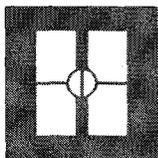


CITY OF HILLSBORO



HILLSBORO CITY COUNCIL

Preliminary Agenda
Tuesday, February 19, 2008

7 PM
Hillsboro Civic Center Auditorium

Regular Session
150 E. Main Street

Hillsboro City Council Meetings are broadcast live by Tualatin Valley Community Television (TVCTV) Government Access Programming. To obtain the monthly programming schedule, contact TVCTV at 503.629.8534 or call the City of Hillsboro at 503.681.6219.

Please silence all electronic devices. Thank you.

Assistive Listening Devices (ALD) are available for persons with impaired hearing and can be scheduled for this meeting.

The City will also endeavor to provide the following services, without cost, if requested at least 48 hours prior to the meeting:

- Qualified sign language interpreters for persons with speech or hearing impairments.
- Qualified bilingual interpreters.

To obtain services, please call 503.681.6100

When addressing the Council, please use the witness table (center front of the room). All testimony is electronically recorded. Public participation is encouraged. If you wish to speak, please raise your hand or walk to the witness table as the Mayor calls the item, or, on any item not on the agenda, as the Mayor calls for "Communications and Non-Agenda Items." If you are speaking on an item not on the regular agenda, please fill out the card on the table in the back of the room and give to the City Recorder. You are not required to give your address when speaking to the City Council, only your name.

Ordinances and Resolutions marked with an asterisk will not be read in full unless requested by a member of the City Council. Copies were distributed to Council and posted for at least seven calendar days, and are available on the north side of the auditorium.

*** SEE ATTACHED AGENDA ***
Posted – February 14, 2008

REGULAR SESSION – 7 PM – AUDITORIUM

PLEDGE OF ALLEGIANCE – Mayor Tom Hughes

CALL TO ORDER - Roll Call

Election of Council President – Charter Section 10

1. **CONSENT AGENDA:** (The items on the Consent Agenda are normally considered in a single motion. Any item may be removed for separate consideration upon request by any member of the Council.)

- A. Consider minutes: January 8, 2008
- B. Approve an intergovernmental agreement with Washington County for a grant of up to \$1,000 for a Hillsboro Youth Advisory Council youth-led project, and authorize the Mayor and City Recorder to execute the documents. (Finance Committee recommendation)
- C. Authorize a new Broadband Users Group intergovernmental agreement with an annual cost of approximately \$18,000, and authorize the Mayor and City Recorder to execute the documents. (Finance Committee recommendation)
- D. Endorsement of liquor license annual renewals: *(These renewal requests have been reviewed by the Police Department and no objections have been filed.)*

Full On-Premises Sales – *Allows the sale and service of distilled spirits, malt beverages and wine for consumption on the licensed premises.*

Limited On-Premises Sales – *Allows the sale of malt beverages, wine and cider for consumption on the licensed premises, and the sale of kegs of malt beverages for off premises consumption.*

Off-Premises Sales – *Allows the sale of malt beverages, wine and cider in factory sealed containers for consumption off the licensed premises and allows sample tastings of malt beverages, wine and cider.*

- 1. Rose's Restaurant and Bakery, 2295 NW Allie Ave. – Full On-Premises Sales
- 2. All Star Sports Lounge, 250 SE Washington St. – Full On-Premises Sales
- 3. Dancing Dragon Restaurant, 1940 NE Cornell Rd. – Full On-Premises Sales
- 4. Elmer's Pancake House, 390 SW Adams St. – Full On-Premises Sales
- 5. Century Chevron, 6305 SE TV Hwy – Off-Premises Sales
- 6. Taqueria Santoyo, 1895 SE TV Hwy #H – Full On-Premises Sales
- 7. Elks Lodge #1862, 21865 NW Quatama Rd. – Full On-Premises Sales
- 8. Plaid Pantry #17, 1010 SE Maple St. – Off-Premises Sales
- 9. Plaid Pantry #67, 984 W Baseline Rd. – Off-Premises Sales
- 10. Plaid Pantry #210, 3175 NW Glencoe Rd. – Off-Premises Sales
- 11. Plaid Pantry #216, 101 NE 43rd Ave. – Off-Premises Sales
- 12. Godfather's Pizza, 7440 SW Baseline Rd. – Limited On-Premises Sales
- 13. Old Chicago, 17960 NW Evergreen Pkwy – Full On-Premises Sales

14. PF Chang's China Bistro, 19320 NW Emma Way – Full On-Premises Sales
15. Chipotle Mexican Grill, 2048 NW Stucki Ave. – Full On-Premises Sales
16. Malone's Ale House, 1175 NW 185th Ave. – Full On-Premises Sales
17. Sushideli Koji, 2185 SW Allie Ave. #750 – Limited On-Premises Sales
18. Hillsboro Grocery Outlet, 354 S First Ave. – Off-Premises Sales
19. Fred Meyer, 6495 SE TV Hwy – Off-Premises Sales
20. Fred Meyer # 00661, 22075 NW Imbrie Dr. – Off-Premises Sales
21. Rite Aid #5339, 2021 NW 185th Ave. – Off-Premises Sales
22. Rite Aid #5338, 2425 SE TV Hwy – Off-Premises Sales
23. La Tienda de Guadalupe, 1001 SE TV Hwy #B-12 – Off-Premises Sales
24. How How Restaurant and Lounge, 1895 SE TV Hwy – Full On-Premises Sales
25. Haggen Food and Pharmacy #59, 18000 NW Evergreen Pkwy – Off-Premises Sales
26. Romano's Macaroni Grill, 2290 NW Allie Ave. – Full On-Premises Sales
27. Round Table Pizza #714, 2473 NW 185th Ave. – Limited On-Premises Sales
28. Round Table Pizza #398, 2247 SE TV Hwy – Limited On-Premises Sales
29. Noodles and Company, 7216 NE Cornell Rd. – Limited On-Premises Sales
30. Maguff's Pub II, 2401 NE Cornell Rd., Suite I – Full On-Premises Sales
31. Space Age Fuel, 18544 NW Eider Ct. – Off-Premises Sales
32. Alimex #2, 451 1st Ave., Suite 600 – Off-Premises Sales
33. Thai Elephant, 2225 NW Allie Ave. #915 – Limited On-Premises Sales
34. Lusetta's Deli, 460 SE 10th Ave. – Limited On-Premises Sales/Off-Premises Sales
35. Oreasian Market, 2401 NE Cornell Rd. #B – Off-Premises Sales

E. Authorize and ratify expenditures, public contracts, contract amendments and agreements by adopting **Resolution No. *** _____.

2. PRESENTATIONS AND APPOINTMENTS:

- A. Presentation to seek community support for a school-sponsored trip to Washington, D.C. by Liberty High School student Elena de Jesus and Social Studies teacher Brian Buckner.
- B. Presentation to honor former Planning Director Wink Brooks by Home Builders Association (HBA) President Mike Arnett and HBA Government Affairs Committee Chair Roger Neu.
- C. Presentation to honor former Councilor Joe Keizur by Mayor Tom Hughes and Councilor Ed Dennis.

3. WAIVER OF ORDINANCE READINGS:

- A. Consider motion to waive reading in full and read by title only Ordinance Nos. _____ (The ordinances have been posted and are available on the table on the north side of Auditorium.)

4. **PUBLIC HEARINGS:**

- A. Public hearing on the Police Department's participation in the Fiscal Year 2008 Edward Byrne Memorial Justice Assistance Grant program administered through the United States Department of Justice to fund the initial operations of the Hillsboro Youth Peer Court. (This item was discussed at the Finance Committee meeting on February 12, 2008.)
- B. Public hearing to adopt an ordinance repealing Chapter 2.16 of the Hillsboro Municipal Code, and adopting a new Chapter 2.16 of the Hillsboro Municipal Code, relating to public contracts. (This item was discussed at the February 12, 2008 Finance Committee meeting.) **Ordinance No. * _____ is available.**
- C. AN 11-07: Bahr: Consider a request for annexation of one property approximately 1.31 acres in area, together with adjacent right-of-way, into the City Limits of Hillsboro. The site is located generally north of SE Helene Street, south of SE Patterson Street, east of SE 54th Avenue, and west of SE 56th Avenue. The property can be specifically identified as Tax Lot 12300 on Washington County Tax Assessor's Map 1S2-03CB and is addressed as 5466 SE Patterson Street. **Ordinance No. * _____ is available.**
- D. ZC 18-07: Bahr: Consider a City-initiated request for approval of a zone change from County R-9 Residential (nine units per acre) to City R-7 Single Family Residential on one property. The purpose of the zone change request is to establish City zoning on the property following annexation. The property is designated RL Low Density Residential on the Comprehensive Plan map. The property under consideration for annexation and zone change is generally located north of SE Helene Street, south of SE Patterson Street, east of SE 54th Avenue, and west of SE 56th Avenue. The property can be specifically identified as Tax Lot 12300 on Washington County Tax Assessor's Map 1S2-03CB and is addressed as 5466 SE Patterson Street. **Ordinance No. * _____ is available.**

5. **UNFINISHED BUSINESS:**

- A. None.

6. **NEW BUSINESS:**

- A. PUD 5-06 MOD 1: Parkside Estates: Consider Planning Commission recommendation of approval of a request for a planned unit development modification for Parkside Estates, a 96-lot detached single family residential Planned Unit Development (PUD), on approximately 11.04 acres of property zoned PUD A-1 Duplex Residential. The property is generally located northeast of SE River Road, south of SE Wynnwood Drive and east of SE Pinewood Avenue. The site may be specifically identified as Tax Lot 100 on Washington County Tax Assessor's Map 1S2-09CA. **Ordinance No. * _____ is available.**
- B. CP-MISC 1-08: Consider resolution creating the Hillsboro Historic Landmarks Advisory Committee (HLAC). **Resolution No. * _____ is available.**

- C. Consider Finance Committee recommendation to approve a revision to the City's policy on the financing of City-controlled System Development Charges.
- D. Consider endorsement of liquor license application: *(This request has been reviewed by the Police Department and no objections have been filed.)*

Full On-Premises Sales – *Allows the sale and service of distilled spirits, malt beverages and wine for consumption on the licensed premises.*

- 1. Jalapeños Mexican Restaurant, 2055 SE TV Hwy – Change of Ownership – Full On-Premises Sales

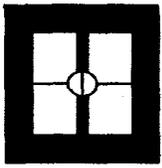
7. **COMMUNICATION AND NON-AGENDA ITEMS:** (Persons wishing to speak on matters not on the agenda may be recognized at this time. *Please fill out the card on the table in the back of the room and give to the City Recorder.* You are not required to give your address when speaking to the City Council, only your name. Presentations are limited to three minutes, with a maximum total of 15 minutes for this agenda item. More time, if needed, may be provided upon completion of the regular agenda.)

8. **ADVICE/INFORMATION ITEMS:**

- A. Councilor Orientation – February 20 and 27, 2008, starting at 4 PM, Hillsboro Civic Center.
- B. Shute Park Branch Open House Celebration – February 23, 2008, 1 PM to 2:30 PM, Shute Park Branch Library, 775 SE 10th Avenue. Join Mayor Hughes for a brief ceremony at 1:15 PM in celebration of the Shute Park library branch's fresh new look. Refreshments will be provided.
- C. Budget Committee work session – February 28, 2008, 6 PM, Civic Center Conference Rooms 113B&C.
- D. City Council Retreat – March 1, 2008, 8 AM to 12 PM, River House at Rood Bridge Park.
- E. St. Patrick's Day Parade – March 15, 2008, 9 AM to 2 PM, begins and ends at Hare Field, 1151 NE Grant Street.

1B

CITY OF HILLSBORO



February 7, 2008

MEMORANDUM

TO: Finance Committee

FROM: Amber Deming, City Recorder

SUBJECT: IGA for Washington County Commission on Children and Families
Mini-Grant Application

Item for Consideration:

Consider forwarding a recommendation to City Council to approve an intergovernmental agreement with Washington County for participation in the Youth Summit activities administered by the Washington County Children and Families Commission, and authorize the Mayor and the City Recorder to execute the documents.

Background:

The Hillsboro Youth Advisory Council (YAC) applied for a grant to fund a project to support Hillsboro teen parents. As part of the grant requirements, the YAC was required to prepare a project proposal in one of four areas: prevention of underage drinking, student success, civic and government engagement or violence prevention. The application deadline was November 14, 2007.

Between January 1, 2008 and May 2, 2008, the YAC will implement its projects and prepare a project summary report to include photos, videos and narrative descriptions. The students will attend a youth conference in the spring and give an oral presentation on the project they completed. It is estimated that 90% of youth participants in a summit team will report increased connection to their school, a greater sense of self sufficiency and positive peer relations as measured by a retrospective survey to be administered at the spring conference.

The three pieces of the YAC project to support Hillsboro teen parents are:

1. A collection drive to raise money to purchase baby and toddler supplies for teen parents; and
2. A bin collection to for supplies (bins stationed in the Civic Center and the Public Services Building); and
3. An informal meeting to educate teen parents on post-high school educational opportunities, tips in selecting daycare providers, health insurance provided through Washington County and CPR information for infants and toddlers. Teen parent participants will receive a basket of supplies to take home.

The YAC was awarded up to \$1,000.00 to fund these projects. A reimbursement process is administered through the terms of the intergovernmental agreement. This project is youth driven; I have attached a copy of the application the YAC members completed.

Action needed by Finance Committee:

Consider forwarding a recommendation to City Council to approve an intergovernmental agreement with Washington County for participation in the Youth Summit activities administered by the Washington County Children and Families Commission, and authorize the Mayor and the City Recorder to execute the documents.

APPLICATION FOR MING GRANT

Contact Information

School Name: Hillsboro Youth Advisory Council

Topic Area: Community Engagement and Student Success

Project Name: Parents Together for Future Success

Staff Leader(s):

Name	Phone	Email
Amber Deming	(503)681-6117	amberd@ci.hillsboro.or.us
Debbie Werner	(503)681-6269	debbiew@ci.hillsboro.or.us

Student Leader(s):

Name	Grade	Email
Ana Badua	12	ana.badua@gmail.com
Megan Zavertrnik	12	megan.zavertrnik@comcast.net

Estimated size of team working on this project: 12

Is this a classroom or out-of school hour project: out-of-school hour project

How did you find out about the Youth Summit?: previous WCYS

Team Member Sheet

Please PRINT the name of each member below. Add sheets as necessary.

NAME: (Please Print)	GRADE	NAME (Please Print)	GRADE
1. Ana Badua	12	21.	
2. Megan Zavertrnik	12	22.	
3. Rachel Smith	12	23.	
4. Katya Gorecki	12	24.	
5. Lindsey Way	11	25.	
6. Alex Nishida	11	26.	
7. Joe Noh	11	27.	
8. Erica Willis	10	28.	
9.		29.	
10.		30.	
11.		31.	
12.		32.	
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18.		38.	
19.		39.	
20.		40.	

Hillsboro Youth Advisory Council
Mini-Grant Application

1. Name of focus area and project name.

Our project focuses on community engagement and student success. The name of our project is "Parents Together for Future Success."

2. Why did you choose to focus on this topic?

We perceive that the presence of teen parents attending Hillsboro public schools is increasing and are interested in helping this growing population within our community. We believe that by aiding our peers, we are laying the foundation for a better and stronger community.

3. What do you hope to achieve by doing this project?

Our project is a two-pronged plan intended to serve as a resource for teen parents in our district and to provide direct support to their children. It is designed to provide helpful tools to cultivate success by providing information about present and future education options to the parents. Simultaneously, we will be implementing a fundraising event and/or collection drives to benefit the children of the teen parent(s).

4. Who is your target audience?

The resources and support gathered by our project is designed to benefit the teen parents attending Hillsboro public schools. We will approach both public and private sectors of the city of Hillsboro for support for our project.

5. When will your project take place?

The implementation of the various aspects of our project will occur between the months of February and March 2008. We plan on completing this project during the month of April 2008. Our projected deadline is designed to provide a buffer to analyze the success and possible improvements to our project.

6. Where will your project take place?

Our project will be put into action in various schools in the Hillsboro School District. The exact location of the different events will depend upon which aspect of the project we are working on. We plan on holding district wide fundraising and collection events.

7. What problems might you encounter?

Some problems that we foresee are the lack of attendance by the teen parents due to issues like lack of transportation, time, and childcare services.

8. How will you go about solving those problems?

We plan on creating pamphlets for the parents unable to attend the event, which will cover the information they missed. We also plan on creating pamphlets to supplement and reinforce the information during the event to distribute among the general population of teen parents. The event will be child-friendly, meaning that the parents can bring their children to the event where supervised kid-activities will be provided. In extreme cases, we are planning on having transportation services available to the teen parent(s) in order to get maximum turn out for the event.

9. What support will you need to be successful (adults, community leaders, business, donations, contacts...)?

We are counting on the support of the Hillsboro School District, both administrators and students, as well as the residents of Hillsboro. We will also need the support of school counselors, teachers, and college/financial aid advisors.

