMILIES

Presented by: Rod Branyan, Director

SUMMARY

In 2006, the Washington County Department of Health and Human Services applied for a grant through the Oregon Criminal Justice Commission to provide outpatient drug court substance abuse treatment services for adults and families. Your Board accepted the grant on August 22, 2006 (MO#06-303). The Department has since applied annually for additional grant funds to continue providing drug court treatment services. The Oregon Criminal Justice Commission has awarded additional grant funding for the 2013-2014 fiscal year in the amount of \$265,505.

The Department requests your Board accept the grant award to provide drug court services for September 1, 2013 through June 30, 2014 in the amount of \$265,505.

DEPARTMENT'S REQUESTED ACTION:

Accept the grant award from the Criminal Justice Commission totaling \$265,505 for the time period of Sept. 1, 2013 through June 30, 2014.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>2.i.</u>
Date:	10/01/13

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AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Health & Human Services and Juvenile Department

Agenda Title: **APPROVE INTERGOVERNMENTAL AGREEMENT WITH THE OREGON DEPARTMENT OF EDUCATION, YOUTH DEVELOPMENT DIVISION FOR 2013-14**

Presented by: Rod Branyan, Director and Lynne Schroeder, Director

SUMMARY

The 2013-14 Intergovernmental Agreement between the Oregon Department of Education, Youth Development Division and Washington County provides the County with State and Federal funds to support community based services for children, youth and families in accordance with the County's Comprehensive Community Plan for Children and the County's Juvenile Crime Prevention Plan. The Intergovernmental Agreement is for the period July 1, 2013 through June 30, 2014 to provide one year of continuation funding in the amount of \$349,969 for services funded through the Juvenile Department for Juvenile Crime Prevention as previously authorized by your Board (MO 09-311); and \$478,920 for services funded with the Commission on Children and Families Youth Development grant stream through the Department of Health and Human Services to support contracts authorized by your Board on June 4, 2013 (MO 13-137).

The Departments request your Board approve the Intergovernmental Agreement with the Oregon Department of Education, Youth Development Division in the amount of \$828,889 for the period of July 1, 2013 through June 30, 2014.

Clerk's Desk Item: Intergovernmental Agreement (*click on the Attachments Panel to access electronic copy*)

DEPARTMENT'S REQUESTED ACTION:

Approve the Intergovernmental Agreement with the Oregon Department of Education, Youth Development Division in the amount of \$828,889 for the period of July 1, 2013 through June 30, 2014.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>2.j.</u>
Date:	10/01/13

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AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Juvenile Department

Agenda Title: **AUTHORIZE GRANT FUNDING AND INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF OREGON FOR JUVENILE DRUG COURT**

Presented by: Lynne Schroeder, Director

SUMMARY:

The purpose of this agenda is to request that your Board authorize grant funds and an Intergovernmental Agreement with the State of Oregon for Juvenile Drug Court. An eighth year of funding in the amount of \$94,392 has been awarded to the Juvenile Department through the Oregon Criminal Justice Commission for FY 2013-14. The effective dates of this IGA will be September 1, 2013 to June 30, 2014. Funding under this agreement is included in the FY 2013-14 adopted budget.

DEPARTMENT’S REQUESTED ACTION:

Authorize grant funds and Intergovernmental Agreement with the Oregon Criminal Justice Commission in the amount of \$94,392 for fiscal year 2013-2014 for Juvenile Drug Court.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>2.k.</u>
Date:	<u>10/01/13</u>

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AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Office of Community Development

Agenda Title: **APPROVE TRANSFER OF SPONSORSHIP OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PUBLIC SERVICE PROJECT FROM ESSENTIAL HEALTH CLINIC TO SOUTHWEST COMMUNITY HEALTH CENTER**

Presented by: Jennie H. Proctor, Program Manager

SUMMARY

The purpose of this agenda item is to request the Board’s consideration and approval of the transfer of sponsorship of CDBG project # 4331 from the Essential Health Clinic to Southwest Community Health Center.

The Essential Health Clinic was forced to close the doors at both the Hillsboro and Tigard clinics in April 2013 to ensure that all liabilities could still be paid by the organization. The Agency’s board continued to work to identify partners who would be able to resume the services that the Essential Health Clinic (EHC) had provided for over ten years to the community. On September 03, 2013, the EHC filed an official letter with the Department of Justice, Charitable Activities Section providing notification that EHC’s Board of Directors intends to transfer all or substantially all of its assets to Southwest Community Health Center (SWCHC), an Oregon non-profit public benefit corporation. As of September 23, 2013, SWCHC is prepared to assume all responsibilities under the Community Development Block Grant (CDBG) for the SWCHC-Hillsboro Clinic (formerly Essential Health Clinic) so that they may restore health care services to low-income uninsured residents of Washington County. The Board of Directors of SWCHC is aware of the assumption of these responsibilities and is working with Washington County Office of Community Development staff to ensure that they are compliant with the regulatory requirements and provisions of the CDBG program.

At its September 19, 2013 meeting, the Policy Advisory Board approved the transfer of Sponsorship from EHC to SWCHC. Per CDBG policy 5.9.2, the PAB and the Board of County Commissioners must approve the transfer of sponsorship of a CDBG-funded project.

Total CDBG funds: \$18,750

No County General funds are involved.

DEPARTMENT’S REQUESTED ACTION:

Authorize the transfer of sponsorship and execution of the contract for the above-named project upon completion of the County’s contract review process.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>2.1.</u>
Date:	10/01/13

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AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Support Services

Agenda Title: **GRANT PUBLIC UTILITY EASEMENT OVER COUNTY ROAD 1180 (STICKNEY ROAD)**

Presented by: Candance Paradis, Facilities & Parks Services Manager

SUMMARY:

Washington County Road 1180, known as Stickney Road, in rural Washington County, is being considered for vacation. Prior to vacation of the existing road, it is recommended that a public utility easement be granted to Washington County. Granting of the easement ensures that the County retains the right to place utilities on the property.

The Public Utility Easement is attached, along with Exhibit A (legal description) and Exhibit B that is a vicinity map for your reference.

Attachments: Easement
Exhibit A
Exhibit B

DEPARTMENT’S REQUESTED ACTION:

Grant public utility easement to Washington County over Washington County Road 1180 (Stickney Road); and authorize the Board Chair to execute the document.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>2.m.</u>
Date:	10/01/13

After recording, please return to:
Washington County Surveyor's Office
155 North First #200-17
Hillsboro, Oregon 97124

PUBLIC UTILITY EASEMENT

Consideration in terms of dollars is \$NONE.

KNOW ALL PERSONS BY THESE PRESENTS, that **Washington County, a political subdivision of the State of Oregon**, Grantor, does hereby grant to Washington County, a political subdivision of the State of Oregon, Grantee, for the use of the public, a perpetual easement for the installation, maintenance, and repair of public utilities, over, under, and across a strip of land Described in Exhibit "A" and shown on Exhibit "B", attached hereto and by this reference made a part hereof.

Grantor hereby covenants to and with Grantee, its successors and assigns, that it is the owner of said property, which is free from all encumbrances, except for easements, conditions and restrictions of record, and will warrant and defend the easements rights herein granted from all lawful claims whatsoever, except as stated herein.

IT IS UNDERSTOOD that the easement herein granted does not convey any right or interest in the above-described land, except as expressly stated herein, nor prevents Grantor from the use of said property; provided, however, that such use shall not be permitted to interfere with the rights herein granted.

IN WITNESS WHEREOF, Washington County has caused this instrument to be duly signed hereto by its Chair of the Board of County Commissioners this _____ day of _____, 2013, pursuant to Board Minute Order No. _____, dated _____, 2013.

WASHINGTON COUNTY, OREGON

Chair, Board of County Commissioners

Recording Secretary

This instrument was acknowledged before me on _____, 2013, by _____, personally known to me as the (Chair, Vice-Chair) of the Washington County Board of County Commissioners, on behalf of whom this Deed was executed.

Notary Public of Oregon
My Commission Expires: _____

Accepted on behalf of Washington County, Oregon.

Dated this _____ day of _____, 2013

By: _____
Chair, Board of County Commissioners

Approved as to form:

Cortney D. Duke-Driessen
Assistant County Counsel
Date: 9/3/2013

EXHIBIT "A"

Public Utility Easement

All that portion of land described in County Road No. 1180 and being situated in the Northwest One-quarter of Section 12, Township 2 South, Range 3 West, of the Willamette Meridian, Washington County, Oregon.

PUBLIC UTILITY EASEMENT



NOT TO SCALE

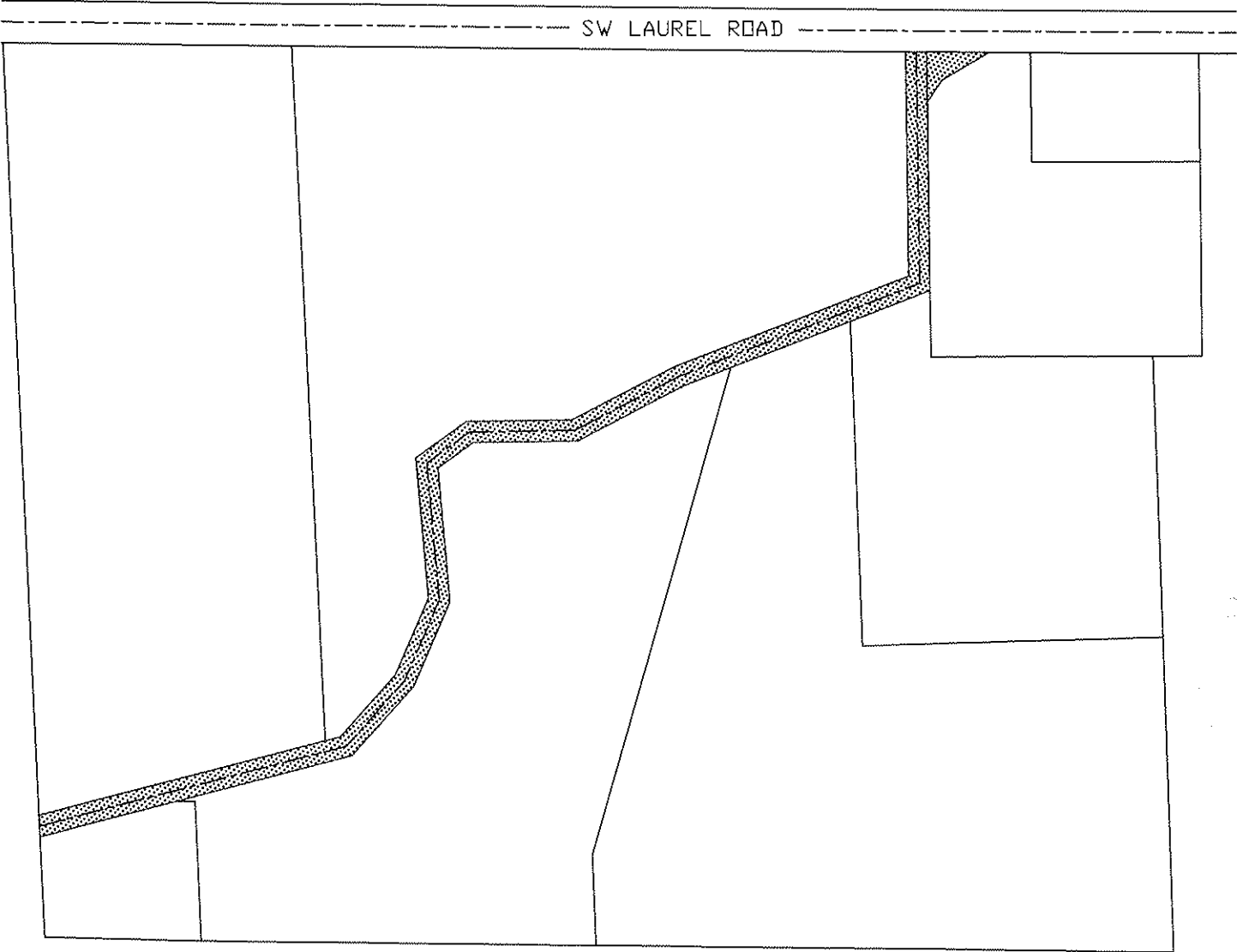


EXHIBIT "A"

2S31100-00200

A portion of that parcel of land conveyed to Washington County by E.C. Mulloy and Melinda A. Mulloy in Book 146 Pages 405 and 406 of the Washington County Deed Records, situated in the Northwest One-quarter of the Northwest One-quarter of Section 12, Township 2 South, Range 3 West, of the Willamette Meridian, Washington County, Oregon. Said portion of said parcel lying southerly of the centerline of County Road No. 1180 and southerly of the north line of that property described in Tract 3 of Deed Document No. 2012-022906 of the Washington County Book of Records.

Containing 2577 square feet, more or less.

AREA TO BE QUITCLAIMED



NOT TO SCALE

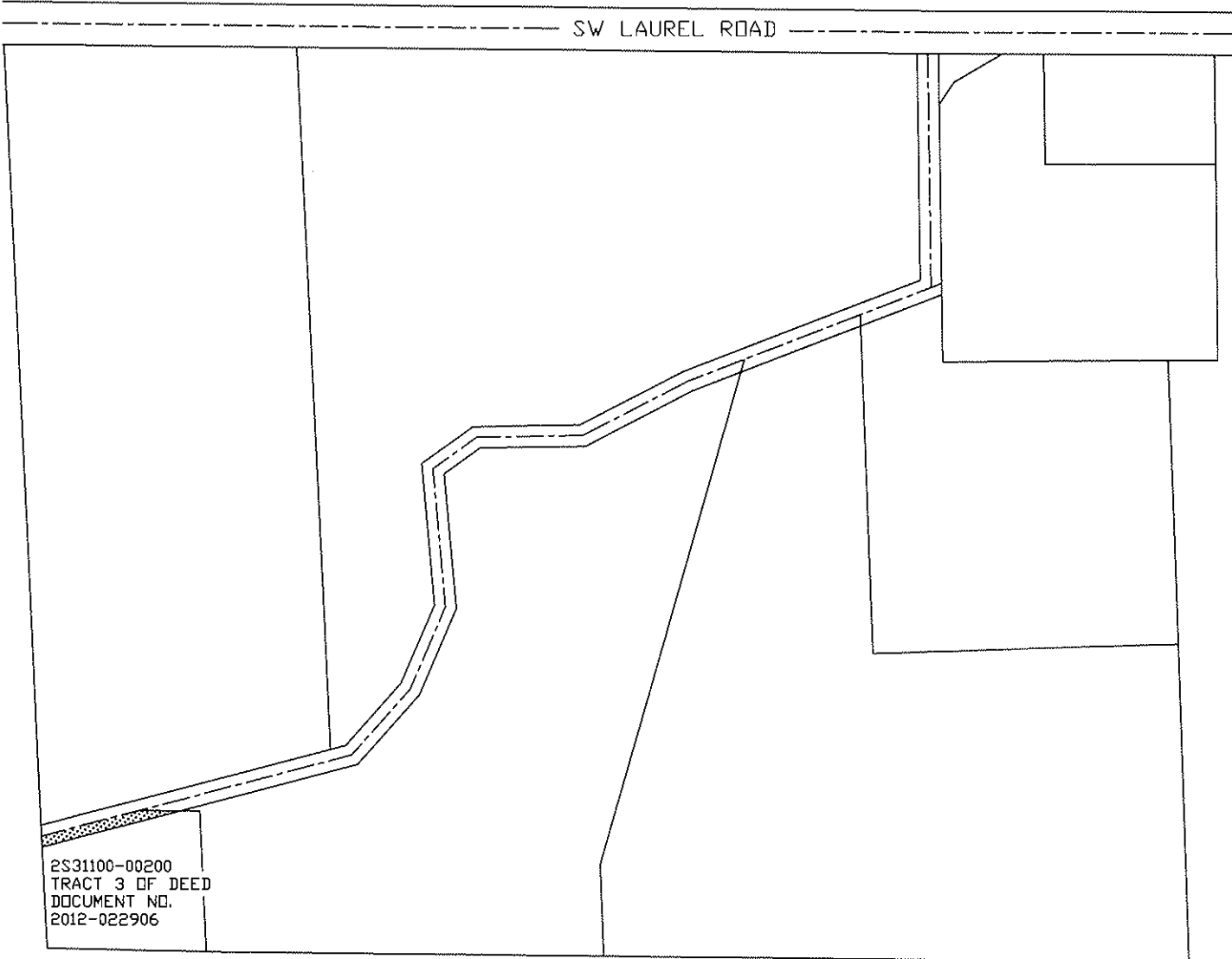


EXHIBIT "A"

2S3120001402

A portion of that parcel of land conveyed to Washington County by E.C. Mulloy and Melinda A. Mulloy in Book 146 Pages 405 and 406 of the Washington County Deed Records, situated in the Northwest One-quarter of the Northwest One-quarter of Section 12, Township 2 South, Range 3 West, of the Willamette Meridian, Washington County, Oregon. Said portion of said parcel lying southerly of the centerline of County Road No. 1180, westerly of the northerly extension of the easterly line of that property described in Deed Document No. 2011-053302, and northerly of the north line of that property described in Tract 3 of Deed Document No. 2012-022906 of the Washington County Book of Records of the Washington County Book of Records.

Containing 17876 square feet, more or less.

AREA TO BE QUITCLAIMED



NOT TO SCALE

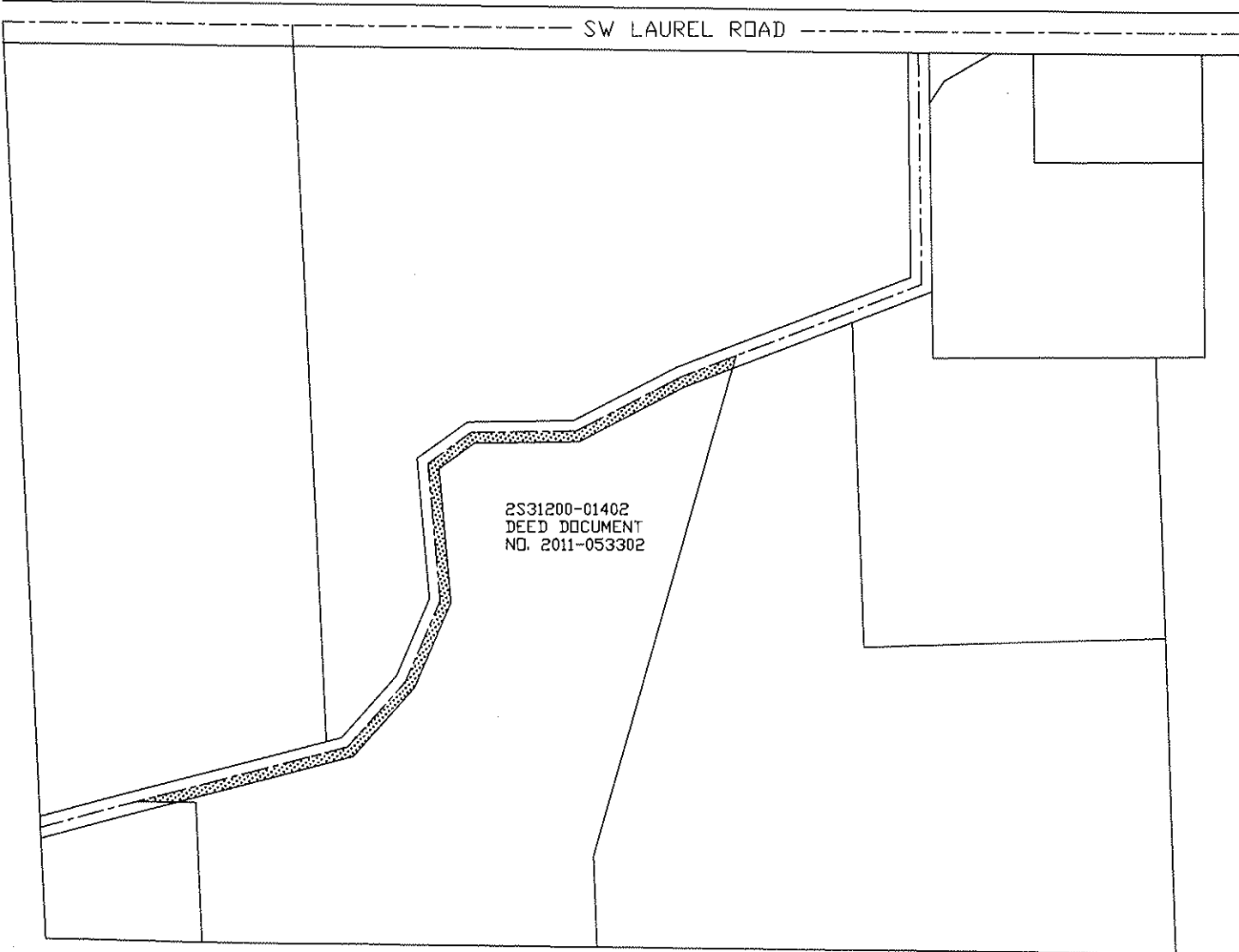


EXHIBIT "A"