10. How will you show us your project is youth led?

Since the YAC members are the developers and implementers of the project, we will be responsible for the documentation of our project. We will have the pamphlets, advertising efforts, communication records, and photographs as proof of extensive youth involvement.

11. How will adults involved in the project support youth leadership roles?

Adult involvement in the realization of our project is crucial and encompasses the following areas: information and resource gatherers, contributors, and distributors. The element of adult involvement is designed to be a partnership with the students. They will aid us by approving our proposed plans and increasing awareness for our efforts.

12. What positive changes do you expect to see if you are successful (be specific)? How will you know your project is working?

We hope to see lowered teen dropout rates due to teen pregnancy, increased numbers of teen parents continuing their education or continuing job training. During our scheduled reflection period in April, we plan on conducting a survey asking the teen parents whether or not they found our event helpful. We plan on gauging the effectiveness of our advertising efforts through the donations we receive during our fundraising/collection event(s).

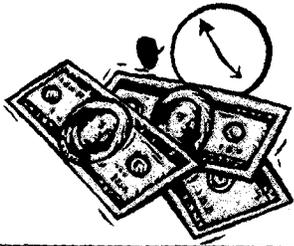
13. What other community resources will you access to complete your project (restaurants, donations, leaders in the community...)?

Our chief contact will be the Hillsboro School District administrators and the building itself. We will be able to enact a program that encompasses the needs and support of all Hillsboro schools through them. We are also planning on tapping Hillsboro businesses and citizens as community resources for monetary and material donations as well as contributors of their time and effort.

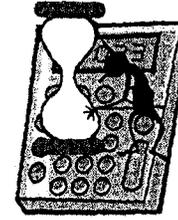
14. Please describe your project in detail.

We plan on hosting an event for the teen parents of Hillsboro aimed at informing them about the various educational opportunities open to them. This aspect of the project will have a college and financial aid experts who will discuss and answer questions regarding the educational opportunities (included but not limited to financial aid options, scholarships, college and trade school information) for teen parents.

The second part of our project will consist of the creation of donation centers throughout the city of Hillsboro, particularly in schools and other city offices. These areas are designed to be drop-off sites for baby supplies (toys, hygiene products, etc.). These areas will be accessible to teen parents in need of these supplies.



Budget Worksheet



Item	Quantity X Price Per Item = Total	Reason for Item
<i>Poster Paper (example)</i>	<i>3 Rolls X \$5.00 = \$15.00</i>	<i>Posters to advertise program throughout school</i>
brochures	<i>250 x \$1.60 - \$2.00 = \$400 - \$500</i>	<i>professional informational brochures to distribute to current/future students as needed</i>
bins	<i>8 bins x \$12.50 = \$100</i>	<i>collection bins for children's items</i>
posters	<i>100 x \$0.75 = \$75</i>	<i>posters to promote event</i>
refreshments	<i>\$100</i>	<i>drinks/snacks for event</i>
TOTAL AMOUNT REQUESTED (Not to exceed \$1,000)	\$675 - \$775	

The Hillsboro Youth Advisory Council

Presents

A Youth Town Hall

Educational opportunities for **teen parents**

Saturday, February 16, 2008

3:00 p.m. - 4:30 p.m.

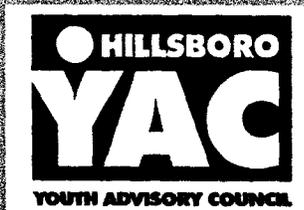
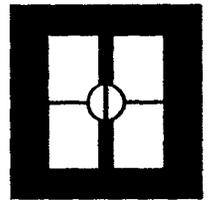
**Hillsboro Civic Center
150 E. Main Street, Hillsboro
First Floor Auditorium**

Join Hillsboro's Youth Advisory Council and Hillsboro-area teen parents to learn about the many high school and college **educational opportunities and resources for teen parents.**

Snacks and on-site child care will be provided free of charge. For questions, or to reserve a space for childcare (and indicate any child allergies), please call Debbie Werner at (503) 681-6269 no later than 3:00 p.m., Friday, February 15th.

Directions

The Civic Center is located on the corner of 1st Avenue and Main Street in downtown Hillsboro and is easily reached by bus or MAX. If using public transportation, get off at the Hillsboro Central Transit Center stop and walk two blocks west. Free parking is available at the Civic Center or in the parking garage located diagonally across the street on the corner of 1st Avenue and Washington Street.



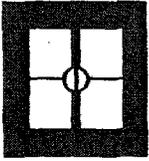
City of Hillsboro

150 E. Main Street
Hillsboro, OR 97123

Phone (503) 681-6219

www.ci.hillsboro.or.us/CityCouncil/YouthAdvisoryCouncil.aspx

CITY OF HILLSBORO



Memorandum

DATE: February 12, 2008

TO: The Finance Committee

FROM: Greg Mont, Information Services Director

SUBJECT: Broadband Users Group (BUG) IGA

REQUESTED FINANCE COMMITTEE ACTION:

Consider staff recommendation to Finance Committee to pass a resolution authorizing the Mayor and City Recorder to sign a new Intergovernmental Agreement Broadband Users Group (BUG.)

BACKGROUND:

The Intergovernmental Agreement Broadband Users Group (BUG) allows for the for the formation of the Broadband User's Group (BUG) which is tasked with utilizing the Public Communications Network (PCN) as a medium for shared services and information between several public agencies. This group provides a secure Internet connection as well as a secure interconnect between the agencies' networks allowing the partners to cooperate more effectively in several areas including public safety, geographic information systems, and water operations.

This new agreement replaces the previous agreement and allows the executive management of the partner agencies to be directly involved with the strategic direction of the BUG initiatives and corrects some minor deficiencies in the current agreement.

PROJECT COSTS:

There will be an annual cost of approximately \$18,000 in fiscal year 2008/2009 which is accounted for in the Information Services budget.

RECOMMENDATION:

Please consider forwarding a recommendation to the City Council to pass a resolution authorizing the Mayor and City Recorder to sign the Intergovernmental Agreement Broadband Users Group (BUG.)

**INTERGOVERNMENTAL AGREEMENT
BROADBAND USER'S GROUP (BUG)**

*Shared Use of Public Communication Network, Internet Access, Communication Devices and
Communication Equipment*

FINDINGS

This Intergovernmental Agreement (Agreement) is between the units of local government listed in Exhibit A that is incorporated by reference. Each entity listed is a Participant.

- A. ORS 190.010 authorizes the Participants to provide shared use of the public communication network, internet access, communication devices and communication equipment among the Participants referred to as the Broadband Users Group (BUG); and,
- B. The Intergovernmental Agreement "Shared Use of Public Communications Network, Internet Access, Communication Devices and Computer Equipment." (Original Agreement) is terminated and replaced by this Agreement

AGREEMENT

1. Broadband Users Group Established

- 1.1. The Broadband Users Group (BUG) is established.

2. Purpose

- 2.1. The BUG is formed to foster collaboration between the Participants including the shared use of the Public Communications Network, internet access, communication devices and communication equipment. The BUG may exercise any of the powers, rights, duties necessary to carry out the purposes of this Agreement including the authority to expend funds necessary to perform the following:
- 2.1.1. Shared usage of advances in technology, internetworking resources and interoperability solutions;
 - 2.1.2. Shared equipment and services associated with agency interconnects and shared internet access;
 - 2.1.3. Shared cost of the acquired equipment, internet workings and interoperability solutions;
 - 2.1.4. Development of internal expertise , including personnel, to share among the Participants;
 - 2.1.5. Provision of a best practices frame-work for Participants to follow for secure internetwork configuration management and equipment and resources for centralized access to the internet;
 - 2.1.6. Becoming a model for units of local government in sharing the technology, expertise and cost to benefit the citizens and taxpayers of the Participants;
 - 2.1.7. Maintaining secure computer connections to the shared broadband infrastructure in accordance with this Agreement; and;

- 2.1.8. Use of the shared Wide Area Network in a manner that will not impair other Participants' use of the Wide Area Network and the internet connection.

3. Definitions

- 3.1. As used in this Agreement, the following terms mean:
 - 3.1.1. Broadband Users Group (BUG): The collective group of Participants with the responsibilities stated in sections 4, 5 and 6 of this Agreement.
 - 3.1.2. Governing Board (GB): The BUG GB members are Participant representatives with the responsibilities set forth in section 4 of this Agreement.
 - 3.1.3. Executive Committee (EC): The BUG EC members are Participant representatives with the oversight responsibilities set forth in section 5 of this Agreement.
 - 3.1.4. Fiscal Year: The BUG fiscal year shall be July 1 to June 30 of each calendar year.
 - 3.1.5. BUG Operations Team (BOT): The BOT team members are Participant representatives with the operating responsibilities set forth in section 6 of this Agreement.
 - 3.1.6. Participant of BUG: Participants shall make payments to the BUG as stated in the standard schedule attached as Exhibit B to this Agreement. Participants have representation on the GB and the BOT, vote on all BUG matters and may propose items for any GB or BOT meeting agenda.
 - 3.1.7. Provisional Participant of BUG: Provisional participants shall make payments to the BUG as stated in the special schedule attached as Exhibit C to this Agreement. Provisional participants may not vote on BUG matters. They are normally small agencies with reasons to join BUG, but who lack the financial ability or internal support resources required to be a Participant.
 - 3.1.8. Public Communications Network (PCN): The public fiber network owned/operated by Comcast Cable, as a requirement of their franchise with the Metropolitan Area Communications Commission (MACC), which was built to provide service within the MACC member jurisdictions.
 - 3.1.9. Lead Administrative Agency: The agency that houses, maintains, and configures shared physical assets and handles administrative and financial functions for the BUG.
 - 3.1.10. Written Notice: Includes paper (via USPS or hand delivery), facsimile, or successful email transmission. However, all notices of termination or withdrawal from BUG must be in writing on the Participant's official letterhead and must be delivered via USPS or by hand.

4. Governing Board

- 4.1. The GB shall be composed of the chief executive officer or designee of each Participant entity.
- 4.2. The GB is responsible for:
 - 4.2.1. Review and approve BUG strategic plans, goals and objectives and annual work plans recommended by the EC and prepared by the BOT,
 - 4.2.2. Review and approve the annual budget, related fee schedules, and other fiscal documents recommended by the EC and prepared by the BOT,

- 4.2.3. Approve the addition or expulsion of Participants,
 - 4.2.4. Approve selection of the Lead Administrative Agency,
 - 4.2.5. Review and approve the standard and special schedules once a year (see Exhibits B & C), and,
 - 4.2.6. Approve the Service Level Agreement (SLA) with the Lead Administrative Agency.
- 4.3. A majority of the GB members constitutes a quorum at any special or regular meeting.
 - 4.4. The GB will adopt rules governing its procedures including the time and place of its regular quarterly meetings, and a procedure for calling special meetings.
 - 4.5. The GB will elect a Chair and Vice Chair by a simple majority vote of the members; however, neither the Chair nor the Vice Chair may be the chief executive officer or designee of the Lead Administrative Agency. The terms will be for two years, with elections held at the first meeting in even numbered fiscal years. The Vice-Chair will preside and act in the absence of the Chair. The Lead Administrative Agency will be the Clerk of the GB and is responsible for providing notices of meetings and keeping of minutes. Any permanent vacancy in the positions of Chair or Vice-Chair shall be filled by a special election of the GB held at a regular or special meeting of the GB.
- 5. Executive Committee**
- 5.1. The EC shall consist of 5 members of the GB. These members shall include: the Chair of the GB; the GB representative from Washington County; the GB representative from Washington County Cooperative Library Services; one (1) GB representative selected by the special district representatives; and one (1) GB representative selected by the municipal government Participants. If the GB Chair is the representative from Washington County, Washington County Cooperative Library Services, or a special district then the membership on the EC normally designated for that group or entity shall be a GB representative from a second municipal government Participant. At no time shall any Participant have more than 1 representative on the EC. Except for the EC Chair, all other members shall be appointed to serve for one fiscal year and may serve more than one term.
 - 5.2. The EC is responsible for:
 - 5.2.1. Review and recommend to GB strategic plans, goals and objectives and annual work plans prepared by the BOT,
 - 5.2.2. Review and recommend to GB the annual budget, related fee schedules and other fiscal documents prepared by the BOT,
 - 5.2.3. Recommend to GB the addition of new Participants, or the expulsion of current Participants,
 - 5.2.4. Recommend to GB the approval of the selection of the Lead Administrative Agency,
 - 5.2.5. Review regular BOT updates regarding status and issues related to BUG operations and recommend to GB required action if appropriate, and
 - 5.2.6. Review and recommend SLA with Lead Administrative Agency.
 - 5.3. A majority of the EC members constitutes a quorum at any special or regular meeting.

- 5.4. The EC will adopt rules governing its procedures including the time and place of its regular meetings, and a procedure for calling special meetings.
- 6. BUG Operations Team**
- 6.1. The BOT shall have one representative appointed by each Participant, and each representative has one vote.
- 6.2. The BOT will nominate and elect a Chair, Vice Chair, and Secretary for two year terms. The Vice Chair will preside and act in the absence of the Chair.
- 6.3. A majority of the BOT members constitutes a quorum.
- 6.4. The BOT will meet at least quarterly at a time and place designated by the Chair. All meetings require at least seven days written notice to all BOT members. Special meetings of the BOT may be called by the Chair or any two members upon at least seven days prior written notice to all BOT members.
- 6.5. The BOT is responsible for BUG operational decisions and for making recommendations to the EC regarding:
- 6.5.1. Strategic plans, goals and objectives,
 - 6.5.2. Policy and Procedures Manual,
 - 6.5.3. Performance standards for service levels,
 - 6.5.4. Annual budgets, related fee schedules and fiscal documents,
 - 6.5.5. Approval of all BUG contracts within budget authority,
 - 6.5.6. Coordination of BUG technical operations, and
 - 6.5.7. Participants and provisional participants.
- 6.6. The BOT may appoint committees for research and review of technical and other issues. These committees may provide recommendations to the BOT and EC.
- 7. Lead Administrative Agency**
- 7.1. The GB will select and appoint a Lead Administrative Agency based upon administrative and technical competence related to BUG operations. The Lead Administrative Agency until changed is the City of Hillsboro (Hillsboro).
- 7.2. The Lead Administrative Agency provides technical support for all BUG assets. All assets are installed, maintained, and configured by the Lead Administrative Agency Personnel. The Lead Administrative Agency's responsibilities in this role will be defined by an annual SLA between the Lead Administrative Agency and the GB.
- 8. Funding BUG Expenses**
- 8.1. The services of the Lead Administrative Agency and other BUG expenses will be funded with dues set by the Fee Schedules contained in Exhibits B and C paid by Participants and Provisional Participants.
- 9. Procedures Manual**
- 9.1. The BOT will consider and adopt procedures for the BUG and will incorporate them into a Procedures manual. The GB has oversight authority and final editorial control over this manual.
- 10. Additional Participants**
- 10.1. The GB will develop methods for extending participation to additional local governments and agencies. New Participants will be accepted into the BUG only upon recommendation of BOT and approval of two thirds of the GB.
- 11. Duration, Withdrawal, Expulsion, Termination, and Ownership**

- 11.1. Each Participant owns an undivided common interest in BUG assets including equipment and software purchased and installed for common use after January 1st, 2008, and in all unexpended and unencumbered funds held by the Lead Administrative Agency for BUG, in the same proportion as the Participant pays current annual fees.
- 11.2. This Agreement and the BUG will continue for 5 years. A Participant may withdraw from the BUG by giving at least 180 days written notice of its intent to withdraw to the GB Chair. The written notification (not email) must include a transition plan developed by the withdrawing Participant to allow the orderly and coordinated ending of all BUG related services. The withdrawing Participant is responsible for the transition plan that must include: 1) an inventory listing each BUG related interconnectivity requirement with certification that each is addressed prior to disconnection, 2) a written summary of a meeting with the Lead Administrative Agency to review termination requirements, and 3) a timeline for withdrawing based on that meeting with the Lead Administrative Agency.
- 11.3. The 180 day notice begins upon receipt of the complete written notification by the Lead Administration Agency. After the notice period, the withdrawal will not be effective until the withdrawing Participant has paid the full fee for the entire fiscal year in which its request becomes final. Upon withdrawal, the former Participant is not entitled to a refund of any amounts for start-up, maintenance, or continuing costs, whether or not any amount is unencumbered or unexpended. Upon withdrawal, the former Participant has no financial obligations to BUG for future dues, but forfeits any claims for goods or services purchased (or held for future purchases) under this Agreement.
- 11.4. A Participant may withdraw from the BUG without written notice as provided in section 11.2 only with the consent of all remaining Participants.
- 11.5. If any Participant fails to pay dues or acts in any manner inconsistent with the good faith duties and obligations of a Participant in the BUG by violating the rules and procedures outlined in the Procedures Manual and not acting to correct any violations in a timely manner, the EC may, at a meeting called solely for that purpose, consider and recommend to the GB that a Participant's membership be terminated for default. The recommendation shall specify the reasons for the termination. A vote to terminate a membership requires unanimous approval of the EC; provided however, that the Participant, if a member of the EC, shall be excluded from the calculation. Upon the GB receiving a recommendation for termination, the GB, upon not less than 10 days notice to the Participant, which notice includes a copy of the EC recommendation, shall hold a meeting, special or general, to consider whether or not termination will best serve the interests of the BUG. At such meeting, the EC representative shall present the issues to the GB, and the Participant shall be provided an opportunity of not less than 30 minutes, but otherwise at the discretion of the GB Chair, to address the GB and respond to the allegations. A vote to terminate requires 75% of the GB. The Participant will be excluded from the 75% calculation. Any termination shall be effective immediately, and the Participant shall be treated as a withdrawing Participant for all other purposes.