2S3120001400

A portion of that parcel of land conveyed to Washington County by E.C. Mulloy and Melinda A. Mulloy in Book 146 Pages 405 and 406 of the Washington County Deed Records, situated in the Northwest One-quarter of the Northwest One-quarter of Section 12, Township 2 South, Range 3 West, of the Willamette Meridian, Washington County, Oregon. Said portion of said parcel lying southerly of the centerline of County Road No. 1180 and being between the northerly extension of the westerly and easterly lines of that property described in Deed Document No. 2005-071369 of the Washington County Book of Records.

Containing 2662 square feet, more or less.

AREA TO BE QUITCLAIMED



NOT TO SCALE

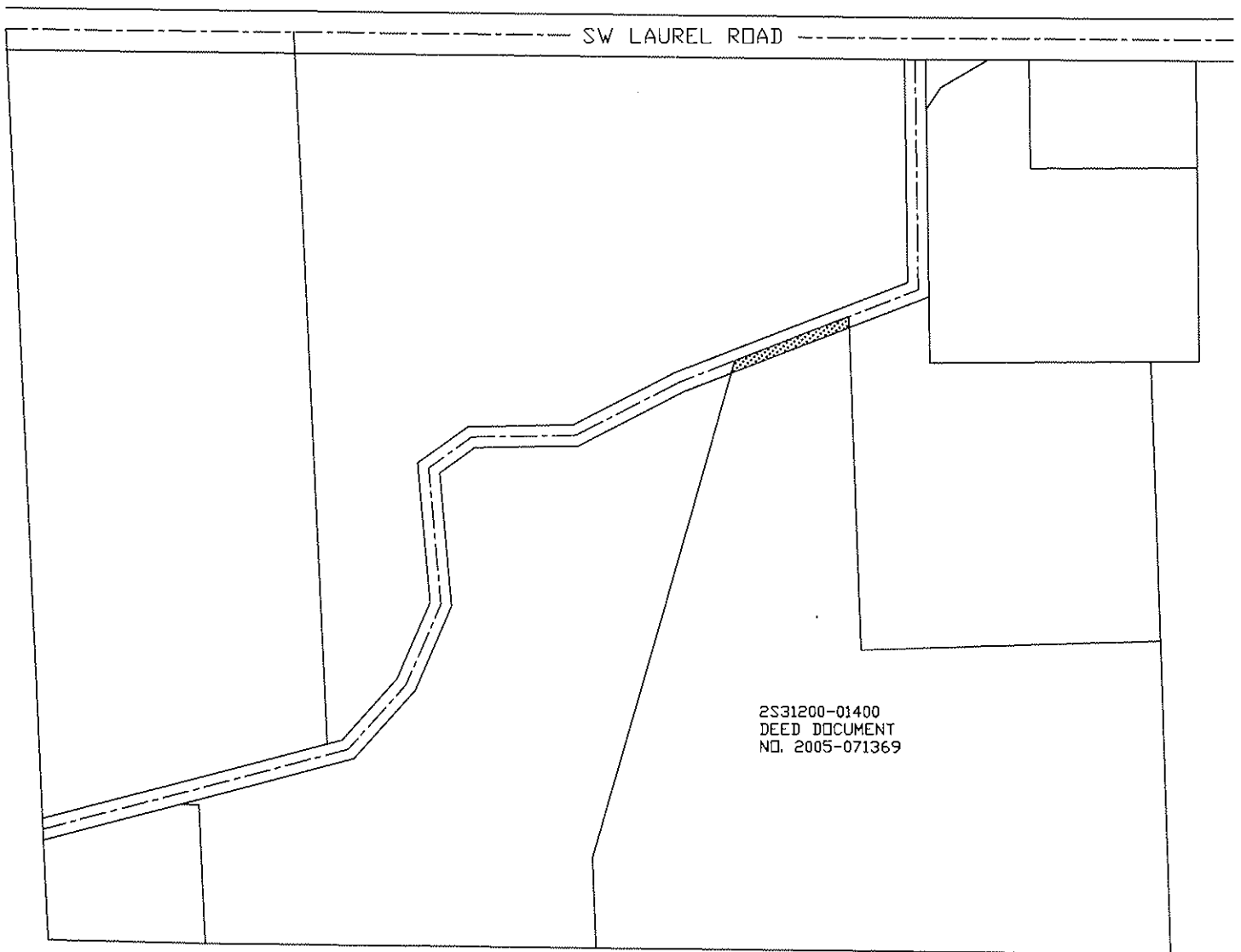


EXHIBIT "A"

2S3120001401

A portion of that parcel of land conveyed to Washington County by E.C. Mulloy and Melinda A. Mulloy in Book 146 Pages 405 and 406 of the Washington County Deed Records, situated in the Northwest One-quarter of the Northwest One-quarter of Section 12, Township 2 South, Range 3 West, of the Willamette Meridian, Washington County, Oregon. Said portion of said parcel lying southerly of the centerline of County Road No. 1180 bearing N 68°50'E, and its easterly extension thereof, and lying easterly of the northerly extension of the westerly line of that property described in Deed Document No. 2011-013789 of the Washington County Book of Records.

Containing 1828 square feet, more or less.

AREA TO BE QUITCLAIMED

N



NOT TO SCALE

SW LAUREL ROAD

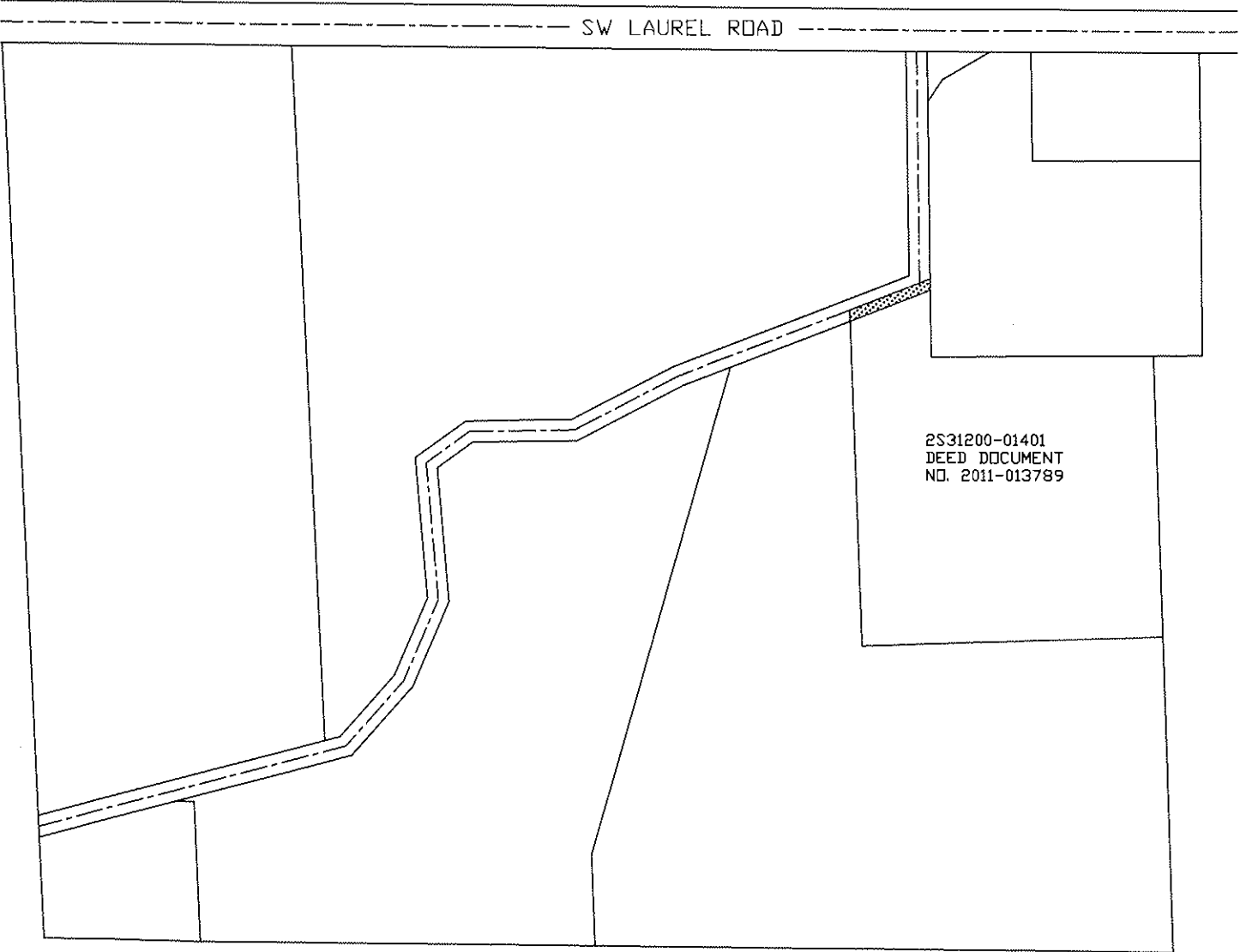


EXHIBIT "A"

2S3120001601

A portion of that parcel of land conveyed to Washington County by E.C. Mulloy and Melinda A. Mulloy in Book 146 Pages 405 and 406 of the Washington County Deed Records, situated in the Northwest One-quarter of the Northwest One-quarter of Section 12, Township 2 South, Range 3 West, of the Willamette Meridian, Washington County, Oregon. Said portion of said parcel lying northerly of the centerline of County Road No. 1180 and westerly of the southerly extension of the easterly line of that property described in Deed Document No. 84017815 of the Washington County Book of Records.