11.6. The BUG and this Agreement may be terminated upon mutual agreement of all Participants. At the time of termination, all Participants are entitled to a share of the proceeds of sale of BUG assets including equipment and software and any unexpended and unencumbered funds held for use by BUG in the same proportion as their ownership interests.

12. Remedies

12.1. If a Participant attempts to withdraw from the BUG but fails to follow the notice process required by section 11.2 or to obtain the consent authorized by section 11.4, the Participants agree that the liquidated damages for such action will be not less than the withdrawing Participant's share of the BUG annual operation costs for the next fiscal year, as determined by the current BUG Fee Schedule.

12.2. If any Participant files a legal action to enforce this Agreement, the prevailing party is entitled to reasonable attorney fees and costs, including any fees and costs incurred in an appeal, and as determined by the appropriate court.

13. Liability and Indemnification

13.1. To the extent allowed by Oregon law each Participant agrees to be responsible for the consequences of any wrongful acts of their employees or agents that affect any other Participant or a person not a party to this Agreement and each Participant agrees to hold harmless, defend and indemnify each other Participant, including its officers, employees and agents against all claims, demands, actions or suits (including all attorney fees and costs) arising from this Agreement where the loss or claim is attributable to the acts or omissions that Participant.

13.2. Each Participant agrees to hold harmless the BUG, GB, EC, BOT and the Managing Agency for any system outage whether planned or accidental.

14. Amendments

14.1. This Agreement may only be changed, modified, or amended in writing by agreement by at least three-quarters of the Participants.

15. Effective Date

15.1. This Agreement becomes effective for all Participants who have authorized it when it has been authorized by resolution of three-quarters of the governing bodies of the Participants identified in Exhibit A. Any local government desiring to join the BUG may do so in accordance with section 10.

16. Prior Agreements

16.1. Upon its effective date, this Agreement supersedes previous BUG Intergovernmental Agreements, specifically, the Original Agreement.

17. Severability

17.1. The terms of this Agreement are severable and a determination by an appropriate body having jurisdiction over the subject matter of this Agreement that results on the invalidity of any part does not affect the remainder of the Agreement unless the surviving agreement materially changes the consideration for any other Participant's entry into the agreement.

18. Interpretation

18.1. The terms and conditions of this Agreement will be liberally construed under Oregon law in accordance with the general purposes of this Agreement.

APPROVED AND SIGNED by the appropriate officers who are authorized to execute this Agreement on behalf of the governing body of each Participant.

Dated this _____ day of _____, 2008

City of Beaverton

City Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2008

City of Cornelius

City Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2008

City of Forest Grove

City Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2008

City of Hillsboro

City Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2008

City of King City

City Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2008

City of Lake Oswego

City Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2008

City of Tigard

City Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2008

City of Tualatin

City Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2008

Clean Water Services

CWS Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2008

Tualatin Valley Fire & Rescue

TVF&R Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2008

Washington County/WCCLS

WC Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2008

WCCCA

WCCCA Attorney
APPROVED AS TO FORM

Dated this _____ day of _____, 2008

MACC

MACC Attorney
APPROVED AS TO FORM

EXHIBIT A
PARTICIPANTS

City of Beaverton

City of Cornelius

City of Forest Grove

City of Hillsboro

City of King City

City of Lake Oswego

City of Tigard

City of Tualatin

Clean Water Services

Metropolitan Area Communications Commission

Tualatin Valley Fire & Rescue

Washington County

Washington County Consolidated Communications Agency

Washington County Cooperative Library Services

EXHIBIT B
Standard Schedule for Participants

The GB will approve the annual BUG budget in accordance with section 4 no later than December 15th of each year.

Participant payments will be due and payable on August 15th of each year of the Agreement.

The Lead Administrative Agency will invoice Participants no later than July 15th for the fee for the upcoming year.

Usage fees will be determined by the GB in accordance with section 4 no later than December 15th of each year.

Example of Annual Payment matrix based on annual internet usage follows:

Partner Payments (Usage)				
Agency	Percentage	Partnership	Usage	Total
Washington County	27.33%	\$ 6,000.00	\$ 22,276.67	\$ 28,276.67
WCCLS	33.33%	\$ 6,000.00	\$ 27,166.67	\$ 33,166.67
Hillsboro	9.33%	\$ 6,000.00	\$ 7,606.67	\$ 13,606.67
Beaverton	4.67%	\$ 6,000.00	\$ 3,803.33	\$ 9,803.33
Clean Water Services	6.67%	\$ 6,000.00	\$ 5,433.33	\$ 11,433.33
TVF&R	5.33%	\$ 6,000.00	\$ 4,346.67	\$ 10,346.67
Lake Oswego	4.67%	\$ 6,000.00	\$ 3,803.33	\$ 9,803.33
Tigard	2.67%	\$ 6,000.00	\$ 2,173.33	\$ 8,173.33
Forest Grove	1.33%	\$ 6,000.00	\$ 1,086.67	\$ 7,086.67
Tualatin	1.33%	\$ 6,000.00	\$ 1,086.67	\$ 7,086.67
WCCCA	2.00%	\$ 6,000.00	\$ 1,630.00	\$ 7,630.00
MACC	0.67%	\$ 6,000.00	\$ 543.33	\$ 6,543.33
Cornelius	0.67%	\$ 6,000.00	\$ 543.33	\$ 6,543.33
King City	0.00%	\$ 6,000.00	\$ -	\$ 6,000.00
Total	100.00%	\$ 84,000.00	\$ 81,500.00	\$ 165,500.00

EXHIBIT C
Special Schedule for Provisional Participants

The Special Schedule for Provisional Participants will follow the Standard Schedule in Exhibit B unless modified by the GB in accordance with this Agreement.

RESOLUTION NO. 2243

A RESOLUTION AUTHORIZING AND RATIFYING THE LISTED EXPENDITURES, PUBLIC CONTRACTS, CONTRACT AMENDMENTS AND AGREEMENTS IN ACCORDANCE WITH CHAPTER 2.16 OF THE HILLSBORO MUNICIPAL CODE.

WHEREAS, any public contract not previously awarded by the City Council is not authorized until the City Council passes a resolution, and

WHEREAS, a City of Hillsboro contract is not effective to bind the City until the Mayor signs the contract or an order approving execution of the contract and that execution or order is attested to by the City Recorder,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HILLSBORO AS FOLLOWS:

Section 1. The contracts to make the expenditures listed in the attached Schedule A and the individual expenditures in that schedule are authorized and ratified.

Section 2. Any contract or contract amendment listed on Schedule B, which has not been previously awarded by the City Council, is authorized and ratified.

Section 3. No contract or contract amendment authorized by this resolution shall be binding upon the City of Hillsboro until it is signed by the Mayor or the execution is ratified by an order of the Mayor and the signature or order is attested to by the City Recorder.

Introduced and passed this 19 day of February, 2008

Mayor

ATTEST: _____
City Recorder

ORDER NO. 35
(Ref. Resolution No. 2243)

**AN ORDER OF THE MAYOR OF THE CITY OF HILLSBORO AUTHORIZING
AND RATIFYING EXPENDITURES, CONTRACTS, CONTRACT AMENDMENTS
AND OTHER AGREEMENTS.**

WHEREAS, any public contract not previously awarded by the City Council is not authorized until the City Council passes a resolution, and

WHEREAS, the City Council has adopted Resolution No. 2243, dated February 19, 2008 authorizing the expenditures listed in Schedule A and the contracts and contract amendments listed in Schedule B, attached to this order and incorporated herein, and

WHEREAS, a contract is not effective to bind the City until the Mayor signs an order approving the contract and that order is attested to by the City Recorder, and,

WHEREAS, the Mayor has delegated authority to execute the contracts and contract amendments listed in Schedule B and wishes to authorize and ratify the execution of those agreements,

IT IS HEREBY ORDERED THAT:

Section 1. The execution of the contracts, contract amendments and agreements to expend money listed in Schedule B and the expenditures listed in Schedule A are ratified and authorized. These listed expenditures, contracts, contract amendments and agreements are considered to be signed by the Mayor and attested to by the City Recorder.

Section 2. A copy of this Order shall be attached to and be a part of each of the contracts, contract amendments, agreements listed in Schedule B and attached to the expenditure list in Schedule A.

Ordered by the Mayor this 19 day of February, 2008

Mayor

ATTEST: _____

City Recorder

EXPENDITURE ACCOUNT SUMMARY REGISTER

CLOSING DATE 01/31/08

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FUND	DEPT	TITLE	APPROPRIATION	EXPENDITURE	ENDING-BAL
01	- 030	MUNICIPAL COURT	573,404.00	215,123.94	358,280.06
01	- 060	POLICE DEPT	16,006,803.00	8,962,567.33	7,044,235.67
01	- 063	PARKING ENFORCEMENT	129,439.00	67,928.05	61,510.95
01	- 066	AIR SHOW DEPARTMENT	87,408.00	50,443.11	36,964.89
01	- 070	FIRE DEPARTMENT	12,086,975.00	6,326,859.97	5,760,115.03
01	- 100	PLANNING DEPT	1,980,255.00	629,647.43	1,350,607.57
01	- 120	BUILDING DEPT	3,131,200.00	1,112,412.63	2,018,787.37
01	- 130	PARKS AND RECREATION	9,194,545.00	4,305,647.50	4,888,897.50
01	- 140	AQUATIC CENTER	1,961,866.00	935,099.13	1,026,766.87
01	- 150	STREET LIGHTING	960,000.00	480,820.67	479,179.33
01	- 160	LIBRARY	6,896,666.00	3,290,202.89	3,606,463.11
01	- 167	LOCAL OPTION TAX- POLICE	7,459,868.00	3,049,935.44	4,409,932.56
01	- 168	LOCAL OPTION TAX-FIRE	4,618,800.00	1,182,678.19	3,436,121.81
01	- 169	LOCAL OPTION TAX- PARKS & RECREATION	901,234.00	425,838.52	475,395.48
01	- 170	SPECIAL EXPENDITURES	1,077,085.00	363,981.98	713,103.02
01	- 190	TRANSFER TO OTHER FUNDS	400,068.00	.00	400,068.00
01	- 810	* * INVALID FUND * *	8,594,244.00	.00	8,594,244.00
03	- 010	ECONOMIC DEVELOPMENT	285,185.00	171,698.76	113,486.24
06	- 010	P/S VOLUNTEER FUND -POLICE DEPT	61,000.00	3,464.19	57,535.81
10	- 010	TRANSPORTATION-ADMIN/FINANCE (HISTORY)	.00	.00	.00
10	- 020	TRANSPORTATION ENGINEERING	570,074.00	314,888.39	255,185.61
10	- 030	TRANSPORTATION TRAFFIC	783,295.00	400,321.68	382,973.32
10	- 040	TRANSPORTATION MAINTENANCE	3,275,021.00	1,855,485.43	1,419,535.57
10	- 070	TRANSPORTATION CONSTRUCTION & IMPROVMENT	1,458,449.00	874,456.79	583,992.21
10	- 080	PATHWAYS - TRANSPORTATION FUND	48,009.00	14,342.79	33,666.21
10	- 090	SPECIAL EXPENDITURES - TRANSPORTATION	1,226,605.00	377,246.82	849,358.18

EXPENDITURE ACCOUNT SUMMARY REGISTER

CLOSING DATE 01/31/08 GF30064A PAGE 2 RUN DATE 02/04/08

FUND	DEPT	TITLE	APPROPRIATION	EXPENDITURE	ENDING-BAL
11	010	* * INVALID FUND * *	.00	.00	.00
14	010	FIRE/POLICE SERIAL LEVY (HISTORY)	.00	.00	.00
16	010	FUNDED DEPRECIATION - SWM	1,260,001.00	1,146.63	1,258,854.37
17	010	FUNDED DEPRECIATION FUND -SEWER	12,965,054.00	80,841.15	12,884,212.85
18	010	FUNDED DEPRECIATION FUND -WATER	11,414,078.00	440,562.71	10,973,515.29
19	010	BARNEY JOINT COMMISSION	885,048.00	216,609.81	668,438.19
25	010	SDC FUND - WATER	20,435,001.00	894,770.17	19,540,230.83
26	010	SDC FUND -SURFACE WATER MANAGEMENT	8,141,500.00	345,502.28	7,795,997.72
26	010	SDC FUND -SURFACE WATER MANAGEMENT	.00	.00	.00
27	010	SDC FUND -SEWER	16,266,000.00	3,492,941.71	12,773,058.29
28	010	TRAFFIC IMPACT FEE (TIF)	38,798,000.00	735,806.86	38,062,193.14
29	010	SDC-PARKS	11,951,500.00	2,707,269.31	9,244,230.69
36	010	WATER SINKING FUND D/S	4,701,273.00	1,953,536.25	2,747,736.75
38	020	GEN OB DEBT SERV -UNAPPROPRIATED BALANCE	49,500.00	.00	49,500.00
40	040	SPECIAL ASSESSMENTS FUND	550,000.00	.00	550,000.00
41	010	PARKS CAPITAL PROJECTS FUND	2,000,002.00	3,524,893.72	1,524,891.72-
50	030	WATER OPERATING FUND	25,132,389.00	6,602,902.74	18,529,486.26
51	010	JOINT WATER COMMISSION	16,095,204.00	4,335,892.56	11,759,311.44
52	020	SEWER OPERATING FUND	17,639,142.00	7,438,141.44	10,201,000.56
52	050	JACKSON BOTTOM WETLANDS -SEWER FUND	537,858.00	267,331.08	270,526.92
53	010	* * INVALID FUND * *	.00	.00	.00
54	010	PROPERTY MANAGEMENT FUND	128,100.00	102,211.85	25,888.15
62	010	MUNICIPAL COURT AGENCY FUND	421,500.00	184,893.74	236,606.26
63	020	DBA AGENCY FUND -DBA PARKING LOT	.00	.00	.00
64	010	HEDC TAX INCREMENT FUND	134,000.00	.00	134,000.00
65	010	HEDC FUND - GEN ADMINISTRATION	3,011,498.00	661,342.03	2,350,155.97

EXPENDITURE ACCOUNT SUMMARY REGISTER

CLOSING DATE 01/31/08

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FUND	DEPT	TITLE	APPROPRIATION	EXPENDITURE	ENDING-BAL
65	- 020	HEDC FUND - PROJECT, PUBLIC PURPOSE	500,000.00	13,311.76	486,688.24
65	- 030	HEDC FUND - REDEVELOPMENT	.00	.00	.00
65	- 090	HEDC FUND - TRANSFERS	97,502.00	.00	97,502.00
66	- 010	PUBLIC SAFETY AGENCY FUND	512,500.00	435,297.05	77,202.95
69	- 010	CEMETERY ENDOWMENT TRUST FUND	.00	.00	.00
70	- 010	MAYOR, CITY COUNCIL AND LEGAL	840,725.00	600,986.27	239,738.73
70	- 017	CAPITAL PLANNING AND DEVELOPMENT	693,953.00	192,228.20	501,724.80
70	- 020	ADMINISTRATION DEPT	2,014,542.00	1,042,423.07	972,118.93
70	- 021	HUMAN RESOURCES DEPARTMENT	1,102,295.00	549,757.27	552,537.73
70	- 023	INFORMATION SYSTEMS DEPARTMENT	3,394,442.00	1,521,025.08	1,873,416.92
70	- 024	GEOGRAPHIC INFORMATION SYSTEMS	598,535.00	173,057.47	425,477.53
70	- 040	FINANCE DEPARTMENT	1,470,949.00	907,150.55	563,798.45
70	- 048	EMERGENCY OPERATION SERVICES	260,564.00	106,309.08	154,254.92
70	- 100	PLANNING DEPARTMENT	2,779,194.00	1,114,204.96	1,664,989.04
70	- 120	BUILDING DEPARTMENT	3,359,696.00	1,705,803.99	1,653,892.01
70	- 501	UTILITY BILLING DEPARTMENT	604,319.00	351,113.70	253,205.30
70	- 710	FACILITIES MANAGEMENT DEPT	688,741.00	364,121.11	324,619.89
70	- 801	CAPITAL RESERVE DEPARTMENT	3,762,744.00	740,252.15	3,022,491.85
71	- 023	INFORMATION SERVICES BLDG LEASE	.00	.00	.00
71	- 028	MACKENZIE BLDG	37,000.00	11,306.00	25,694.00
71	- 029	ARCHIVE BUILDINGS	63,800.00	21,881.62	41,918.38
71	- 030	TOWN THEATRE DEVELOPMENT	770,000.00	764,888.31	5,111.69
71	- 031	* * INVALID FUND * *	90,300.00	49,856.82	40,443.18
71	- 053	PUBLIC SERVICES BUILDING	2,187,500.00	930,885.81	1,256,614.19
71	- 054	CITY HALL FACILITIES ACQUISITION & BLDG	245,000.00	66,377.82	178,622.18
71	- 061	PUBLIC SAFETY BUILDING -205 SE 2ND AVE	306,650.00	158,835.79	147,814.21

EXPENDITURE ACCOUNT SUMMARY REGISTER

CLOSING DATE 01/31/08

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RUN DATE 02/04/08

FUND	DEPT	TITLE	APPROPRIATION	EXPENDITURE	ENDING-BAL
71	- 063	POLICE SUBSTATION-TANASBOURNE	199,720.00	100,345.63	99,374.37
71	- 070	MAIN FIRE STATION BUILDING	2,610,450.00	32,660.14	2,577,789.86
71	- 073	PARKWOOD FIRE SUB-STATION BUILDING	28,600.00	21,375.99	7,224.01
71	- 074	BROOKWOOD FIRE SUB-STATION	22,550.00	9,812.19	12,737.81
71	- 075	RONLER ACRES FIRE SUB-STATION BUILDING	81,850.00	34,096.59	47,753.41
71	- 130	PARKS OFFICE BLDG - 626 SE 9TH	39,900.00	27,383.31	12,516.69
71	- 132	PARKS ACTIVITY BUILDING-GRIFFIN OAKS	29,700.00	13,568.47	16,131.53
71	- 135	PARKS MAINTENANCE BUILDING-GRIFFIN OAKS	1,931,500.00	548,580.90	1,382,919.10
71	- 136	ROODBRIDGE RIVER HOUSE	17,700.00	5,855.46	11,844.54
71	- 137	HILLSBORO STADIUM	251,500.00	94,463.46	157,036.54
71	- 138	COMMUNITY/SENIOR CENTER -MAPLE STREET	71,400.00	33,346.24	38,053.76
71	- 139	WALTERS CULTURAL ARTS CENTER	68,000.00	33,911.37	34,088.63
71	- 140	AQUATIC COMPLEX BUILDING -953 SE MAPLE	428,000.00	345,513.74	82,486.26
71	- 160	LIBRARY BUILDING -775 SE 10TH	107,320.00	55,535.10	51,784.90
71	- 162	LIBRARY-TANASBOURNE BLDG- LEASED	1,939,335.00	245,406.55	1,693,928.45
71	- 200	* * INVALID FUND * *	31,500.00	11,231.85	20,268.15
71	- 710	* * INVALID FUND * *	16,500.00	5,199.46	11,300.54
71	- 801	CAPITAL REPLACEMENT DEPARTMENT -BLDGS	4,673,240.00	693,968.75	3,979,271.25
75	- 010	INTERNAL SERVICE FUND	690,949.00	184,777.95	506,171.05

TOTAL COUNT 04106

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REVENUE ACCOUNT DETAIL REGISTER

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GENERAL FUND

FU-DEP-C-S-OBJ-LN-PJ JC-JD VND-# SOURCE	TITLE	REFERENCE	TRAN-DT	EX-PD	ESTIMATED	RECEIPTS	COMPARISION TO BUDGET
01-000-5-5-001-05-00	WORKING CAPITAL - JULY 1 ACCOUNT TOTAL				18,826,690.00 (53.33%) 18,826,690.00	10,041,277.02 10,041,277.02	8,785,412.98 *
01-000-5-5-001-05-02	WORKING CAPITAL - CARRY OVERS ACCOUNT TOTAL (NO ACTIVITY)				1,182,979.00 (0.00%) 1,182,979.00	.00	1,182,979.00 *
01-000-5-5-001-05-10	WORKING CAPITAL -L.O.T. ACCOUNT TOTAL				.00 (0.00%) .00	10,485,932.83 10,485,932.83	10,485,932.83 -*
01-000-5-5-025-10-00	INT EARNED ON INVESTMENTS ACCOUNT TOTAL				350,000.00 (28.99%) 350,000.00	101,483.05 101,483.05	248,516.95 *
01-000-5-5-025-10-01	INTEREST EARNED-L.O.T. ACCOUNT TOTAL				350,000.00 (102.64%) 350,000.00	359,260.43 359,260.43	9,260.43 -*
01-000-5-5-055-12-00	INCOME-SALE OF SURPLUS PROP ACCOUNT TOTAL				30,000.00 (189.38%) 30,000.00	56,815.57 56,815.57	26,815.57 -*
01-000-5-5-064-12-00	MISCELLANEOUS INCOME ACCOUNT TOTAL				20,000.00 (189.53%) 20,000.00	37,906.25 37,906.25	17,906.25 -*
01-000-5-5-013-13-00	LIBRARY FINES & FEES ACCOUNT TOTAL				165,000.00 (53.91%) 165,000.00	88,962.54 88,962.54	76,037.46 *
01-000-5-5-013-13-33	TANASBOURNE MAIN LIB RENT REIM ACCOUNT TOTAL				28,500.00 (35.54%) 28,500.00	10,131.25 10,131.25	18,368.75 *
01-000-5-5-014-14-00	BUSINESS LICENSE FEES ACCOUNT TOTAL				280,000.00 (113.32%) 280,000.00	317,312.85 317,312.85	37,312.85 -*
01-000-5-5-014-14-05	B/L APPLICATION FEES ACCOUNT TOTAL				50,000.00 (46.72%) 50,000.00	23,360.00 23,360.00	26,640.00 *
01-000-5-5-007-15-00	LICENSES AND FEES ACCOUNT TOTAL				10,000.00 (98.35%) 10,000.00	9,835.00 9,835.00	165.00 *
01-000-5-5-007-16-00	LIEN SEARCH SERVICE FEES ACCOUNT TOTAL				125,000.00 (33.22%) 125,000.00	41,525.00 41,525.00	83,475.00 *
01-000-5-5-008-17-00	FRANCHISE FEES ACCOUNT TOTAL				6,400,000.00 (12.88%) 6,400,000.00	824,747.51 824,747.51	5,575,252.49 *
01-000-5-5-017-17-00	FIRE DEPARTMENT REVENUE ACCOUNT TOTAL				60,000.00 (24.52%) 60,000.00	14,717.58 14,717.58	45,282.42 *
01-000-5-5-017-17-10	FIRE DEPARTMENT DONATIONS ACCOUNT TOTAL (NO ACTIVITY)				.00 (0.00%) .00	.00	.00 *
01-000-5-5-017-17-20	FIRE DEPT TRAINING REVENUE ACCOUNT TOTAL				30,000.00 (198.41%) 30,000.00	59,524.22 59,524.22	29,524.22 -*

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FU-DEP-C-S-OBJ-LN-PJ TITLE JC-JD VND-# SOURCE	REFERENCE	TRAN-DT	EX-PD	ESTIMATED	RECEIPTS	COMPARISION TO BUDGET
01-000-5-5-009-18-00 PLANNING-ZONING & SUBDIV FEES ACCOUNT TOTAL				700,000.00 700,000.00	244,750.15 244,750.15	455,249.85 *
01-000-5-5-009-18-05 METRO EXCISE TAX ACCOUNT TOTAL				175,000.00 175,000.00	187,257.93 187,257.93	12,257.93-*
01-000-5-5-011-19-00 BUILDING DEPT PERMITS ACCOUNT TOTAL				1,040,000.00 1,040,000.00	935,405.01 935,405.01	104,594.99 *
01-000-5-5-013-19-00 PLAN CHECK FEES ACCOUNT TOTAL				800,000.00 800,000.00	568,805.37 568,805.37	231,194.63 *
01-000-5-5-016-19-00 FIRE & SAFETY PLAN CHECK FEES ACCOUNT TOTAL				400,000.00 400,000.00	208,463.77 208,463.77	191,536.23 *
01-000-5-5-017-19-00 BLDG-CONSULTANT FEES REIMBURSD ACCOUNT TOTAL				5,000.00 5,000.00	98,670.97 98,670.97	93,670.97-*
01-000-5-5-018-19-00 BLDG - ELECTRIC INPLANT FEE ACCOUNT TOTAL				30,000.00 30,000.00	8,539.60 8,539.60	21,460.40 *
01-000-5-5-018-19-01 BUILDING IGA CONTRACT SERVICES ACCOUNT TOTAL (NO ACTIVITY)				.00	.00	.00 *
01-000-5-5-013-19-10 MECHANICAL PERMITS -BUILDING ACCOUNT TOTAL				200,000.00 200,000.00	172,616.71 172,616.71	27,383.29 *
01-000-5-5-013-19-20 PLUMBING PERMITS -BUILDING ACCOUNT TOTAL				400,000.00 400,000.00	316,663.66 316,663.66	83,336.34 *
01-000-5-5-013-19-30 ELECTRICAL PERMITS -BUILDING ACCOUNT TOTAL				450,000.00 450,000.00	254,794.92 254,794.92	195,205.08 *
01-000-5-5-013-19-50 BLDG PERMIT STATE SURCHARGE ACCOUNT TOTAL				225,000.00 225,000.00	134,093.68 134,093.68	90,906.32 *
01-000-5-5-017-20-00 POLICE HOSTED TRAINING FEES ACCOUNT TOTAL				15,000.00 15,000.00	5,750.68 5,750.68	9,249.32 *
01-000-5-5-018-20-00 POLICE DONATIONS/GIFTS ACCOUNT TOTAL (NO ACTIVITY)				.00	.00	.00 *
01-000-5-5-019-20-00 POLICE VEHICLE IMPOUNDMENT FEE ACCOUNT TOTAL				70,000.00 70,000.00	48,753.04 48,753.04	21,246.96 *
01-000-5-5-020-20-00 POLICE COMMUNITY ASSISTANCE ACCOUNT TOTAL				140,000.00 140,000.00	11,934.93 11,934.93	128,065.07 *
01-000-5-5-021-20-00 COURT FINES & FORFEITURES ACCOUNT TOTAL				950,000.00 950,000.00	549,618.38 549,618.38	400,381.62 *

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FU-DEP-C-S-OBJ-LN-PJ JC-JD VND-# SOURCE	TITLE	REFERENCE	TRAN-DT	EX-PD	ESTIMATED	RECEIPTS	COMPARISION TO BUDGET
01-000-5-5-017-20-01	POLICE RESERVE SPECIALIST PROG ACCOUNT TOTAL (NO ACTIVITY)				(0.00%) .00	.00	.00 *
01-000-5-5-017-20-02	NW REGIONAL FORENSIC LAB ACCOUNT TOTAL				(56.43%) 2,000.00 2,000.00	1,128.63 1,128.63	871.37 *
01-000-5-5-029-29-00	CIVIC CENTER FACILITY RENTALS ACCOUNT TOTAL				(0.00%) .00	3,115.25 3,115.25	3,115.25-*
01-000-5-5-030-30-00	AQUATIC CENTER ACCOUNT TOTAL				(70.56%) 850,000.00 850,000.00	599,812.04 599,812.04	250,187.96 *
01-000-5-5-032-32-00	FAIRGROUNDS/CONCESSIONS ACCOUNT TOTAL				(75.62%) 8,000.00 8,000.00	6,049.75 6,049.75	1,950.25 *
01-000-5-5-033-33-00	PARKS & REC FACILITY RNTL FEES ACCOUNT TOTAL				(85.01%) 45,000.00 45,000.00	38,254.75 38,254.75	6,745.25 *
01-000-5-5-034-34-00	RECREATION PROGRAMS ACCOUNT TOTAL				(55.71%) 650,000.00 650,000.00	362,164.77 362,164.77	287,835.23 *
01-000-5-5-034-34-05	PARKS REVENUE CLEARING ACCOUNT ACCOUNT TOTAL				(0.00%) .00	137,021.65- 137,021.65-	137,021.65 *
01-000-5-5-034-34-10	PARKS-RENTAL DEPOSITS ACCOUNT TOTAL				(0.00%) .00	2,659.00- 2,659.00-	2,659.00 *
01-000-5-5-035-35-00	PARKS -MISCELLANEOUS REVENUE ACCOUNT TOTAL				(62.60%) 1,000.00 1,000.00	626.07 626.07	373.93 *
01-000-5-5-037-37-00	HILLSBORO BASKETBALL PROGRAM ACCOUNT TOTAL				(83.17%) 40,000.00 40,000.00	33,271.00 33,271.00	6,729.00 *
01-000-5-5-039-39-00	PARKS-REC DONATIONS & GIFTS ACCOUNT TOTAL				(30.00%) 500.00 500.00	150.00 150.00	350.00 *
01-000-5-5-040-40-00	SENIOR/COMM CENTER REV & GIFTS ACCOUNT TOTAL				(68.06%) 10,000.00 10,000.00	6,806.25 6,806.25	3,193.75 *
01-000-5-5-045-45-00	STADIUM- CONCESSION STAND ACCOUNT TOTAL				(66.96%) 77,000.00 77,000.00	51,563.95 51,563.95	25,436.05 *
01-000-5-5-046-46-00	STADIUM-RENTAL/USAGE REVENUE ACCOUNT TOTAL				(87.39%) 75,000.00 75,000.00	65,543.88 65,543.88	9,456.12 *
01-000-5-5-050-50-00	CULTURAL ARTS REVENUE ACCOUNT TOTAL				(63.26%) 100,000.00 100,000.00	63,266.57 63,266.57	36,733.43 *
01-000-5-5-050-50-10	CULTURAL ARTS GRANTS/DONATIONS ACCOUNT TOTAL				(82.59%) 5,000.00 5,000.00	4,129.69 4,129.69	870.31 *

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GENERAL FUND

FU-DEP-C-S-OBJ-LN-PJ JC-JD VND-# SOURCE	REFERENCE	TRAN-DT	EX-PD	ESTIMATED	RECEIPTS	COMPARISION TO BUDGET
01-000-5-5-050-50-20 CULTURAL ARTS FACILITY RENTAL ACCOUNT TOTAL				40,000.00 40,000.00	55,843.50 55,843.50	15,843.50-*
01-000-5-5-095-69-00 AIR SHOW REVENUE ACCOUNT TOTAL				87,408.00 87,408.00	20,600.00 20,600.00	66,808.00 *
01-000-5-6-002-08-00 PROPERTY TAXES -DELINQUENT ACCOUNT TOTAL				400,000.00 400,000.00	206,701.12 206,701.12	193,298.88 *
01-000-5-6-002-09-00 LOT PROPERTY TAXES-DELINQUENT ACCOUNT TOTAL				100,000.00 100,000.00	61,742.18 61,742.18	38,257.82 *
01-000-5-6-050-54-00 HOTEL/MOTEL TAX COUNTY ACCOUNT TOTAL				520,000.00 520,000.00	332,384.26 332,384.26	187,615.74 *
01-000-5-6-051-60-00 WCCLS PUBLIC LIBRARY SVC AGREE ACCOUNT TOTAL				3,597,699.00 3,597,699.00	2,878,160.00 2,878,160.00	719,539.00 *
01-000-5-7-100-15-00 READY TO READ ACCOUNT TOTAL				13,100.00 13,100.00	17,174.00 17,174.00	4,074.00-*
01-000-5-7-048-22-00 OLCC TAX REVENUE ACCOUNT TOTAL				900,000.00 900,000.00	624,907.57 624,907.57	275,092.43 *
01-000-5-7-049-24-00 CIGARETTE TAX REVENUE ACCOUNT TOTAL				160,000.00 160,000.00	88,825.90 88,825.90	71,174.10 *
01-000-5-7-060-30-00 STATE REVENUE SHARING ACCOUNT TOTAL				680,000.00 680,000.00	330,793.36 330,793.36	349,206.64 *
01-000-5-7-097-67-05 POLICE GRANTS REVENUE ACCOUNT TOTAL				352,350.00 352,350.00	194,626.31 194,626.31	157,723.69 *
01-000-5-7-097-67-07 FIRE GRANTS REVENUE ACCOUNT TOTAL				100,000.00 100,000.00	15,021.42 15,021.42	84,978.58 *
01-000-5-7-097-67-09 PARKS GRANTS ACCOUNT TOTAL				161,000.00 161,000.00	65,055.58 65,055.58	95,944.42 *
CATEGORY TOTAL				(75.81%) 42,483,226.00	32,206,947.05	10,276,278.95
01-000-5-9-091-69-00 TRANSPORTATION FUND -ST LIGHTS ACCOUNT TOTAL (NO ACTIVITY)				372,500.00 372,500.00	.00	372,500.00 *
01-000-5-9-092-70-00 MUNICIPAL COURT TRANSFER ACCOUNT TOTAL (NO ACTIVITY)				20,000.00 20,000.00	.00	20,000.00 *
01-000-5-9-096-72-00 TRANSFER FROM HEDC ACCOUNT TOTAL (NO ACTIVITY)				1.00 1.00	.00	1.00 *