Containing 6284 square feet, more or less.

AREA TO BE QUITCLAIMED



NOT TO SCALE

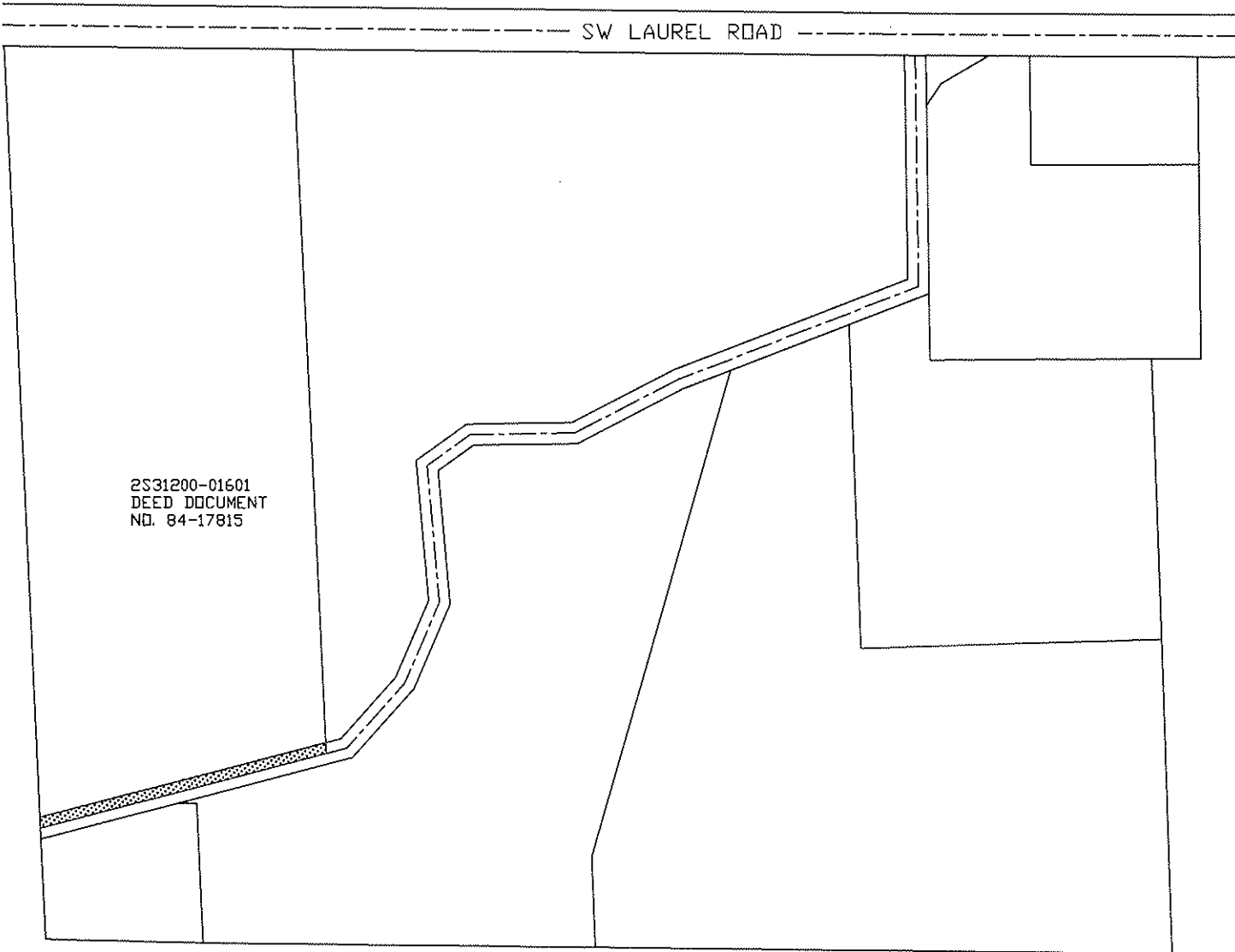


EXHIBIT "A"

2S3120001600

A portion of that parcel of land conveyed to Washington County by E.C. Mulloy and Melinda A. Mulloy in Book 146 Pages 405 and 406 of the Washington County Deed Records, situated in the Northwest One-quarter of the Northwest One-quarter of Section 12, Township 2 South, Range 3 West, of the Willamette Meridian, Washington County, Oregon. Said portion of said parcel lying northerly and westerly of the centerline of County Road No. 1180 and being easterly of the southerly extension of the westerly line of that property described in Deed Document No. 95075803 of the Washington County Book of Records.

Together with that portion of said parcel lying westerly of the easterly line of the northwest one-quarter of the northwest one-quarter of Section 12, T2S, R3W, W.M. and being northerly of the easterly extension of the centerline of County Road No. 1180 bearing N 68°50'E.

Containing 28050 square feet, more or less.

AREA TO BE QUITCLAIMED

N



NOT TO SCALE

SW LAUREL ROAD

2S31200-01600
DEED DOCUMENT
NO. 95075803

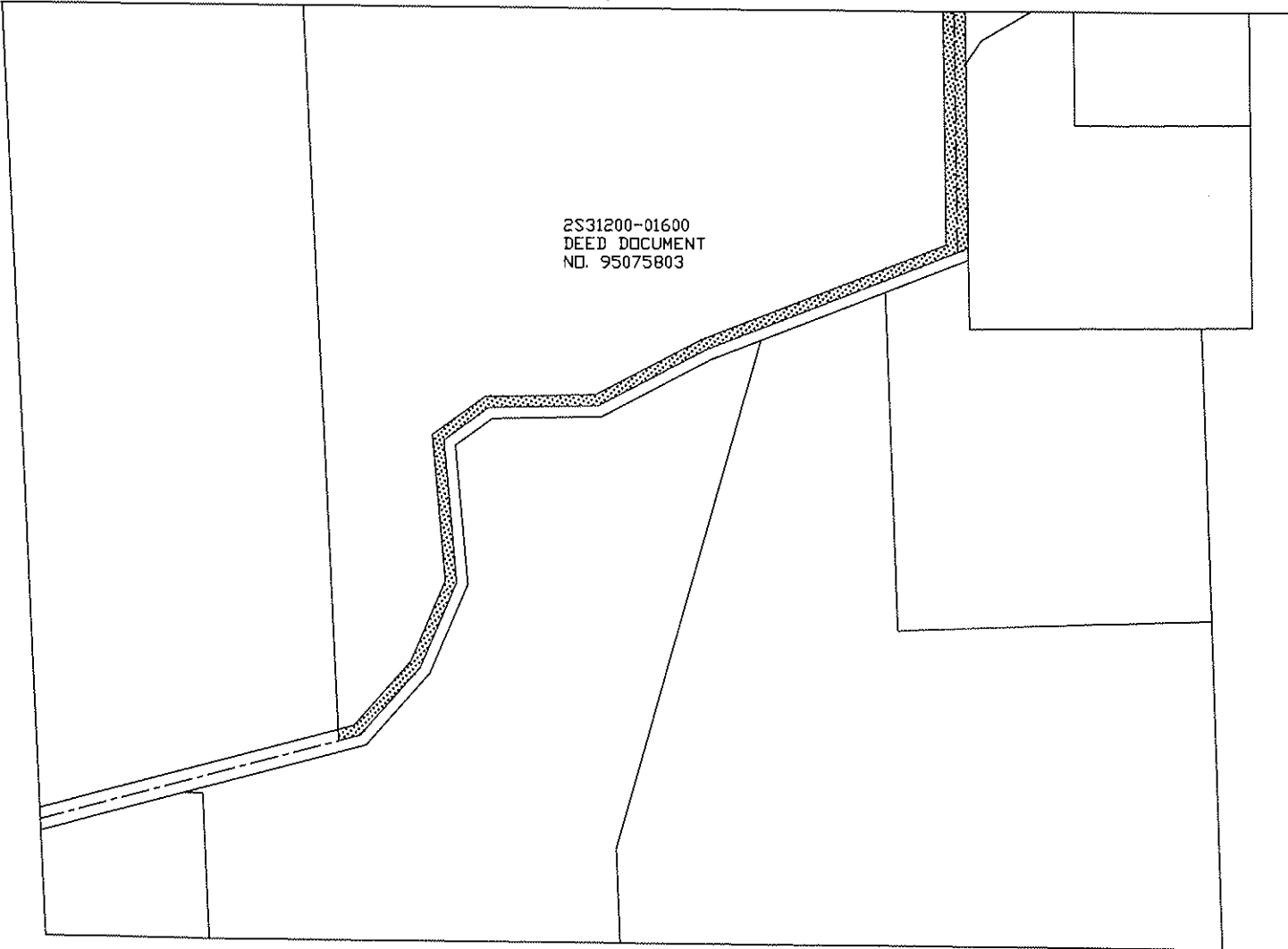


EXHIBIT "A"