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GENERAL FUND

FU-DEP-C-S-OBJ-LN-PJ TITLE JC-JD VND-# SOURCE	REFERENCE	TRAN-DT	EX-PD		ESTIMATED	RECEIPTS	COMPARISION TO BUDGET
01-000-5-9-096-76-00 TRANSFER FROM FACILITIES MGMNT ACCOUNT TOTAL (NO ACTIVITY)				(0.00%)	1.00 1.00	.00	1.00 *
01-000-5-9-097-77-00 TRANSFER FROM GEN OBLIGATION ACCOUNT TOTAL (NO ACTIVITY)				(0.00%)	49,500.00 49,500.00	.00	49,500.00 *
01-001-5-6-200-20-00 PROPERTY TAX REVENUE ACCOUNT TOTAL				(94.61%)	25,487,911.00 25,487,911.00	24,116,469.02 24,116,469.02	1,371,441.98 *
01-001-5-6-205-20-00 LOCAL OPTION TAX ACCOUNT TOTAL				(94.63%)	7,646,721.00 7,646,721.00	7,236,194.79 7,236,194.79	410,526.21 *
CATEGORY TOTAL				(93.37%)	33,576,634.00	31,352,663.81	2,223,970.19
TOTAL FUND DETAIL				(83.56%)	76,059,860.00	63,559,610.86	12,500,249.14

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STREET FUND

FU-DEP-C-S-OBJ-LN-PJ JC-JD VND-# SOURCE	TITLE	REFERENCE	TRAN-DT	EX-PD	ESTIMATED	RECEIPTS	COMPARISION TO BUDGET
10-000-5-0-001-05-00	WORKING CAPITAL @7/1 - STREET ACCOUNT TOTAL				292,531.00- 292,531.00-	74,149.47- 74,149.47-	218,381.53-*
10-000-5-0-002-05-00	WORKING CAPITAL @7/1 -PATHWAYS ACCOUNT TOTAL				222,525.00 222,525.00	310,530.66 310,530.66	88,005.66-*
10-000-5-0-001-05-01	WORKING CAPITAL-FEE IN LIEU ACCOUNT TOTAL				345,899.00 345,899.00	161,776.45 161,776.45	184,122.55 *
10-000-5-0-002-05-01	WORKING CAPITAL -OTIA III ACCOUNT TOTAL				1,710,756.00 1,710,756.00	1,709,021.20 1,709,021.20	1,734.80 *
10-000-5-0-001-05-02	WORKING CAPITAL - CARRY OVERS ACCOUNT TOTAL (NO ACTIVITY)				.00 .00	.00 .00	.00 *
	CATEGORY TOTAL				(106.06%) 1,986,649.00	2,107,178.84	120,529.84-
10-000-5-0-064-12-00	MISCELLANEOUS REVENUE ACCOUNT TOTAL				20,622.00 20,622.00	8,960.75 8,960.75	11,661.25 *
10-000-5-0-025-15-00	INTEREST EARNED - STREET ACCOUNT TOTAL				66,202.00- 66,202.00-	40,886.95- 40,886.95-	25,315.05-*
10-000-5-0-025-15-01	INTEREST EARNED - PATHWAYS ACCOUNT TOTAL				12,820.00 12,820.00	7,871.46 7,871.46	4,948.54 *
10-000-5-0-025-15-02	INT EARNED - FEE IN LIEU CONST ACCOUNT TOTAL				70,348.00 70,348.00	42,811.57 42,811.57	27,536.43 *
10-000-5-0-025-15-03	INTEREST EARNED -OTIA III ACCOUNT TOTAL				58,934.00 58,934.00	41,124.19 41,124.19	17,809.81 *
10-000-5-0-011-23-00	PROJECTS REIMB -DEV PAYMENTS ACCOUNT TOTAL				250,000.00 250,000.00	81,963.87 81,963.87	168,036.13 *
10-000-5-0-011-23-03	CDBG GRANTS -SEE PROJECTS ACCOUNT TOTAL (NO ACTIVITY)				.00 .00	.00 .00	.00 *
10-000-5-0-033-24-00	PROJ REIMB-INTRA CITY(HISTORY) ACCOUNT TOTAL (NO ACTIVITY)				.00 .00	.00 .00	.00 *
10-000-5-0-033-24-10	PROJECT REIMBURSEMENTS ACCOUNT TOTAL				.00 .00	136,927.00 136,927.00	136,927.00-*
10-000-5-0-044-28-00	FEE IN LIEU OF CONSTRUCTION ACCOUNT TOTAL				22,869.00 22,869.00	38,700.00 38,700.00	15,831.00-*
10-000-5-7-050-50-00	COUNTY GAS TAX ACCOUNT TOTAL				372,468.00 372,468.00	214,298.75 214,298.75	158,169.25 *

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STREET FUND		REFERENCE	TRAN-DT	EX-PD	ESTIMATED	RECEIPTS	COMPARISION TO BUDGET
FU-DEP-C-S-OBJ-LN-PJ	TITLE						
JC-JD VND-#	SOURCE						
10-000-5-7-059-59-00	ADDITIONAL REVENUE SOURCE						
	ACCOUNT TOTAL (NO ACTIVITY)	(0.00%)			.00	.00	.00 *
10-000-5-7-060-60-00	MSTIP - PATHWAYS (HISTORY)						
	ACCOUNT TOTAL (NO ACTIVITY)	(0.00%)			.00	.00	.00 *
10-000-5-7-061-61-00	STATE GAS TAX				3,345,296.00	1,877,581.94	
	ACCOUNT TOTAL	(56.12%)			3,345,296.00	1,877,581.94	1,467,714.06 *
10-000-5-7-062-62-00	STATE GAS TAX -1% FOR PATHS				33,453.00	22,418.85	
	ACCOUNT TOTAL	(67.01%)			33,453.00	22,418.85	11,034.15 *
10-000-5-7-063-63-00	STATE GAS TAX -OTIA III				626,011.00	341,884.78	
	ACCOUNT TOTAL	(54.61%)			626,011.00	341,884.78	284,126.22 *
10-000-5-9-080-80-00	TRANSFER IN - GENERAL FUND				36,300.00		
	ACCOUNT TOTAL (NO ACTIVITY)	(0.00%)			36,300.00	.00	36,300.00 *
10-000-5-9-083-83-00	TRANSFER IN FACILITIES MGNT FU				1,000,000.00		
	ACCOUNT TOTAL (NO ACTIVITY)	(0.00%)			1,000,000.00	.00	1,000,000.00 *
10-000-5-9-085-85-00	TRANSFER IN - HEDC (EXH 9)				1.00		
	ACCOUNT TOTAL (NO ACTIVITY)	(0.00%)			1.00	.00	1.00 *
	CATEGORY TOTAL	(47.96%)			5,782,920.00	2,773,656.21	3,009,263.79
	TOTAL FUND DETAIL	(62.81%)			7,769,569.00	4,880,835.05	2,888,733.95

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SEWER REVENUE FUND

FU-DEP-C-S-OBJ-LN-PJ JC-JD VND-# SOURCE	TITLE	REFERENCE	TRAN-DT	EX-PD	ESTIMATED	RECEIPTS	COMPARISION TO BUDGET
52-000-5-5-001-05-00	WORKING CAPITAL - JULY 1 ACCOUNT TOTAL				1,630,000.00 (128.42%) 1,630,000.00	2,093,392.39 2,093,392.39	463,392.39-*
52-000-5-5-001-05-02	WORKING CAPITAL - CARRY OVERS ACCOUNT TOTAL (NO ACTIVITY)				100,000.00 (0.00%) 100,000.00	.00	100,000.00 *
	CATEGORY TOTAL				(121.00%) 1,730,000.00	2,093,392.39	363,392.39-
52-000-5-5-014-17-00	NSF FEES ACCOUNT TOTAL				2,000.00 (61.87%) 2,000.00	1,237.50 1,237.50	762.50 *
52-000-5-5-015-18-00	DOMESTIC/COMMERCIAL -BILLINGS ACCOUNT TOTAL				15,480,000.00 (55.41%) 15,480,000.00	8,577,981.16 8,577,981.16	6,902,018.84 *
52-000-5-5-015-19-00	SALES ADJUSTMENTS-USER FEES ACCOUNT TOTAL				.00 (0.00%) .00	59.24- 59.24-	59.24 *
52-000-5-5-016-20-00	INDUSTRIAL ACCOUNT TOTAL				600,000.00 (71.97%) 600,000.00	431,827.77 431,827.77	168,172.23 *
52-000-5-5-078-22-00	CONTRACT REVENUE (PRINC) ACCOUNT TOTAL (NO ACTIVITY)				5,000.00 (0.00%) 5,000.00	.00	5,000.00 *
52-000-5-5-079-23-00	CONNECTION FEES ACCOUNT TOTAL				24,000.00 (49.04%) 24,000.00	11,770.00 11,770.00	12,230.00 *
52-000-5-5-064-24-00	MISCELLANEOUS RECEIPTS ACCOUNT TOTAL				5,000.00 (7004.88%) 5,000.00	350,244.23 350,244.23	345,244.23-*
52-000-5-5-026-26-00	INTEREST & PENALTIES ACCOUNT TOTAL				1,000.00 (10.52%) 1,000.00	105.23 105.23	894.77 *
52-000-5-5-025-30-00	INTEREST EARNED ACCOUNT TOTAL				82,000.00 (49.44%) 82,000.00	40,544.20 40,544.20	41,455.80 *
52-000-5-5-046-46-00	HOSTED TRAINING -SAFETY MTGS ACCOUNT TOTAL (NO ACTIVITY)				.00 (0.00%) .00	.00	.00 *
52-000-5-5-033-50-00	DEVELOPER PROJECTS ACCOUNT TOTAL				120,000.00 (35.25%) 120,000.00	42,311.81 42,311.81	77,688.19 *
52-000-5-5-033-50-05	CITY PROJECTS ACCOUNT TOTAL				.00 (0.00%) .00	158.00 158.00	158.00-*
52-000-5-5-033-51-00	PROJECT CLOSING ACCOUNT (EOY) ACCOUNT TOTAL (NO ACTIVITY)				.00 (0.00%) .00	.00	.00 *
52-000-5-5-069-69-00	JACKSON BOTTOM MASTER PLAN-USA ACCOUNT TOTAL (NO ACTIVITY)				48,000.00 (0.00%) 48,000.00	.00	48,000.00 *

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SEWER REVENUE FUND

FU-DEP-C-S-OBJ-LN-PJ TITLE JC-JD VND-# SOURCE	REFERENCE	TRAN-DT	EX-PD	ESTIMATED	RECEIPTS	COMPARISION TO BUDGET
52-000-5-5-070-70-00 JACKSON BOTTOM - MISC REVENUE ACCOUNT TOTAL (NO ACTIVITY)				.00	.00	.00 *
52-000-5-5-074-73-05 PROJECTS REVENUE ACCOUNT TOTAL				.00	25,448.50 25,448.50	25,448.50-*
52-000-5-5-075-74-10 TRANSFER FROM GENERAL FUND ACCOUNT TOTAL (NO ACTIVITY)				55,000.00 55,000.00	.00	55,000.00 *
52-000-5-5-075-74-15 TRANSFER FROM SWM FUND TO J.B. ACCOUNT TOTAL (NO ACTIVITY)				25,000.00 25,000.00	.00	25,000.00 *
52-000-5-5-075-74-16 TRANSFER FROM TRANSPORTATION ACCOUNT TOTAL (NO ACTIVITY)				.00	.00	.00 *
52-000-5-5-075-74-17 TRANSFER FROM WATER FUND ACCOUNT TOTAL (NO ACTIVITY)				.00	.00	.00 *
CATEGORY TOTAL				(57.64%) 16,447,000.00	9,481,569.16	6,965,430.84
TOTAL FUND DETAIL				(63.67%) 18,177,000.00	11,574,961.55	6,602,038.45
TOTAL COUNT	00000					

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 CHK-# VND-# NAME

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 CHECK-DT CHECK-AMT :NOTE

CHK-#	VND-#	NAME	TYPE	CHECK-DT	CHECK-AMT	:NOTE
201020	677	INT'L ASSOC OF FIRE CHIEFS	COMPUTER-GEN	01/31/08	260.00	
201021	704	MOTOR VEHICLE DIVISION	COMPUTER-GEN	01/31/08	63.50	
201022	1005	MYRNA BARNEY	COMPUTER-GEN	01/31/08	36.86	
201023	1426	FIREHOUSE	COMPUTER-GEN	01/31/08	29.95	
201024	1629	TENNANT SALES AND SERVICE CO	COMPUTER-GEN	01/31/08	538.83	
201025	2097	INT'L PUBLIC MGMT ASSOC FOR H/R-OREGON	COMPUTER-GEN	01/31/08	70.00	
201026	2462	OREGON PERMIT TECHNICIANS ASSOC INC	COMPUTER-GEN	01/31/08	60.00	
201027	3111	OREGON CORRECTIONS ENTERPRISES	COMPUTER-GEN	01/31/08	954.56	
201028	3122	CLACKAMAS COMMUNITY COLLEGE	COMPUTER-GEN	01/31/08	200.00	
201029	3355	ATCO INTERNATIONAL CORP	COMPUTER-GEN	01/31/08	161.75	
201030	3396	OREGON CHAPTER 31 IAAI	COMPUTER-GEN	01/31/08	20.00	
201031	3623	U S BANK	COMPUTER-GEN	01/31/08	311.47	
201032	3672	OREGON MEMORIALS	COMPUTER-GEN	01/31/08	300.00	
201033	4628	TELELANGUAGE INC	COMPUTER-GEN	01/31/08	45.00	
201034	4809	WASHINGTON COUNTY CARTOGRAPHY&RECORDS	COMPUTER-GEN	01/31/08	379.47	
201035	4898	TONYA BILDERBECK	COMPUTER-GEN	01/31/08	24.65	
201036	4922	FEDERATION OF FIRE CHAPLINS	COMPUTER-GEN	01/31/08	150.00	
201037	4998	OREGON EXECUTIVE DEVELOPMENT INSTITUTE	COMPUTER-GEN	01/31/08	625.00	
201038	5288	VERIZON - BALTIMORE	COMPUTER-GEN	01/31/08	698.85	
201039	5666	JOE MCNELLY	COMPUTER-GEN	01/31/08	50.00	
201040	5885	TOM BRANDT	COMPUTER-GEN	01/31/08	232.50	
201041	6111	NORTHWEST REGIONAL EDUCATION SVCS DIST	COMPUTER-GEN	01/31/08	1,282.50	
201042	6196	BROOKE COOPER	COMPUTER-GEN	01/31/08	446.20	
201043	6304	WESTON WOODS	COMPUTER-GEN	01/31/08	65.29	
201044	6600	ALPHA ECOLOGICAL	COMPUTER-GEN	01/31/08	239.00	

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 CHK-# VND-# NAME

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DISBURSEMENT DATE 01/31/08 GF20060 PAGE 2
 CHECK-DT CHECK-AMT :NOTE

CHK-#	VND-#	NAME	TYPE	CHECK-DT	CHECK-AMT	:NOTE
201045	6659	D A O ARCHITECURE LLC	COMPUTER-GEN	01/31/08	605.00	
201046	6696	EN POINTE TECHNOLOGIES	COMPUTER-GEN	01/31/08	887.00	
201047	6876	GALE GROUP	COMPUTER-GEN	01/31/08	327.32	
201048	7078	PARAMETRIX	COMPUTER-GEN	01/31/08	5,664.05	
201049	7216	PORTLAND MECHANICAL CONTRACTORS INC	COMPUTER-GEN	01/31/08	7,982.66	
201050	7499	APPLE BOOKS	COMPUTER-GEN	01/31/08	1,226.49	
201051	7825	SOUNDS UNIQUE INC	COMPUTER-GEN	01/31/08	695.00	
201052	7846	OVS - PRO TURF SOLUTIONS	COMPUTER-GEN	01/31/08	406.80	
201053	8041	STATE OF OREGON	COMPUTER-GEN	01/31/08	16,843.99	
201054	8042	WES ERVIN	COMPUTER-GEN	01/31/08	1,483.31	
201055	8744	ACCONTEMPS	COMPUTER-GEN	01/31/08	996.80	
201056	9357	PARTIN & HILL	COMPUTER-GEN	01/31/08	647.55	
201057	9432	KRISTEL FESLER	COMPUTER-GEN	01/31/08	11.01	
201058	9497	BATEMAN SEIDEL MINER BLOMGREN CHELLIS	COMPUTER-GEN	01/31/08	175.00	
201059	9709	CHAU NGUYEN	COMPUTER-GEN	01/31/08	10.00	
201060	9730	TOM STOW	COMPUTER-GEN	01/31/08	50.00	
201061	9731	LINETTE MONTECALVO	COMPUTER-GEN	01/31/08	50.00	
201062	9732	I A A I ROGUE VALLEY DISTRICT	COMPUTER-GEN	01/31/08	370.00	
201063	9733	PAUL GREGORY	COMPUTER-GEN	01/31/08	93.42	
201064	9734	GRESHAM EXPLORERS	COMPUTER-GEN	01/31/08	420.00	
201065	9735	JAIME CASTRO	COMPUTER-GEN	01/31/08	168.00	
201066	9736	KYLE CARLSON	COMPUTER-GEN	01/31/08	50.00	
201067	9737	JEREMY GILLENWATER	COMPUTER-GEN	01/31/08	6.68	
201068	9738	LAURA TRUNK	COMPUTER-GEN	01/31/08	30.00	
201069	9739	WDY STRUCTURAL CIVIL ENGINEERS	COMPUTER-GEN	01/31/08	3,190.44	