2S3120001700

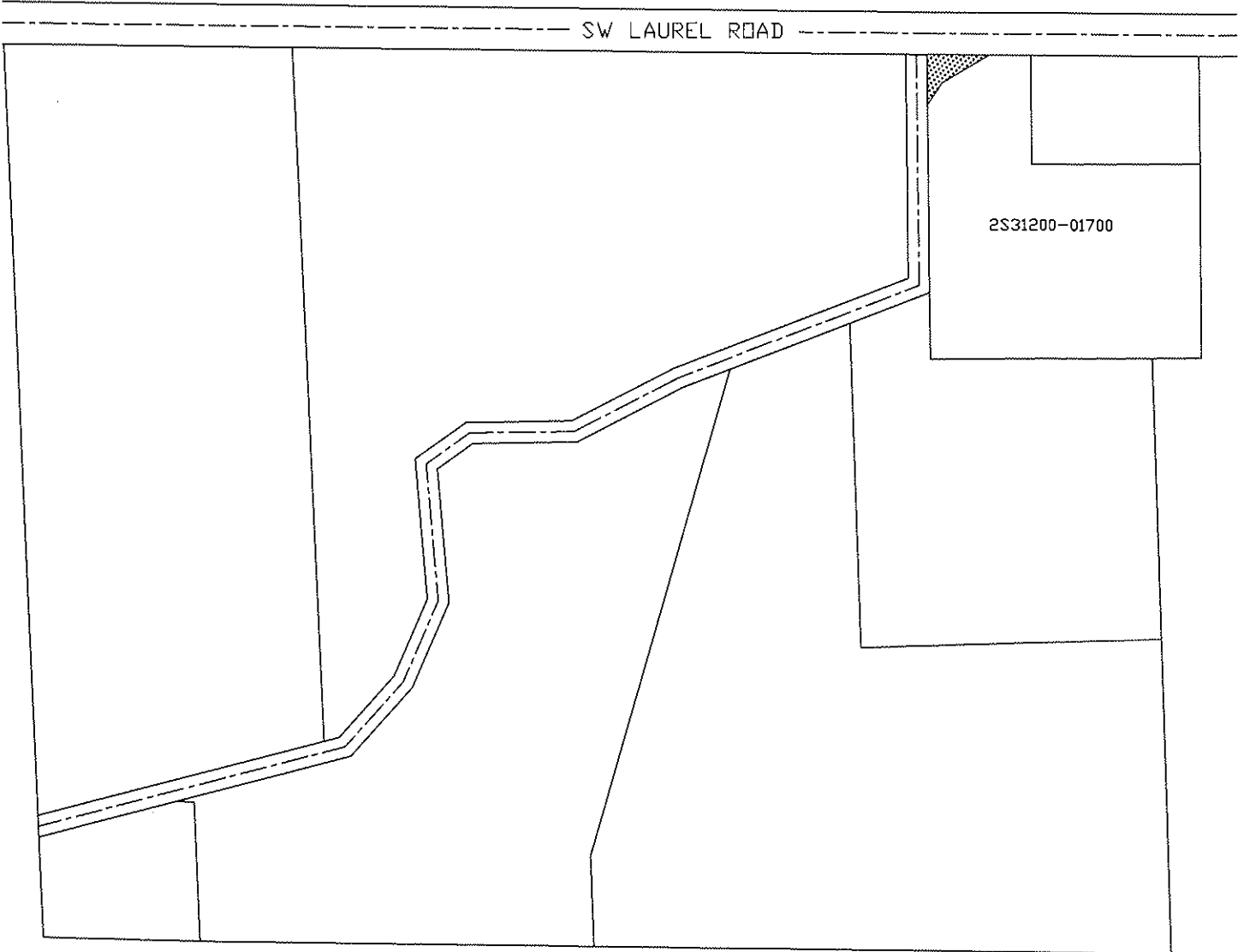
That parcel of land conveyed to Washington County by Alice Proffitt in Book 146 Pages 404 and 405 of the Washington County Deed Record and being situated in the Northeast One-quarter of the Northwest One-quarter of Section 12, Township 2 South, Range 3 West, of the Willamette Meridian, Washington County, Oregon.

Containing 2527 square feet, more or less.

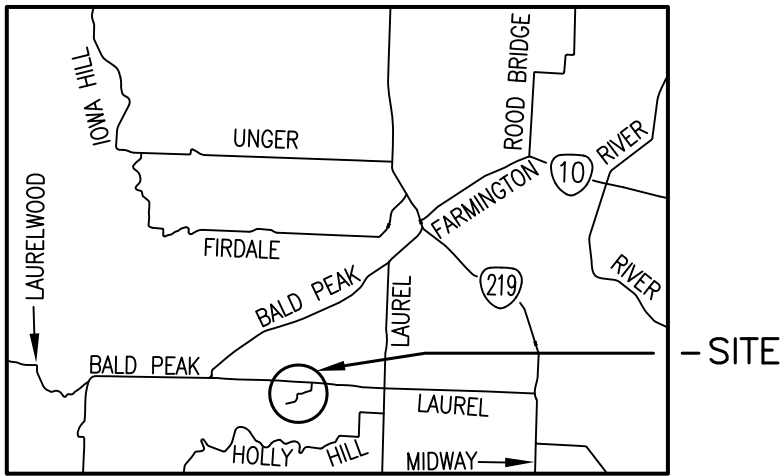
AREA TO BE QUITCLAIMED



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PUBLIC UTILITY EASEMENT

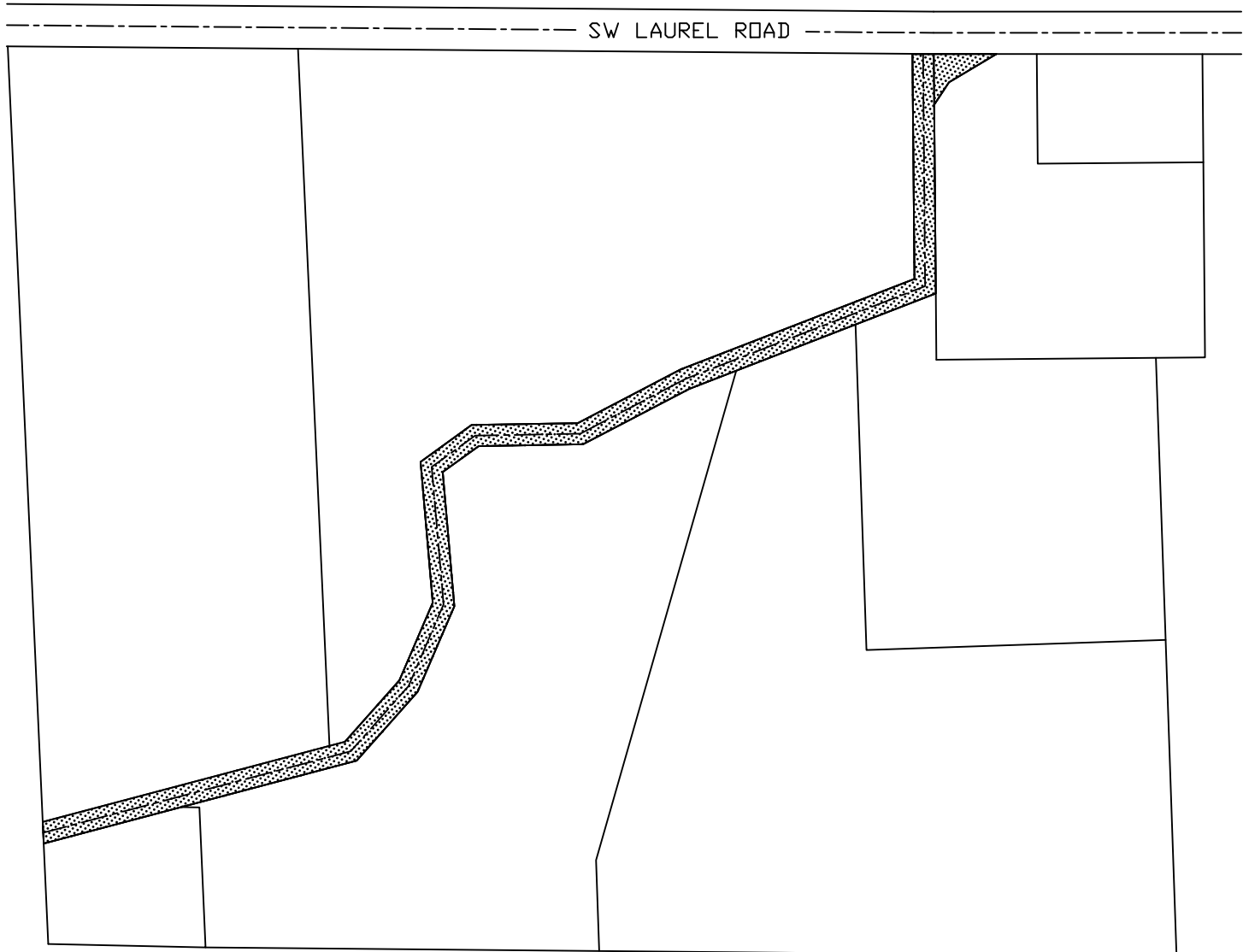


VICINITY MAP

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AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Support Services (CPO 8)

Agenda Title: GRANT ACCESS & UTILITY EASEMENT OVER COUNTY-OWNED PROPERTY 2N200B003400 TO ADJACENT PROPERTY OWNERS

Presented by: Candance Paradis, Facilities & Parks Services Manager

SUMMARY

Washington County owns a parcel of land described as 2N2B, Tax Lot 3400, located at 20025 NW Kay Road in rural Washington County. This 2.61 acre-parcel was received through the tax foreclosure process for non-payment of real property taxes on April 20, 2012.

The existing Kay Road ends at the edge of the county-owned tax lot (map attached). At this point a private road begins providing access to the county-owned property and six other adjacent tax lots owned by the five adjacent property owners. The adjacent property owners have requested an access and utility easement to their properties across the county-owned parcel. They hired a licensed surveyor to perform survey work and prepare the necessary legal descriptions for the access and utility easement at their own cost. The legal descriptions have been reviewed by the County Surveyor and have been deemed to be correct.

An easement document has been prepared granting the access and utility easement to the five affected property owners. The easement document requires the five affected property owners to maintain the easement at their own cost. The grant of the easement is supported by consideration of the affected property owners' payment for survey services related to preparing the legal description for the easement.

Staff recommends your Board grant the access and utility easement over the above-described county-owned property to the five affected property owners.

Attachment: Vicinity Map

DEPARTMENT'S REQUESTED ACTION:

Grant an access and utility easement to five adjacent property owners over county-owned property described as 2N2B, Tax Lot 3400; and authorize the Board Chair to execute the document.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

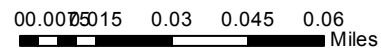
I concur with the requested action.

Agenda Item No.	<u>2.n.</u>
Date:	<u>10/01/13</u>



2N200B003400

1:2,400



August 8, 2013



Washington County
155 North First Avenue
Hillsboro, OR 97124
ph (503) 846-8611

Geonet

Disclaimer:

The information on this map was derived from digital databases on Washington County's Geographic Information System (GIS). Care was taken in the creation of this map, however, Washington County cannot accept any responsibility for errors, omissions, or positional accuracy. Therefore there are no warranties which accompany this product. Notification of any errors will be appreciated.

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Support Services (CPO 8)

Agenda Title: **AUTHORIZE EXECUTION OF DEDICATION DEED
DEDICATING COUNTY-OWNED PROPERTY TO THE PUBLIC
FOR ROAD RIGHT-OF-WAY – NW GROVELAND ROAD**

Presented by: Candance Paradis, Facilities & Parks Manager

SUMMARY:

On November 2, 1998, Washington County received a parcel of land described as 1N204, Tax Lot 3000, through the tax foreclosure process, recorded in Document No. 98122819 in the Washington County Deed of Records. The entire tax lot for this property contains approximately 0.01 acres. This tax lot is located at end of NW Groveland Road and provides access to adjacent property owners. The tax lot currently serves as a road to the residents. Therefore, it has been determined that the best use for the property is for roadway dedication.

A Dedication Deed has been prepared dedicating this parcel as part of NW Groveland Road. A copy of the Dedication Deed, Exhibit A, and Vicinity Map (Exhibit B) are attached for your reference.

Attachments: Dedication Deed
Exhibit A
Exhibit B

DEPARTMENT'S REQUESTED ACTION:

Authorize execution of the Dedication Deed dedicating County-owned property to the public for road right-of-way for NW Groveland Road.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>2.0.</u>
-----------------	-------------

Date:	<u>10/01/13</u>
-------	-----------------

After recording, please return to:

Washington County
Facilities & Parks Services
169 N. First Avenue/MS42
Hillsboro, OR 97124

DEDICATION DEED

WASHINGTON COUNTY, a political subdivision of the State of Oregon, Grantor, grants to **WASHINGTON COUNTY**, a political subdivision of the State of Oregon, Grantee, on behalf of the public, for the use of the public forever, the following easements in that certain real property situated in the County of Washington and State of Oregon, described on the attached Exhibit "A," and shown on the attached Exhibit "B."

The true consideration for this conveyance is **\$NONE.**

PARCEL 1 - DEDICATION OF RIGHT-OF-WAY

Including the right to construct, operate, and maintain a public road, all customary associated uses, and appurtenant facilities forever;

This document is intended to grant easements on the property described, not to convey fee title or any interest in the underlying property except as expressly stated herein. The easements granted shall not prevent Grantors from the use of said property; provided, however, that such use shall not be permitted to interfere with the rights herein granted. Grantor shall not be permitted to endanger the lateral support of any facilities constructed within the easements granted herein.

Grantor hereby covenants to and with Grantee that it is the owner of said property, which is free from all encumbrances, except for easements, conditions and restrictions of record, and will warrant and defend the easement rights herein granted from all lawful claims whatsoever, except as stated herein.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

Chair

Recording Secretary

APPROVED WASHINGTON COUNTY
BOARD OF COMMISSIONERS

Minute Order: _____

Date: _____

By: _____

State of Oregon)
) ss.
County of Washington)

This instrument was acknowledged before me on _____, 20__, by _____,
as Chair/Vice Chair of the Washington County Board of Commissioners.

Notary Public

Accepted on behalf of Washington County, Oregon.

By: _____

Title: _____

Dated this _____ day of _____ 20__

Approved As To Form:

Cortney D. Duke-Driessen
Assistant County Counsel
Dated & Signed: September 3, 2013

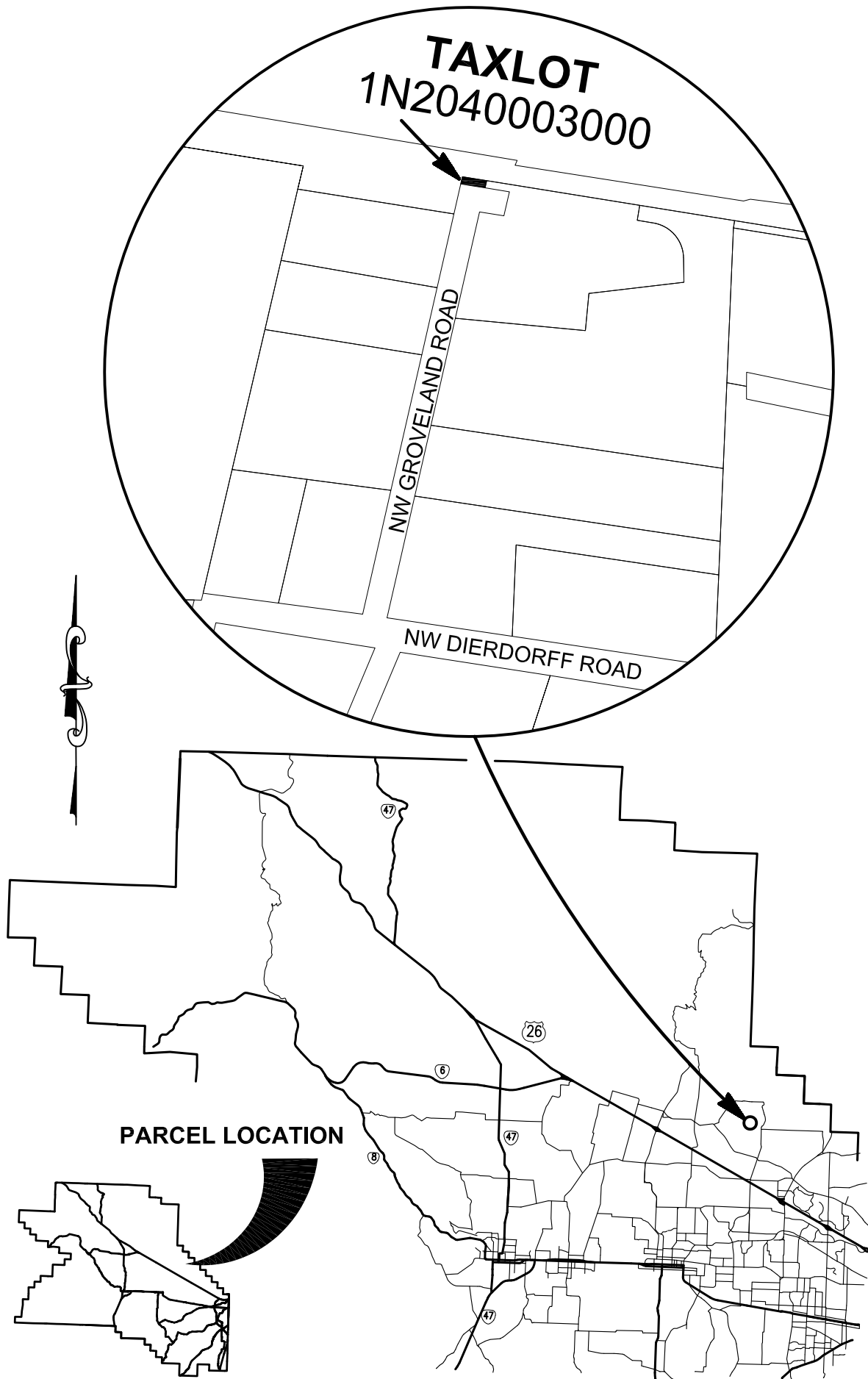
“EXHIBIT A”

A tract of land situated in the SW ¼ of Section 03, Township 1 North, Range 2 West, of the Willamette Meridian, in the County of Washington and State of Oregon, more particularly described as follows:

BEGINNING at the Northwest corner of the parcel of land described in Washington County, OR. Deed of records No. 95-679; thence N83°31'W 50 feet M/L on extension of the North line of said parcel ;thence S10°27'W 15.03 feet; thence S83°13'E 50 feet M/L to the Southwest corner of said parcel; thence N10°27'E 15.03 feet to the point of beginning.

VICINITY MAP

Exhibit B



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AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Support Services

Agenda Title: ACCEPT BID/AWARD CONTRACT FOR THE PAINTING OF
THE LAW ENFORCEMENT CENTER (#2013.080B)

Presented by: Candance Paradis, Facilities & Parks Services Manager

SUMMARY:

This agenda item requests that your Board award a construction contract in the amount of \$111,800.00 to Williamsen and Bleid, Inc. for the project to paint the Law Enforcement Center (LEC).

The scope of work includes cleaning existing factory finished metals, sealing precast cement, and painting the entire Law Enforcement Center. The building is 15 years old and needs to be sealed by re-caulking and then painted. This will extend the life of the exterior finish of the building by protecting from water penetration damage.

The required legal advertisement and Invitation to Bid was issued August 12, 2013. Multiple contractors attended the informational pre-bid conference; five bids were received and opened at 4:00 pm, September 12, 2013.

Due to budget constraints contractors were asked to provide pricing to paint each side of the LEC individually and a total lump sum to paint the entire building at one time. See attachment A for the bid summary.