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DISBURSEMENT DATE 01/31/08
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CHK-#	VND-#	NAME	TYPE	CHECK-DT	CHECK-AMT	NOTE
201070	9740	KIDS ON THE BLOCK	COMPUTER-GEN	01/31/08	25.00	
201071	9741	INTERFACE ENGINEERING INC	COMPUTER-GEN	01/31/08	505.00	
201072	9742	JAMES RICHARD COLEMAN	COMPUTER-GEN	01/31/08	28.00	
201073	9743	D MICHAEL DALE	COMPUTER-GEN	01/31/08	25.00	
201074	9744	CP STORAGE LLC	COMPUTER-GEN	01/31/08	25,323.67	
201075	10946	AMERICAN PREFERRED INC	COMPUTER-GEN	01/31/08	927.20	
201076	11720	ASAP SOFTWARE	COMPUTER-GEN	01/31/08	2,882.36	
201077	11835	AT&T	COMPUTER-GEN	01/31/08	57.19	
201078	11836	AT&T	COMPUTER-GEN	01/31/08	23.12	
201079	12677	BAKER ROCK RESOURCES	COMPUTER-GEN	01/31/08	236.21	
201080	15600	BLUMENTHAL UNIFORM COMPANY INC	COMPUTER-GEN	01/31/08	120.25	
201081	16648	BOOK WHOLESALERS INC	COMPUTER-GEN	01/31/08	2,726.63	
201082	17747	BRETTTHAUER OIL CO INC	COMPUTER-GEN	01/31/08	22,399.08	
201083	17748	BRETTTHAUER OIL CO INC-BULK OIL	COMPUTER-GEN	01/31/08	87.95	
201084	18115	BROKERS NATIONAL LIFE	COMPUTER-GEN	01/31/08	284.76	
201085	20210	CABLE HUSTON BENEDICT & HAAGENSEN LLP	COMPUTER-GEN	01/31/08	1,265.25	
201086	20850	CARLSON TESTING INC	COMPUTER-GEN	01/31/08	1,874.00	
201087	20880	CAROLLO ENGINEERS PC	COMPUTER-GEN	01/31/08	5,892.22	
201088	21316	CASCADE OCCUPATIONAL MEDICINE	COMPUTER-GEN	01/31/08	197.20	
201089	21327	CB DELI	COMPUTER-GEN	01/31/08	434.80	
201090	21662	CENTRIC ELEVATOR CORP OF OREGON	COMPUTER-GEN	01/31/08	388.60	
201091	21670	CH2M HILL INC	COMPUTER-GEN	01/31/08	18,863.50	
201092	22373	CITY OF FOREST GROVE	COMPUTER-GEN	01/31/08	35.95	
201093	22395	CITY OF PORTLAND	COMPUTER-GEN	01/31/08	629.21	
201094	22486	CLAIR COMPANY INC	COMPUTER-GEN	01/31/08	330.17	

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 CHECK-DT CHECK-AMT :NOTE

CHK-#	VND-#	NAME	TYPE	CHECK-DT	CHECK-AMT	:NOTE
201095	22493	CLASS ACT UNIFORMS (DBA)	COMPUTER-GEN	01/31/08	93.00	
201096	23590	COMCAST CABLE	COMPUTER-GEN	01/31/08	95.00	
201097	23683	CONGRESSIONAL QUARTERLY INC	COMPUTER-GEN	01/31/08	177.35	
201098	23950	CONTROL CONTRACTORS INC	COMPUTER-GEN	01/31/08	3,533.00	
201099	24440	COSTCO WHOLESALE	COMPUTER-GEN	01/31/08	2,139.92	
201100	26010	D & H FLAGGING INC	COMPUTER-GEN	01/31/08	355.80	
201101	27506	DEPT OF ENVIRONMENTAL QUALITY	COMPUTER-GEN	01/31/08	671.71	
201102	30220	EASYSTREET ONLINE SERVICES INC	COMPUTER-GEN	01/31/08	2,233.00	
201103	30452	EMBARQ TX	COMPUTER-GEN	01/31/08	42.91	
201104	31700	DAVID EVANS & ASSOC INC	COMPUTER-GEN	01/31/08	3,010.10	
201105	31970	EXPRESS MESSENGER SYSTEMS INC	COMPUTER-GEN	01/31/08	56.17	
201106	35290	GARBARINO DISPOSAL/RECYCLING SERV INC	COMPUTER-GEN	01/31/08	645.46	
201107	36465	GEOPACIFIC ENGINEERING INC	COMPUTER-GEN	01/31/08	1,740.00	
201108	38580	GRABHORN INC	COMPUTER-GEN	01/31/08	60.00	
201109	44537	HILLSBORO ARGUS (DBA)	COMPUTER-GEN	01/31/08	777.76	
201110	44545	HILLSBORO DOWNTOWN BUSINESS ASN	COMPUTER-GEN	01/31/08	28,597.50	
201111	44565	HILLSBORO TIRE FACTORY (DBA)	COMPUTER-GEN	01/31/08	21.51	
201112	44567	HILLSBORO TOWING SERVICE DBA	COMPUTER-GEN	01/31/08	272.40	
201113	44570	HILLSBORO SHOE REPAIR (DBA)	COMPUTER-GEN	01/31/08	245.00	
201114	44600	H D SUPPLY WATERWORKS LTD	COMPUTER-GEN	01/31/08	5,030.13	
201115	44783	H&R UTILITY CONTRACTORS INC	COMPUTER-GEN	01/31/08	5,489.12	
201116	45252	HONEY BUCKETS (DBA)	COMPUTER-GEN	01/31/08	99.14	
201117	47775	IRON MOUNTAIN INFORMATION MGMT INC	COMPUTER-GEN	01/31/08	310.28	
201118	48400	J & L JAIME	COMPUTER-GEN	01/31/08	727.96	
201119	54355	LAKESIDE INDUSTRIES	COMPUTER-GEN	01/31/08	178.00	

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 CHECK-DT CHECK-AMT :NOTE

CHK-# VND-# NAME	TYPE	CHECK-DT	CHECK-AMT	:NOTE
201120 56065 LEAGUE OF OREGON CITIES	COMPUTER-GEN	01/31/08	100.00	
201121 56498 LEGACY LABORATORY SERVICES	COMPUTER-GEN	01/31/08	776.00	
201122 63312 MARSHALL CAVENDISH CORP	COMPUTER-GEN	01/31/08	417.73	
201123 64835 METRO SAFETY & FIRE INC	COMPUTER-GEN	01/31/08	443.45	
201124 65522 MINUTEMAN PRESS - HILLSBORO	COMPUTER-GEN	01/31/08	52.36	
201125 69623 NORTHSIDE FORD TRUCK SALES INC	COMPUTER-GEN	01/31/08	83,739.93	
201126 69645 NW NATURAL	COMPUTER-GEN	01/31/08	39,860.79	
201127 69665 NORTHWEST TREE SPECIALISTS	COMPUTER-GEN	01/31/08	945.00	
201128 70099 OFFICEMAX	COMPUTER-GEN	01/31/08	1,702.21	
201129 70376 OLYMPIC SECURITY SERVICES INC	COMPUTER-GEN	01/31/08	180.00	
201130 70550 OPEN ONLINE (DBA)	COMPUTER-GEN	01/31/08	1,365.40	
201131 70677 THE OREGONIAN - HILLSBORO #2 DIST	COMPUTER-GEN	01/31/08	82.68	
201132 70850 OUR HOUSE TILE DESIGN	COMPUTER-GEN	01/31/08	1,200.00	
201133 71043 PAC WEST BLUEPRINT COPY & FAX	COMPUTER-GEN	01/31/08	147.75	
201134 72075 LARRY PEDERSON	COMPUTER-GEN	01/31/08	80.48	
201135 74885 PUBLIC WORKS SUPPLY INC	COMPUTER-GEN	01/31/08	101.50	
201136 75400 RANDOM HOUSE INC	COMPUTER-GEN	01/31/08	122.40	
201137 76313 REEDVILLE CATERING INC	COMPUTER-GEN	01/31/08	1,014.45	
201138 76320 REGENT BOOK CO INC	COMPUTER-GEN	01/31/08	13.04	
201139 86330 SONITROL - PORTLAND INC	COMPUTER-GEN	01/31/08	471.28	
201140 86353 SPECHT DEVELOPMENT INC	COMPUTER-GEN	01/31/08	3,130.00	
201141 92475 TV FIRE & RESCUE	COMPUTER-GEN	01/31/08	9,393.02	
201142 92521 TVWD - UTILITY BILLS	COMPUTER-GEN	01/31/08	491.32	
201143 93110 UNITED PIPE & SUPPLY, INC	COMPUTER-GEN	01/31/08	3,080.44	
201144 93114 US BANK BUSINESS CARD	COMPUTER-GEN	01/31/08	1,908.76	

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CHK-# VND-# NAME

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201145 94976 WASHINGTON COUNTY FINANCE DIVISION COMPUTER-GEN 01/31/08 245.61

TOTAL COMPUTER GN 342,866.04

TOTAL DISBURSEMENTS 342,866.04

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CHK-# VND-# NAME

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CHECK-DT CHECK-AMT :NOTE

CHK-#	VND-#	NAME	TYPE	CHECK-DT	CHECK-AMT	NOTE
200518	1058	SHERRY BANAKA	COMPUTER-GEN	01/10/08	33.20	
200519	1064	INT'L ACCOUNTS PAYABLE PROF INC	COMPUTER-GEN	01/10/08	350.00	
200520	1266	WASHINGTON COUNTY	COMPUTER-GEN	01/10/08	51.25	
200521	1267	WASHINGTON COUNTY	COMPUTER-GEN	01/10/08	31.00	
200522	1406	VALUE LINE PUBLISHING	COMPUTER-GEN	01/10/08	614.00	
200523	1731	OREGON ASSOC FOR COURT ADMINISTRATION	COMPUTER-GEN	01/10/08	50.00	
200524	1832	MIKE SMITH	COMPUTER-GEN	01/10/08	101.85	
200525	2245	OSU CHEMICAL APPLICATORS COURSE	COMPUTER-GEN	01/10/08	1,190.00	
200526	2317	ROD THURMAN	COMPUTER-GEN	01/10/08	119.31	
200527	2463	OREGON ACCREDITATION ALLIANCE	COMPUTER-GEN	01/10/08	300.00	
200528	2700	PORTLAND ENGINEERING INC	COMPUTER-GEN	01/10/08	17,758.00	
200529	2776	DBA CENTURY HIGH SCHOOL LACROSSE CLUB	COMPUTER-GEN	01/10/08	1,092.50	
200530	2785	THE WASHINGTON TIMES	COMPUTER-GEN	01/10/08	69.95	
200531	2929	RAY'S MOBILE LOCKSMITH	COMPUTER-GEN	01/10/08	215.50	
200532	3136	KUIK 1360 TALK RADIO DBA	COMPUTER-GEN	01/10/08	375.00	
200533	3631	MOTOSPORT MOTORCYCLES INC	COMPUTER-GEN	01/10/08	15,958.00	
200534	3821	AFFORDABLE ALTERNATIVES INC	COMPUTER-GEN	01/10/08	214.60	
200535	4116	ROBERT'S WINDOW CLEANING SERVICE	COMPUTER-GEN	01/10/08	345.00	
200536	4139	AGUILAR PUBLISHING INC	COMPUTER-GEN	01/10/08	75.00	
200537	4187	VICTORIA SHAW	COMPUTER-GEN	01/10/08	540.50	
200538	4300	CLINT CHRZ	COMPUTER-GEN	01/10/08	331.34	
200539	4309	BOB KEYSER	COMPUTER-GEN	01/10/08	1,950.00	
200540	4554	GREAT AMERICAN INSURANCE COMPANIES	COMPUTER-GEN	01/10/08	574.67	
200541	4557	WORLD BOOK ENCYCLOPEDIA INC	COMPUTER-GEN	01/10/08	839.00	
200542	4809	WASHINGTON COUNTY CARTOGRAPHY&RECORDS	COMPUTER-GEN	01/10/08	38.50	

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CHECK-DT CHECK-AMT :NOTE

CHK-#	VND-#	NAME	TYPE	CHECK-DT	CHECK-AMT	:NOTE
200543	5302	MARLENE COCHRAN	COMPUTER-GEN	01/10/08	150.00	
200544	5463	GREY HOUSE PUBLISHING	COMPUTER-GEN	01/10/08	448.95	
200545	5629	JEANNETTE M LAUNER	COMPUTER-GEN	01/10/08	1,160.00	
200546	5656	MONGREL MUSIC	COMPUTER-GEN	01/10/08	1,000.00	
200547	5772	RELIANT ELEVATOR COMPANY	COMPUTER-GEN	01/10/08	1,104.61	
200548	5885	TOM BRANDT	COMPUTER-GEN	01/10/08	255.00	
200549	6203	WSC INSURANCE	COMPUTER-GEN	01/10/08	3,000.00	
200550	6304	WESTON WOODS	COMPUTER-GEN	01/10/08	195.87	
200551	6320	CRYSTALVUE PHOTOGRAPHY	COMPUTER-GEN	01/10/08	932.50	
200552	6529	ANGELO PLANNING GROUP	COMPUTER-GEN	01/10/08	24,571.45	
200553	6566	DANCING CAT PRODUCTIONS INC	COMPUTER-GEN	01/10/08	2,445.00	
200554	6844	INT'L CODE COUNCIL INC	COMPUTER-GEN	01/10/08	124.50	
200555	7011	GOETTEL & ASSOCIATES INC	COMPUTER-GEN	01/10/08	5,543.00	
200556	7024	BOYS AND GIRLS CLUB OF HILLSBORO	COMPUTER-GEN	01/10/08	473.46	
200557	7073	BLACK & DECKER USPTG	COMPUTER-GEN	01/10/08	204.68	
200558	7185	ROBERT GIBSON	COMPUTER-GEN	01/10/08	24.00	
200559	7282	BONNIE BURBIDGE	COMPUTER-GEN	01/10/08	276.00	
200560	7293	BRAD KASTNER	COMPUTER-GEN	01/10/08	95.00	
200561	7317	ARAMARK	COMPUTER-GEN	01/10/08	917.73	
200562	7499	APPLE BOOKS	COMPUTER-GEN	01/10/08	166.96	
200563	7618	HAWTHORN FARM LANDOWNERS ASSOCIATION	COMPUTER-GEN	01/10/08	200.00	
200564	7846	OVS - PRO TURF SOLUTIONS	COMPUTER-GEN	01/10/08	15,711.00	
200565	8440	NATHAN LEEK	COMPUTER-GEN	01/10/08	918.63	
200566	8549	MODULAR SPACE CORPORATION	COMPUTER-GEN	01/10/08	547.88	
200567	8744	ACCOUNTEMPS	COMPUTER-GEN	01/10/08	1,545.04	