Attachment: A – Bid Summary

DEPARTMENT'S REQUESTED ACTION:

Award a construction contract to Williamsen and Bleid, Inc. in the amount of \$111,800.00 to paint the Law Enforcement Center.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	<u>2.p.</u>
Date:	<u>10/01/13</u>

ATTACHMENT A – BID SUMMARY

BIDDER	TOTAL
Long Painting Company Total Lump Sum: _\$285,329_____	Phase LC \$81,190
	Phase NJ \$83,080
	Phase SJ \$110,450
	Phase WJ \$24,890
Distinctive Painting Total Lump Sum: _\$457,700_____	Phase LC \$117,200
	Phase NJ \$106,763
	Phase SJ \$209,070
	Phase WJ \$46,105
Shields Painting Total Lump Sum: __\$212,915_____	Phase LC \$51,750
	Phase NJ \$64,500
	Phase SJ \$67,450
	Phase WJ \$29,215
Wiliams & Bleid Total Lump Sum: __\$109,450_____	Phase LC \$29,900
	Phase NJ \$29,500
	Phase SJ \$44,600
	Phase WJ \$7,800
Painting Oregon Total Lump Sum: ___\$111,373_____	Phase LC \$39,160
	Phase NJ \$39,099
	Phase SJ \$29,183
	Phase WJ \$7,175

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Consent – Service District for Lighting No. 1
A County Service District (CPO 4B)

Agenda Title: **FORM ASSESSMENT AREA, AUTHORIZE MAXIMUM ANNUAL ASSESSMENT, AND IMPOSE A FIRST YEAR ASSESSMENT FOR BULL RIDGE**

Presented by: Andrew Singelakis, Director of Land Use & Transportation

SUMMARY:

A petition has been received requesting the installation of street lighting service for BULL RIDGE. The petitioners have presented a signed agreement waiving a public hearing and their right to remonstrate against the improvements. A signed continuing request for street lighting service has also been provided.

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

DEPARTMENT’S REQUESTED ACTION:

Accept the petition(s), form an assessment area within the Service District for Lighting, and authorize maximum annual assessment and impose a first year assessment.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

Agenda Item No.	2.q.
Date:	10/01/13

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 BULL RIDGE.)

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 October 1, 2013; 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 BULL RIDGE development, have requested by
12 petition that their property be included in an assessment area for purposes of installing, operating
13 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 C hereby is
established, and, that the facilities described in Exhibit B, shall be installed, operated and
maintained as described therein; and it is further

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 1st day of October 2013.

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

19 _____
CHAIRMAN

20
21 _____
RECORDING SECRETARY

PETITION FOR STREET LIGHTING SERVICE

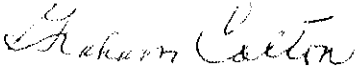
BULL RIDGE

DATE: August 28, 2013

TO: WASHINGTON COUNTY BOARD OF DIRECTORS
Governing Body of Washington County
Service District for Lighting No. SDL-1
Washington County Operations Division
1400 SW 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 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 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
Bull Mountain Meadows LLC 7327 SW Barnes Rd #419 Portland OR 97224 Situs: 14635 SW Bull Mountain Rd.		2S18AA-01600 & 07000

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

BULL RIDGE

PART I. DESCRIPTION OF PROPOSED ASSESSMENT AREA - Currently, tax lot 2S18AA-01600 & 07000

PART II. ESTIMATED COST OF SERVICE FOR FISCAL YEAR 2013-14

A. Monthly Cost of Service

1. Lights (2-100 W / 9,600 L, HPS Shoebox Luminaries) @ \$7.18 each	\$ 14.36
2. Poles (2-30 ft. Bronze Fiberglass Pole) @ \$.18 each	\$.36
3. Total (Light and Pole)	\$ 14.72

B. Annual Cost of Service

1. Streetlights and Poles (\$14.72 x 12 Months)	\$ 176.64
2. Administration (\$2.00 x 14 Lots)	\$ 28.00
3. Annual Cost for Service Area	\$ 204.64
4. Base Annual Cost Per Lot (\$204.64 / 14 Lots)	\$ 14.62
5. Total Annual Cost Per Lot	\$ 14.62

C. <u>Maximum Annual Assessment</u>	\$ 29.24
-------------------------------------	----------

PART III. LOCATION OF LIGHTS AND POLES

Per attached Service Area Map



01876896201300818250020023
I, Richard Hobernicht, 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.
Richard Hobernicht, Director of Assessment and Taxation, Ex-Officio County Clerk



After recording, please return to:
Washington County SDL-1
1400 SW Walnut Street, MS 51
Hillsboro, OR 97123

AGREEMENT TO WAIVE RIGHTS TO NOTICE, HEARING, AND REMONSTRANCE
WASHINGTON COUNTY SERVICE DISTRICT FOR LIGHTING NO. SDL-1

BULL RIDGE

The undersigned, referred to herein as "owners", are the owners of all property within the proposed assessment area within the Washington County Service District for Lighting No. SDL-1, said property being more particularly described as:

(Legal Description Attached)

In accordance with Washington County SDL-1 Ordinance regulations, owners have petitioned the governing body of SDL-1 to create a service area for the above-described property for purposes of securing and maintaining street lighting. Owners have caused to be executed this agreement in part to reduce start up costs and to avoid delay and with full knowledge that the governing body of SDL-1 will rely upon this agreement in the course of proceedings.

Owners hereby agree and covenant as follows:

- 1) The undersigned owners hereby waive any and all rights to a public hearing for creation of an assessment area within the Washington County Service District for Lighting No. SDL-1, and to any notice of such hearing, all of which would otherwise be accorded owner by virtue of the Washington County SDL-1 Ordinance regulations or applicable State law. The undersigned warrant that they are the sole occupants of the property or that the property is unoccupied.
- 2) Owners agree not to remonstrate against the proposed improvements or proposed charges or assessments.
- 3) 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 owners, and the owners' heirs, successors, and assigns.

DATED this 4 day of Sept 2013.

Bull Mountain Meadows LLC

Signature

Project Mng.
Position

GRAHAM COLTON
Name Printed or Typed

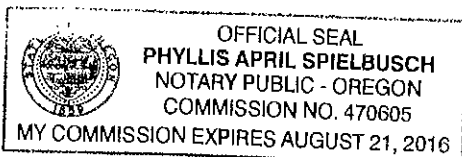
STATE OF OREGON)

County of Washington)

) ss.

BE IT REMEMBERED that on this 4th day of September, 2013, before me, the undersigned, a notary public in and for the said County and State, personally appeared the within named Graham Colton known to me to be the identical individual(s) described in and who executed the within instrument and acknowledged to me that same was executed freely and voluntarily.

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



Phyllis April Spielbusch
Notary Public for Oregon

My Commission Expires: 8-21-2016

EXHIBIT C
Page 1 of 3



01876897201300818260020020
I, Richard Hobernicht, 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.
Richard Hobernicht, Director of Assessment and Taxation, Ex-Officio County Clerk



After recording, please return to:
Washington County SDL-1
1400 SW Walnut Street, MS 51
Hillsboro, OR 97123

CONTINUING REQUEST FOR STREET LIGHTING SERVICE
WASHINGTON COUNTY SERVICE DISTRICT FOR LIGHTING NO. SDL-1

BULL RIDGE

The undersigned owners specifically request that Washington County Service District for Lighting No. SDL-1 provide street lighting service to the property described as:

(Legal Description Attached)

For purposes of this request, service is defined as purchase or lease of poles and fixtures, maintenance, replacement, electricity and administration for a minimum of 25 years from the recording of this request. This service will be paid for annually as an incurred charge or assessment.

This is a continuing request for service for the entire service period. It is binding on successors in title to the undersigned. It constitutes a covenant running with the land, burdening the subject property and benefiting the other properties within the service or assessment area as well as the public right of way on which the facilities are located. It may be amended or removed only with the written consent of the Board of Directors of the District.

NOTICE TO POTENTIAL PURCHASER: THE OWNER OF THIS PROPERTY HAS SPECIFICALLY REQUESTED STREET LIGHTING SERVICES FOR A SERVICE PERIOD OF 25 YEARS FROM THE DATE THIS DOCUMENT WAS RECORDED. PURCHASE OF THIS PROPERTY CONSTITUTES A SPECIFIC REQUEST FOR SUCH SERVICE AND BINDS THE PURCHASER TO PAYMENT OF ALL INCURRED CHARGES OR ASSESSMENTS FOR THE REMAINDER OF THE SERVICE PERIOD OR UNTIL THE SERVICE AREA IS DISSOLVED, WHICHEVER COMES FIRST.

DATED this 4 day of Sept, 2013.

Bull Mountain Meadows LLC

X Signature

X Project Mng.
Position

X GRAHAM COLTON
Name Printed or Typed

STATE OF OREGON)
Was Clackamas) ss.
County of Washington)

BE IT REMEMBERED that on this 4 day of Sept, 2013, before me, the undersigned, a notary public in and for the said County and State, personally appeared the within named Graham Colton known to me to be the identical individual(s) described in and who executed the within instrument and acknowledged to me that same was executed freely and voluntarily.

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

Phyllis April Spielbusch
Notary Public for Oregon
My Commission Expires: 8-21-2016

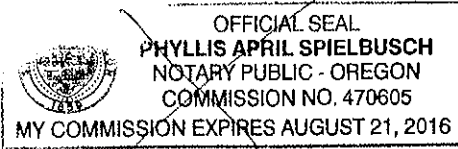
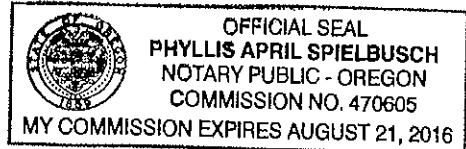


EXHIBIT C
Page 2 of 3



**LEGAL DESCRIPTION FOR THE
BULL RIDGE SUBDIVISION
STREET LIGHTING DISTRICT AND THE
ROAD MAINTENANCE DISTRICT**

September 6, 2013

THE FOLLOWING DESCRIBED TRACT OF LAND BEING COMPRISED OF THAT LAND AS DESCRIBED IN DEED DOCUMENT NO. 2012-060264 AND TRACT "B" OF THE DULY RECORDED PLAT OF "IRONWOOD ESTATES", SITUATED IN THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 2-SOUTH, RANGE 1-WEST OF THE WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON.

BEGINNING AT A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "AKS ENGR" MARKING THE SOUTHWEST CORNER OF TRACT "A" OF "IRONWOOD ESTATES"; THENCE DESCRIBING THE PLAT BOUNDARY, S 82° 34'09" W 12.00 FEET TO THE SW CORNER OF TRACT "B", "IRONWOOD ESTATES"; THENCE ALONG THE SOUTHERLY EXTENSION OF THE WEST LINE OF LAST SAID TRACT "B", S 07°24'49" E 13.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SW BULL MOUNTAIN ROAD, BEING (20.00 FEET FROM THE CENTERLINE WHEN MEASURED AT RIGHT ANGLES THERETO); THENCE ALONG THE RIGHT OF WAY LINE S 82°34'09" W 204.06 FEET TO A POINT OF CURVE; THENCE ALONG THE ARC OF A 980.00 FOOT RADIUS CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 04°14'29" (THE CHORD OF WHICH BEARS S 84°41'24" W 72.53 FEET) AN ARC DISTANCE OF 72.55 FEET; THENCE S 86°48'38" W 153.21 TO AN INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE EAST LINE OF TRACT "A" OF THE "BULL MOUNTAIN ESTATES" PLAT; THENCE ALONG LAST SAID EAST LINE AND THE EXTENSION THEREOF, N 00°02'17" E 283.76 FEET TO THE SOUTH LINE OF "BULL MOUNTAIN ESTATES"; THENCE ALONG LAST SAID SOUTH LINE, N 82°36'47" E 392.51 FEET TO THE MOST SOUTHERLY, SOUTHEAST CORNER OF "BULL MOUNTAIN ESTATES"; THENCE ALONG THE WEST LINE OF THAT LAND AS DESCRIBED IN DEED DOCUMENT No. 96-068742, S 07°24'50" E 79.92 FEET TO THE NORTHWEST CORNER OF TRACT "B", "IRONWOOD ESTATES"; THENCE N 82°35'48" E 12.00 FEET TO THE NORTHWEST CORNER OF LOT 3, "IRONWOOD ESTATES"; THENCE ALONG THE EAST LINE OF LAST SAID TRACT "B", S 07°24'50" E 202.14 FEET TO THE INITIAL POINT OF BEGINNING.

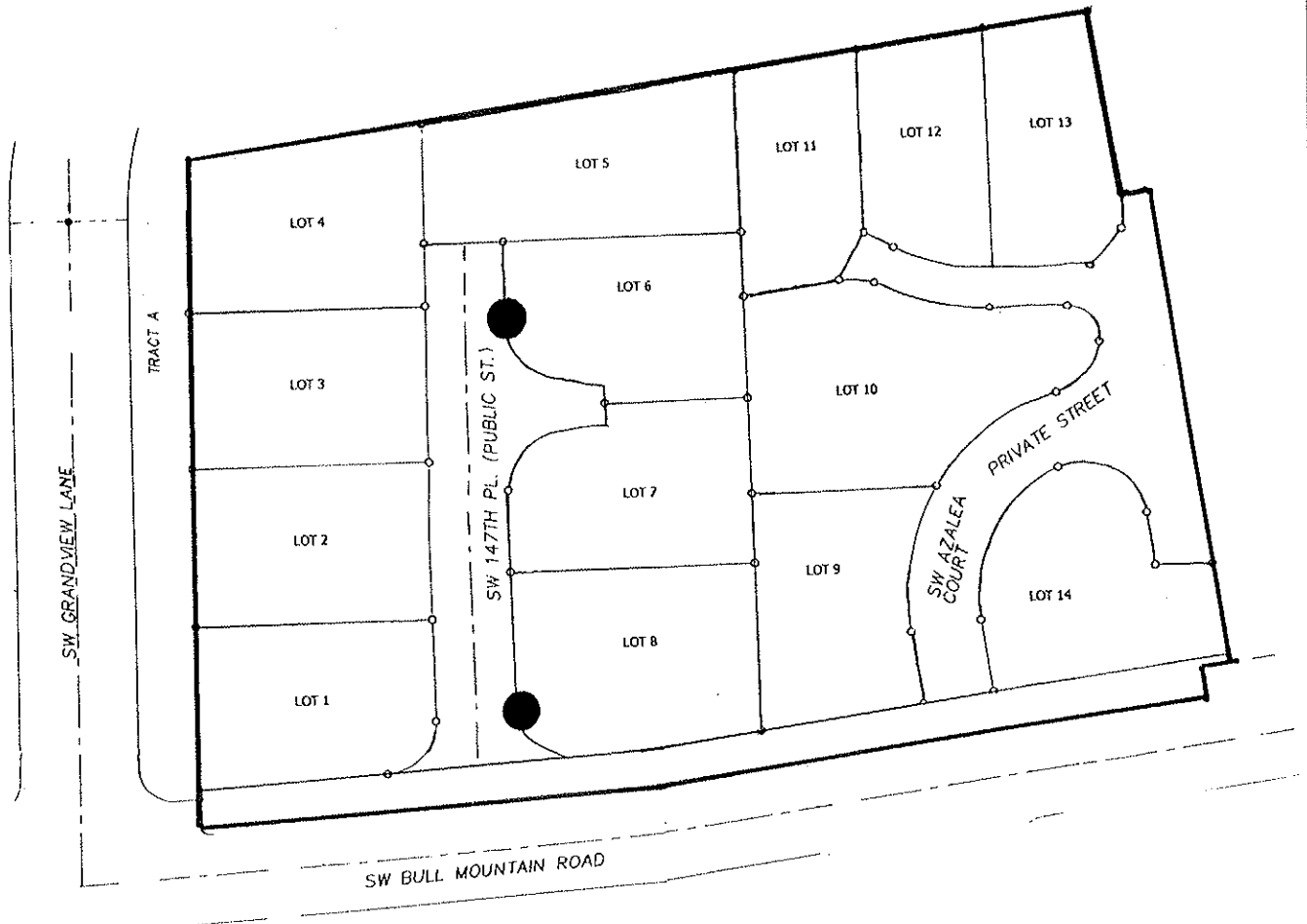
CONTAINING: 2.82 ACRES.

EXHIBIT C
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SPECIAL ASSESSMENT AREA MAP

BULL RIDGE

SERVICE DISTRICT FOR LIGHTING NO. 1 (SDL)



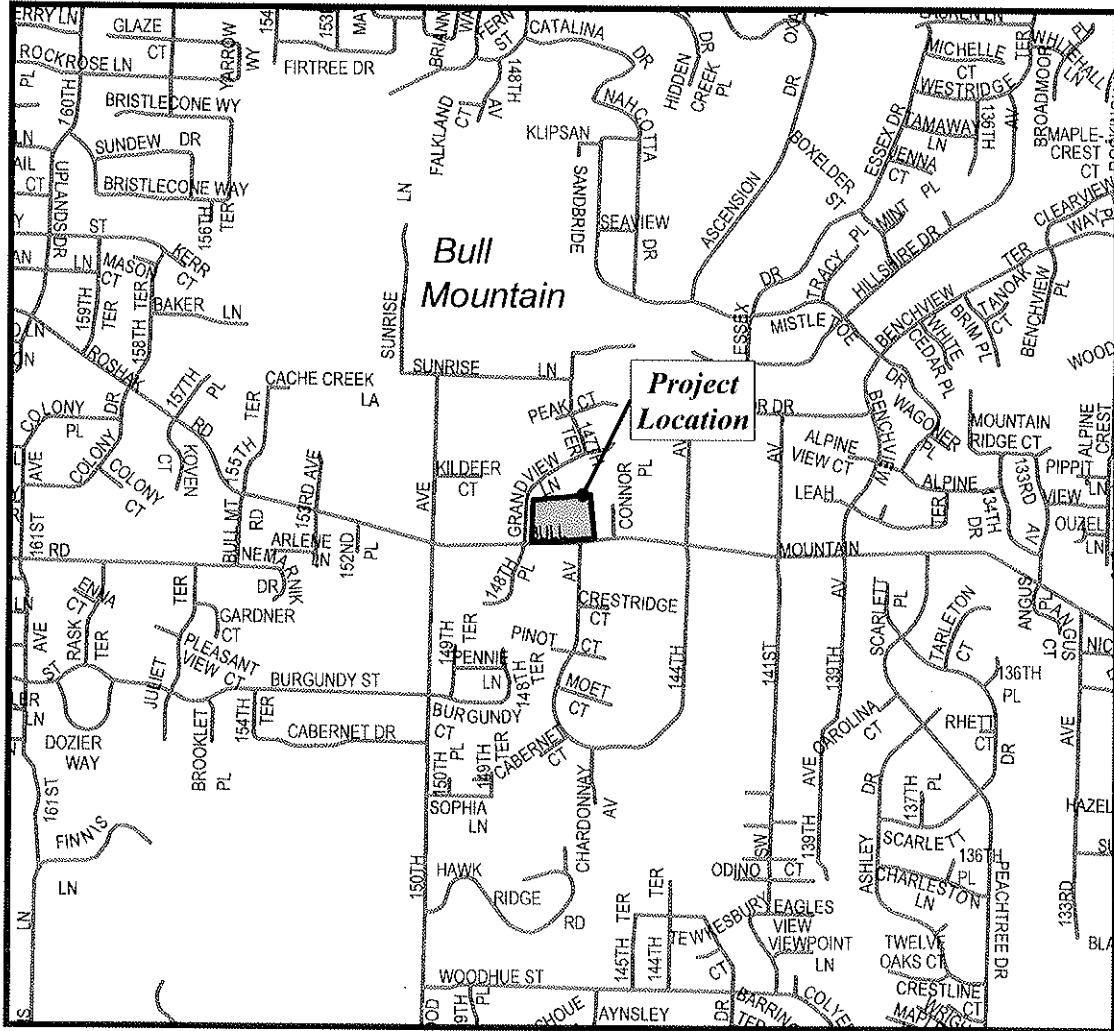
● = Proposed Street Lights



VICINITY MAP

BULL RIDGE

SERVICE DISTRICT FOR LIGHTING SDL NO. 1



WASHINGTON COUNTY
SERVICE DISTRICT FOR LIGHTING SDL NO. 1