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CHK-#	VND-#	NAME	TYPE	CHECK-DT	CHECK-AMT	:NOTE
200568	8905	BRIAN ACKERMAN	COMPUTER-GEN	01/10/08	170.00	
200569	9025	INTERWEST CONSTRUCTION INC	COMPUTER-GEN	01/10/08	72,173.40	
200570	9087	ROURKE PUBLISHING LLC	COMPUTER-GEN	01/10/08	299.95	
200571	9108	CENTURY GIRLS SOFTBALL	COMPUTER-GEN	01/10/08	1,092.50	
200572	9184	ROSS NW WATERGARDENS	COMPUTER-GEN	01/10/08	22,805.00	
200573	9291	MERCURY ASSOCIATES INC	COMPUTER-GEN	01/10/08	16,000.00	
200574	9359	BOB'S REEDVILLE PLUMBING LLC	COMPUTER-GEN	01/10/08	1,623.99	
200575	9513	SWINERTON BUILDERS	COMPUTER-GEN	01/10/08	389,262.50	
200576	9534	R&W ENGINEERING INC	COMPUTER-GEN	01/10/08	472.27	
200577	9617	JASON TAN	COMPUTER-GEN	01/10/08	50.00	
200578	9618	KEN PHELAN	COMPUTER-GEN	01/10/08	128.00	
200579	9619	REGIONAL ARTS & CULTURE COUNCIL	COMPUTER-GEN	01/10/08	10,000.00	
200580	9620	SAM JENSEN	COMPUTER-GEN	01/10/08	104.00	
200581	9621	NAT'L ASSOC OF BUNCO INVESTIGATORS INC	COMPUTER-GEN	01/10/08	60.00	
200582	9622	ERENDIRA BUSTAMANTE	COMPUTER-GEN	01/10/08	200.00	
200583	9624	REGAN ARRINGTON	COMPUTER-GEN	01/10/08	200.00	
200584	9625	RUG ART & SUPPLY	COMPUTER-GEN	01/10/08	1,817.60	
200585	9626	MICHAEL R MAHONY	COMPUTER-GEN	01/10/08	2.70	
200586	9627	DAVID BROCKI	COMPUTER-GEN	01/10/08	7.00	
200587	9628	BRANDON WYNN	COMPUTER-GEN	01/10/08	48.00	
200588	9629	WENDY RUSSEL	COMPUTER-GEN	01/10/08	90.00	
200589	9630	JESSE STARR	COMPUTER-GEN	01/10/08	50.00	
200590	9631	COMMUNITY SERVICES INCORP	COMPUTER-GEN	01/10/08	184.66	
200591	9632	CHRISTIANNE TINDALL	COMPUTER-GEN	01/10/08	27.00	
200592	9633	JUNE TRULL	COMPUTER-GEN	01/10/08	30.00	

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 CHECK-DT CHECK-AMT :NOTE

CHK-#	VND-#	NAME	TYPE	CHECK-DT	CHECK-AMT	:NOTE
200593	9634	LARRY SHERMAN	COMPUTER-GEN	01/10/08	267.00	
200594	9635	CENTURY COMMUNITY FOOTBALL	COMPUTER-GEN	01/10/08	1,147.95	
200595	9636	HERSCHEL FREEMAN AGENCY, INC.	COMPUTER-GEN	01/10/08	5,000.00	
200596	9637	CITY OF PORTLAND	COMPUTER-GEN	01/10/08	150.00	
200597	9638	LAURIE GOTTSCHALK	COMPUTER-GEN	01/10/08	120.00	
200598	9639	LEANA GARRISON	COMPUTER-GEN	01/10/08	50.00	
200599	9640	DAVID HERBERT	COMPUTER-GEN	01/10/08	20.00	
200600	9641	GOVERNING	COMPUTER-GEN	01/10/08	16.00	
200601	9642	RYAN CHRISTENSEN	COMPUTER-GEN	01/10/08	32.00	
200602	9643	JON HALDORSON	COMPUTER-GEN	01/10/08	50.00	
200603	9644	BRAD CARPENTER	COMPUTER-GEN	01/10/08	50.00	
200604	9645	MELINDA CSERGEI	COMPUTER-GEN	01/10/08	50.00	
200605	9646	TERRY COMSTOCK	COMPUTER-GEN	01/10/08	61.00	
200606	9647	JESSICA CALHOON	COMPUTER-GEN	01/10/08	24.00	
200607	9648	YU CHU	COMPUTER-GEN	01/10/08	52.00	
200608	9649	CENTURY HIGH SCHOOL	COMPUTER-GEN	01/10/08	3,529.45	
200609	9650	DAVIDSON FIXED INCOME MANAGEMENT	COMPUTER-GEN	01/10/08	5,750.00	
200610	9651	MEDTRONIC EMERGENCY RESPONSE SYSTEMS	COMPUTER-GEN	01/10/08	500.00	
200611	9652	MAILBOX BOOKS	COMPUTER-GEN	01/10/08	93.90	
200612	9653	TRILLA BELYEU	COMPUTER-GEN	01/10/08	15.00	
200613	9654	KATHY MC CREA	COMPUTER-GEN	01/10/08	15.00	
200614	9655	JOHNNA BOUYEA	COMPUTER-GEN	01/10/08	36.00	
200615	9656	CAROL BREWER	COMPUTER-GEN	01/10/08	36.00	
200616	9657	DONNA BOERNER	COMPUTER-GEN	01/10/08	60.00	
200617	9658	GRETCHEN BROCKMAN	COMPUTER-GEN	01/10/08	50.00	

PAYABLES CHECK REGISTER
 CHK-# VND-# NAME

BOOKKEEPING

DISBURSEMENT DATE 01/10/08 GF20060 PAGE 5
 CHECK-DT CHECK-AMT :NOTE

CHK-#	VND-#	NAME	TYPE	CHECK-DT	CHECK-AMT	:NOTE
200618	9659	AARON BODDY	COMPUTER-GEN	01/10/08	50.00	
200619	9660	ASH LEPPINK	COMPUTER-GEN	01/10/08	50.00	
200620	9661	ATLAS TRACK & TENNIS	COMPUTER-GEN	01/10/08	134,603.63	
200621	9662	PAULA M SEID	COMPUTER-GEN	01/10/08	202.50	
200622	9663	ERIN SHARWELL	COMPUTER-GEN	01/10/08	66.93	
200623	9664	HEATHER BRYAN	COMPUTER-GEN	01/10/08	27.96	
200624	11720	ASAP SOFTWARE	COMPUTER-GEN	01/10/08	4,480.34	
200625	11835	AT&T	COMPUTER-GEN	01/10/08	1,543.94	
200626	12677	BAKER ROCK RESOURCES	COMPUTER-GEN	01/10/08	810.47	
200627	12701	BANK OF AMERICA	COMPUTER-GEN	01/10/08	446.22	
200628	17748	BRETTHAUER OIL CO INC-BULK OIL	COMPUTER-GEN	01/10/08	606.62	
200629	21327	CB DELI	COMPUTER-GEN	01/10/08	18.15	
200630	21662	CENTRIC ELEVATOR CORP OF OREGON	COMPUTER-GEN	01/10/08	388.60	
200631	21670	CH2M HILL INC	COMPUTER-GEN	01/10/08	5,676.70	
200632	22493	CLASS ACT UNIFORMS (DBA)	COMPUTER-GEN	01/10/08	291.75	
200633	22497	CLEAN WATER SERVICES	COMPUTER-GEN	01/10/08	1,146,648.88	
200634	24440	COSTCO WHOLESALE	COMPUTER-GEN	01/10/08	200.42	
200635	25543	CRYSTALTECH	COMPUTER-GEN	01/10/08	29.84	
200636	26085	DAILY JOURNAL OF COMM	COMPUTER-GEN	01/10/08	273.20	
200637	27230	RICHARD H DEHAAN JR	COMPUTER-GEN	01/10/08	662.51	
200638	27506	DEPT OF ENVIRONMENTAL QUALITY	COMPUTER-GEN	01/10/08	931.22	
200639	29323	D&S CYCLE SUPPLY (DBA)	COMPUTER-GEN	01/10/08	279.95	
200640	30205	EAGLE ELSNER INC	COMPUTER-GEN	01/10/08	393.62	
200641	30480	EMPLOYERS OVERLOAD (DBA)	COMPUTER-GEN	01/10/08	8,718.82	
200642	32250	FARMINGTON LANDFILL INC	COMPUTER-GEN	01/10/08	290.50	

PAYABLES CHECK REGISTER
 CHK-# VND-# NAME

BOOKKEEPING

DISBURSEMENT DATE 01/10/08 GF20060 PAGE 6
 CHECK-DT CHECK-AMT :NOTE

CHK-#	VND-#	NAME	TYPE	CHECK-DT	CHECK-AMT	:NOTE
200643	32290	FEDERAL EXPRESS CORP	COMPUTER-GEN	01/10/08	30.47	
200644	32550	FERGUSON ENTERPRISES INC NW	COMPUTER-GEN	01/10/08	475.96	
200645	34561	KROGER - FRED MEYER CUSTOMER CHRGS	COMPUTER-GEN	01/10/08	76.00	
200646	35290	GARBARINO DISPOSAL/RECYCLING SERV INC	COMPUTER-GEN	01/10/08	531.59	
200647	38800	GRESHAM FORD INC (DBA)	COMPUTER-GEN	01/10/08	42,018.00	
200648	40535	HALSTEAD'S ARBORICULTURE CNSLTS INC	COMPUTER-GEN	01/10/08	450.00	
200649	44537	HILLSBORO ARGUS (DBA)	COMPUTER-GEN	01/10/08	1,328.10	
200650	45252	HONEY BUCKETS (DBA)	COMPUTER-GEN	01/10/08	558.52	
200651	47694	ITRON INC	COMPUTER-GEN	01/10/08	2,288.05	
200652	47697	INT'L CITY/COUNTY MANAGEMENT ASSOC	COMPUTER-GEN	01/10/08	880.42	
200653	58017	LITHTEX PRINTING INC	COMPUTER-GEN	01/10/08	788.00	
200654	58408	LSI MARKETING & DESIGN	COMPUTER-GEN	01/10/08	1,299.00	
200655	58410	LUCILLE'S THE TOOL STORE	COMPUTER-GEN	01/10/08	26.00	
200656	63312	MARSHALL CAVENDISH CORP	COMPUTER-GEN	01/10/08	926.29	
200657	64835	METRO SAFETY & FIRE INC	COMPUTER-GEN	01/10/08	220.00	
200658	64846	METRO	COMPUTER-GEN	01/10/08	12,431.73	
200659	67208	MOTOR VEHICLES DIV	COMPUTER-GEN	01/10/08	49.22	
200660	68685	NET ASSETS CORP	COMPUTER-GEN	01/10/08	1,810.00	
200661	69623	NORTHSIDE FORD TRUCK SALES INC	COMPUTER-GEN	01/10/08	53,950.00	
200662	69647	NORTHWEST OUTDOOR EQUIPMENT INC	COMPUTER-GEN	01/10/08	162.23	
200663	69650	NW OFFICE INTERIORS	COMPUTER-GEN	01/10/08	165.00	
200664	69665	NORTHWEST TREE SPECIALISTS	COMPUTER-GEN	01/10/08	690.00	
200665	70422	OREGON BUILDING CODES DIV	COMPUTER-GEN	01/10/08	14,216.72	
200666	70649	OREGON DEPT OF REVENUE	COMPUTER-GEN	01/10/08	13,946.42	
200667	70667	OREGON JUDICIAL DEPT - FIN & ADMIN SVCS	COMPUTER-GEN	01/10/08	1,442.25	

PAYABLES CHECK REGISTER
 CHK-# VND-# NAME

BOOKKEEPING

DISBURSEMENT DATE 01/10/08 GF20060 PAGE 7
 CHECK-DT CHECK-AMT :NOTE

CHK-# VND-# NAME	BOOKKEEPING	TYPE	CHECK-DT	CHECK-AMT	:NOTE
200668 70675 OREGONIAN PUBLISHING CO LLC		COMPUTER-GEN	01/10/08	932.20	
200669 70677 THE OREGONIAN - HILLSBORO #2 DIST		COMPUTER-GEN	01/10/08	41.60	
200670 70703 ORENCO WITCHAZEL VOL. FIREMEN'S ASSOC		COMPUTER-GEN	01/10/08	6,292.50	
200671 70850 OUR HOUSE TILE DESIGN		COMPUTER-GEN	01/10/08	45.00	
200672 71013 PACIFIC FENCE & WIRE CO		COMPUTER-GEN	01/10/08	996.00	
200673 72020 PAYCHEX INC		COMPUTER-GEN	01/10/08	140.66	
200674 73646 PITNEY BOWES INC		COMPUTER-GEN	01/10/08	684.00	
200675 74885 PUBLIC WORKS SUPPLY INC		COMPUTER-GEN	01/10/08	151.30	
200676 75400 RANDOM HOUSE INC		COMPUTER-GEN	01/10/08	175.20	
200677 76335 CAROL REICH		COMPUTER-GEN	01/10/08	292.94	
200678 84399 THE SIGN CO		COMPUTER-GEN	01/10/08	2,900.00	
200679 84420 SIGN PRO		COMPUTER-GEN	01/10/08	420.00	
200680 86330 SONITROL - PORTLAND INC		COMPUTER-GEN	01/10/08	8,013.00	
200681 92476 TV FIRE & RESCUE TRAINING DIVISION		COMPUTER-GEN	01/10/08	3,116.32	
200682 93094 UNITED RENTALS INC		COMPUTER-GEN	01/10/08	1,493.57	
200683 93275 VAN DOREN RED-E-MIX CONCRETE, INC		COMPUTER-GEN	01/10/08	750.75	
200684 93290 VERIZON WIRELESS, BELLEVUE		COMPUTER-GEN	01/10/08	19,020.49	
200685 93292 VERIZON NORTHWEST		COMPUTER-GEN	01/10/08	12,406.96	
200686 99865 ZUMAR INDUSTRIES INC		COMPUTER-GEN	01/10/08	282.12	
TOTAL COMPUTER GN				2,155,910.65	
TOTAL DISBURSEMENTS				2,155,910.65	

PAYABLES CHECK REGISTER
CHK-# VND-# NAME

BOOKKEEPING
TYPE

DISBURSEMENT DATE 01/07/08 GF20060
CHECK-DT CHECK-AMT :NOTE

BNK-TR 12705 BANK OF AMERICA	HAND ISSUED	01/04/08	195,500.02	
TOTAL HAND ISSUED			195,500.02	
TOTAL DISBURSEMENTS			195,500.02	

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PAYABLES CHECK REGISTER
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BOOKKEEPING

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CHECK-DT CHECK-AMT :NOTE

CHK-# VND-# NAME	BOOKKEEPING	TYPE	CHECK-DT	CHECK-AMT	:NOTE
BNK-TR 47582 ICMA (PYRL)		HAND ISSUED	01/31/08	33,954.30	
BNK-TR 72150 PEPSCO		HAND ISSUED	01/31/08	50,184.41	
BNK-TR 94983 WASHINGTON COUNTY FEDERAL CREDIT UNION		HAND ISSUED	01/31/08	69,691.00	
BNK-TR 70664 OREGON SAVINGS GROWTH PLAN		HAND ISSUED	01/31/08	22,986.64	
BNK-TR 11730 ASIFLEX - DEPENDENT CARE		HAND ISSUED	01/31/08	3,309.32	
BNK-TR 11729 ASIFLEX - MEDICAL		HAND ISSUED	01/31/08	22,196.71	
BNK-TR 93108 USNB FEDERAL W/H		HAND ISSUED	01/31/08	348,335.54	
BNK-TR 93107 USNB - FICA		HAND ISSUED	01/31/08	515,883.16	
BNK-TR 70659 OREGON DEPT OF REVENUE		HAND ISSUED	01/31/08	198,214.00	
BNK-TR 70653 OREGON DEPT OF REVENUE		HAND ISSUED	01/31/08	22,525.19	
BNK-TR 70658 OREGON DEPT OF REVENUE		HAND ISSUED	01/31/08	3,494.14	
BNK-TR 74804 PUBLIC EMPLOYEES RETIREMENT SYSTEM		HAND ISSUED	01/31/08	195,087.41	
BNK-TR 74806 PUBLIC EMPL RETIREMT SYS		HAND ISSUED	01/31/08	371,997.00	
BNK-TR 27512 DEPT OF HUMAN RESOURCES		HAND ISSUED	01/31/08	10,236.51	
TOTAL HAND ISSUED				1,868,095.33	
TOTAL DISBURSEMENTS				1,868,095.33	

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PAYABLES CHECK REGISTER
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BOOKKEEPING

TYPE

DISBURSEMENT DATE 01/30/08
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:NOTE

BNK-TR 72594 PERS - EXTRA UNITS	HAND ISSUED	01/31/08	448.38	
BNK-TR 44561 HILLSBORO POLICE OFFICERS ASSOCIATION	HAND ISSUED	01/31/08	7,623.00	
TOTAL HAND ISSUED			8,071.38	
TOTAL DISBURSEMENTS			8,071.38	

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1/30/08

PAYABLES CHECK REGISTER
CHK-# VND-# NAME

BOOKKEEPING

DISBURSEMENT DATE 01/30/08

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CHK-# VND-# NAME	TYPE	CHECK-DT	CHECK-AMT	:NOTE
200994 10936 AMERICAN FAMILY LIFE ASSURANCE CORP	COMPUTER-GEN	01/30/08	9,959.20	
200995 10958 AMERICAN UNITED LIFE CORP	COMPUTER-GEN	01/30/08	82.91	
200996 11728 ASIFLEX	COMPUTER-GEN	01/30/08	675.50	
200997 12715 BANK OF THE WEST (PYRL)	COMPUTER-GEN	01/30/08	350.00	
200998 20226 DEPARTMENT OF CHILD SUPPORT SERVICES	COMPUTER-GEN	01/30/08	172.00	
200999 21322 EBS TRUST CCIS	COMPUTER-GEN	01/30/08	10,450.00	
201000 21323 EBS TRUST CCIS	COMPUTER-GEN	01/30/08	9,081.56	
201001 22364 EBS TRUST CCIS	COMPUTER-GEN	01/30/08	2,175.00	
201002 22365 EBS TRUST CCIS	COMPUTER-GEN	01/30/08	150.00	
201003 22366 EBS TRUST CCIS	COMPUTER-GEN	01/30/08	409,445.97	
201004 22367 EBS TRUST CCIS	COMPUTER-GEN	01/30/08	111,635.01	
201005 22368 EBS TRUST CCIS	COMPUTER-GEN	01/30/08	1,336.14	
201006 22369 EBS TRUST CCIS	COMPUTER-GEN	01/30/08	7,963.78	
201007 22370 EBS TRUST CCIS	COMPUTER-GEN	01/30/08	56,621.70	
201008 22379 CITY OF HILLSBORO	COMPUTER-GEN	01/30/08	43,942.27	
201009 24455 COUNTY OF SAN DIEGO	COMPUTER-GEN	01/30/08	168.00	
201010 40095 HAWTHORN FARM ATHLETIC CLUB	COMPUTER-GEN	01/30/08	1,691.00	
201011 40510 MONICA J KING	COMPUTER-GEN	01/30/08	150.00	
201012 47580 IAFF (PYRL)	COMPUTER-GEN	01/30/08	6,600.00	
201013 58460 BRIAN D LYNCH	COMPUTER-GEN	01/30/08	1,280.00	
201014 62125 MSA VEBA PLAN ADMINISTRATOR	COMPUTER-GEN	01/30/08	35,997.23	
201015 70646 OREGON DEPT OF REVENUE	COMPUTER-GEN	01/30/08	505.04	
201016 74860 PUBLIC SAFETY CHAPLAINCY	COMPUTER-GEN	01/30/08	5.00	
201017 88891 STANDARD INSURANCE CO	COMPUTER-GEN	01/30/08	100.00	
201018 93111 UNITED WAY	COMPUTER-GEN	01/30/08	825.50	

PAYABLES CHECK REGISTER
CHK-# VND-# NAME

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TYPE

DISBURSEMENT DATE 01/30/08 GF20060
CHECK-DT CHECK-AMT :NOTE

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201019 93210 US TREASURY ASC SUPPORT

COMPUTER-GEN

01/30/08

2,328.96

TOTAL COMPUTER GN

713,691.77

TOTAL DISBURSEMENTS

713,691.77

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1/30/08

PAYABLES CHECK REGISTER
CHK-# VND-# NAME

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DISBURSEMENT DATE 02/05/08 GF20060 PAGE 1
CHECK-DT CHECK-AMT :NOTE

CHK-# VND-# NAME	TYPE	CHECK-DT	CHECK-AMT	:NOTE
BNK-TR 12705 BANK OF AMERICA	HAND ISSUED	02/04/08	195,743.04	
TOTAL HAND ISSUED			195,743.04	
TOTAL DISBURSEMENTS			195,743.04	

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PAYABLES CHECK REGISTER
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 CHECK-DT CHECK-AMT :NOTE

CHK-#	VND-#	NAME	TYPE	CHECK-DT	CHECK-AMT	NOTE
201146	428	PROJECT WET INTERNATIONAL FOUNDATION	COMPUTER-GEN	02/07/08	814.30	
201147	660	GEORGE CARTALES	COMPUTER-GEN	02/07/08	219.00	
201148	679	EILEEN S KANE	COMPUTER-GEN	02/07/08	225.00	
201149	704	MOTOR VEHICLE DIVISION	COMPUTER-GEN	02/07/08	61.50	
201150	733	RICH MATRISCIANO	COMPUTER-GEN	02/07/08	70.00	
201151	738	NORTHWEST ASSOC OF FIRE TRAINERS INC	COMPUTER-GEN	02/07/08	50.00	
201152	887	G A W INC VAC-X	COMPUTER-GEN	02/07/08	7,126.50	
201153	959	MOTOR VEHICLE DIVISION	COMPUTER-GEN	02/07/08	63.50	
201154	1037	JOHN SCHMERBER	COMPUTER-GEN	02/07/08	932.00	
201155	1074	OREGON CITY/COUNTY MANAGEMENT ASSOC	COMPUTER-GEN	02/07/08	180.64	
201156	1147	BERNIE GIES	COMPUTER-GEN	02/07/08	183.82	
201157	1229	CATHI BONATO	COMPUTER-GEN	02/07/08	59.09	
201158	1399	LAW ENFORCEMENT COUNCIL OF WA COUNTY	COMPUTER-GEN	02/07/08	100.00	
201159	1407	WATERSHED INC	COMPUTER-GEN	02/07/08	1,104.27	
201160	1707	STEPHEN BEAVER	COMPUTER-GEN	02/07/08	70.00	
201161	1892	TRI COUNTY GUN CLUB	COMPUTER-GEN	02/07/08	750.00	
201162	2097	INT'L PUBLIC MGMT ASSOC FOR H/R-OREGON	COMPUTER-GEN	02/07/08	35.00	
201163	2700	PORTLAND ENGINEERING INC	COMPUTER-GEN	02/07/08	266.40	
201164	3296	ARCHITECTURAL SIGNING NORTHWEST LLC	COMPUTER-GEN	02/07/08	3,518.40	
201165	3606	OMAR VARGAS	COMPUTER-GEN	02/07/08	200.00	
201166	3675	WASHINGTON COUNTY FAIR & RODEO	COMPUTER-GEN	02/07/08	1,050.00	
201167	3908	CRITTER CONTROL OF PORTLAND	COMPUTER-GEN	02/07/08	189.00	
201168	3982	DESCHUTES COUNTY RURAL FIRE DISTRICT#2	COMPUTER-GEN	02/07/08	100.00	
201169	4116	ROBERT'S WINDOW CLEANING SERVICE	COMPUTER-GEN	02/07/08	345.00	
201170	4554	GREAT AMERICAN INSURANCE COMPANIES	COMPUTER-GEN	02/07/08	574.67	

PAYABLES CHECK REGISTER
 CHK-# VND-# NAME

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DISBURSEMENT DATE 02/07/08 GF20060 PAGE 2
 CHECK-DT CHECK-AMT :NOTE

CHK-#	VND-#	NAME	TYPE	CHECK-DT	CHECK-AMT	NOTE
201171	4748	ACCURATE INSTALLATION SERVICES INC	COMPUTER-GEN	02/07/08	619.20	
201172	4937	METRO PARKS & GREENSPACES	COMPUTER-GEN	02/07/08	3,158.17	
201173	5379	ROBERTA SANDERS	COMPUTER-GEN	02/07/08	15.00	
201174	5648	SUNBELT RENTALS INC	COMPUTER-GEN	02/07/08	39.88	
201175	5762	GEORGE HEUSTON	COMPUTER-GEN	02/07/08	92.00	
201176	5772	RELIANT ELEVATOR COMPANY	COMPUTER-GEN	02/07/08	1,104.61	
201177	6225	THYSSENKRUPP ELEVATOR	COMPUTER-GEN	02/07/08	770.87	
201178	6324	L.E.E.D.	COMPUTER-GEN	02/07/08	9,353.00	
201179	6468	PORTLAND COMMUNITY COLLEGE	COMPUTER-GEN	02/07/08	70.00	
201180	7317	ARAMARK	COMPUTER-GEN	02/07/08	1,029.52	
201181	7326	EFFICIENCY INC	COMPUTER-GEN	02/07/08	173.00	
201182	7366	OREGON DEPT OF FORESTRY	COMPUTER-GEN	02/07/08	904.94	
201183	7544	LEFT COAST ENTERTAINMENT INC	COMPUTER-GEN	02/07/08	350.00	
201184	7612	AMIGO GLASS	COMPUTER-GEN	02/07/08	480.00	
201185	7625	POLLY MERTEN	COMPUTER-GEN	02/07/08	50.00	
201186	7752	ALPHA COMMUNITY DEVELOPMENT	COMPUTER-GEN	02/07/08	3,010.98	
201187	8027	DIRECTV	COMPUTER-GEN	02/07/08	79.97	
201188	8067	W&H PACIFIC	COMPUTER-GEN	02/07/08	664.66	
201189	8297	ANDERSON ROOFING CO INC	COMPUTER-GEN	02/07/08	470.32	
201190	8404	ALASON HILL	COMPUTER-GEN	02/07/08	579.97	
201191	8482	B&L INC CONSTRUCTION	COMPUTER-GEN	02/07/08	56.08	
201192	8587	SIGN WIZARDS	COMPUTER-GEN	02/07/08	164.00	
201193	8629	SBS CONSTRUCTION LLC	COMPUTER-GEN	02/07/08	4,875.00	
201194	8665	CASCADIAN LANDSCAPERS INC	COMPUTER-GEN	02/07/08	56.08	
201195	8736	HARRY'S KEY SERVICE INC	COMPUTER-GEN	02/07/08	230.00	

PAYABLES CHECK REGISTER
CHK-# VND-# NAME

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DISBURSEMENT DATE 02/07/08 GF20060 PAGE 3
CHECK-DT CHECK-AMT :NOTE

CHK-#	VND-#	NAME	TYPE	CHECK-DT	CHECK-AMT	NOTE
201196	8748	ABC TRANSCRIPTION SERVICES	COMPUTER-GEN	02/07/08	280.50	
201197	8857	NW EEO/AFFIRMATIVE ACTION ASSOCIATION	COMPUTER-GEN	02/07/08	35.00	
201198	8910	CRIMSON FIRE INC	COMPUTER-GEN	02/07/08	349,916.00	
201199	8975	WORLD COMMUNITCATION CENTER	COMPUTER-GEN	02/07/08	59.67	
201200	9003	RICK WAIBEL	COMPUTER-GEN	02/07/08	69.69	
201201	9115	PORTIA AGUERO	COMPUTER-GEN	02/07/08	429.00	
201202	9136	RICH MUSSER	COMPUTER-GEN	02/07/08	41.24	
201203	9173	MICHELLE HAHN	COMPUTER-GEN	02/07/08	50.00	
201204	9184	ROSS NW WATERGARDENS	COMPUTER-GEN	02/07/08	7,755.00	
201205	9661	ATLAS TRACK & TENNIS	COMPUTER-GEN	02/07/08	184,468.27	
201206	9745	RENEE SCHWARTZ	COMPUTER-GEN	02/07/08	50.00	
201207	9746	WESTLAKE CONSULTANTS INC	COMPUTER-GEN	02/07/08	7,777.55	
201208	9747	JAN YOUNG	COMPUTER-GEN	02/07/08	15.00	
201209	9748	HOLLY PAYNE	COMPUTER-GEN	02/07/08	60.09	
201210	9749	SITELINES PARK & PLAYGROUND PRODUCTS	COMPUTER-GEN	02/07/08	52,274.01	
201211	9750	CAROLINE BOWMAN	COMPUTER-GEN	02/07/08	115.00	
201212	9751	J A T TRAX STUDIOS	COMPUTER-GEN	02/07/08	305.95	
201213	9752	DTS SYSTEMS, INC.	COMPUTER-GEN	02/07/08	185.00	
201214	9753	GUEST SERVICES	COMPUTER-GEN	02/07/08	126.77	
201215	9754	DARRELL TUCKER TRUCKING, INC.	COMPUTER-GEN	02/07/08	3,200.00	
201216	9755	JENNIFER CHAMPLIN	COMPUTER-GEN	02/07/08	5.00	
201217	9756	LEGAL BRIEFING FOR FIRE CHIEFS	COMPUTER-GEN	02/07/08	99.00	
201218	9757	IMAGE FIRST SPECIALTIES	COMPUTER-GEN	02/07/08	346.23	
201219	9758	JAMES HUPE	COMPUTER-GEN	02/07/08	50.00	
201220	9759	LINDA GENTRY	COMPUTER-GEN	02/07/08	50.00	

PAYABLES CHECK REGISTER
 CHK-# VND-# NAME

BOOKKEEPING

DISBURSEMENT DATE 02/07/08 GF20060 PAGE 4
 CHECK-DT CHECK-AMT :NOTE

CHK-#	VND-#	NAME	TYPE	CHECK-DT	CHECK-AMT	:NOTE
201221	9760	ROBERT DODGE	COMPUTER-GEN	02/07/08	50.00	
201222	9761	RUSSELL & KAY GREEN	COMPUTER-GEN	02/07/08	50.00	
201223	9762	FRANK DOBRA	COMPUTER-GEN	02/07/08	50.00	
201224	9763	MATTHEW DODD	COMPUTER-GEN	02/07/08	50.00	
201225	9764	CORD & SHERRY CLAY	COMPUTER-GEN	02/07/08	50.00	
201226	9765	CLARK CUMMINS	COMPUTER-GEN	02/07/08	50.00	
201227	9766	CLIFF CONKLIN	COMPUTER-GEN	02/07/08	50.00	
201228	9767	DUANE COLE	COMPUTER-GEN	02/07/08	50.00	
201229	9768	RUSSELL HOLMES	COMPUTER-GEN	02/07/08	50.00	
201230	9769	TRACY LAMBERT	COMPUTER-GEN	02/07/08	50.00	
201231	9770	BILLINGSLEY BEATIE	COMPUTER-GEN	02/07/08	50.00	
201232	9771	MADHESH MURTHY	COMPUTER-GEN	02/07/08	50.00	
201233	9772	ANGELINA MAGDALENO	COMPUTER-GEN	02/07/08	50.00	
201234	9773	DONALD MARTIN	COMPUTER-GEN	02/07/08	50.00	
201235	9774	RALPH MCEVERS	COMPUTER-GEN	02/07/08	50.00	
201236	9775	MARILYN MILLER	COMPUTER-GEN	02/07/08	50.00	
201237	9776	VIRGINIA GARCIA MEMORIAL FOUNDATION	COMPUTER-GEN	02/07/08	454.40	
201238	9777	RONALD ARNETT	COMPUTER-GEN	02/07/08	50.00	
201239	9778	BARRY PIVITT	COMPUTER-GEN	02/07/08	50.00	
201240	9779	NEIL POWELL	COMPUTER-GEN	02/07/08	50.00	
201241	9780	RICK RADEL	COMPUTER-GEN	02/07/08	50.00	
201242	9781	SERENA RASH	COMPUTER-GEN	02/07/08	50.00	
201243	9782	POURIA SAYRAFIZ	COMPUTER-GEN	02/07/08	50.00	
201244	9783	BJORN SEGRELL	COMPUTER-GEN	02/07/08	50.00	
201245	9784	STEPHANIE SODERBERG	COMPUTER-GEN	02/07/08	50.00	

PAYABLES CHECK REGISTER
CHK-# VND-# NAME

BOOKKEEPING

DISBURSEMENT DATE 02/07/08 GF20060
CHECK-DT CHECK-AMT :NOTE

CHK-#	VND-#	NAME	TYPE	CHECK-DT	CHECK-AMT	NOTE
201246	9785	CORINA SORIANO	COMPUTER-GEN	02/07/08	50.00	
201247	9786	JENNIFER STREET	COMPUTER-GEN	02/07/08	50.00	
201248	9787	JOHN STROEVE	COMPUTER-GEN	02/07/08	50.00	
201249	9788	JACQUI STUDLEY ADAMS	COMPUTER-GEN	02/07/08	50.00	
201250	9789	TONY WAIBEL	COMPUTER-GEN	02/07/08	50.00	
201251	9790	NICKIE WRIGHT	COMPUTER-GEN	02/07/08	50.00	
201252	9792	SECURITY SIGNS	COMPUTER-GEN	02/07/08	20,457.46	
201253	10155	ACME ENTERPRISES	COMPUTER-GEN	02/07/08	2,107.41	
201254	10944	AMERICAN RED CROSS	COMPUTER-GEN	02/07/08	72.00	
201255	11835	AT&T	COMPUTER-GEN	02/07/08	29.83	
201256	11836	AT&T	COMPUTER-GEN	02/07/08	29.90	
201257	11880	AUTO ADDITIONS INC	COMPUTER-GEN	02/07/08	9,120.84	
201258	11942	AWARD SPECIALTIES DBA	COMPUTER-GEN	02/07/08	5.00	
201259	12685	BAKER & TAYLOR INC	COMPUTER-GEN	02/07/08	9,556.50	
201260	21314	CASCADE BUSINESS MACHINES (DBA)	COMPUTER-GEN	02/07/08	697.50	
201261	22371	CITY COUNTY INSURANCE SERVICES TRUST	COMPUTER-GEN	02/07/08	15.00	
201262	22486	CLAIR COMPANY INC	COMPUTER-GEN	02/07/08	439.59	
201263	23590	COMCAST CABLE	COMPUTER-GEN	02/07/08	147.16	
201264	23591	COMCAST CABLE	COMPUTER-GEN	02/07/08	64.88	
201265	23680	CONCORD PIANO	COMPUTER-GEN	02/07/08	735.00	
201266	25720	L N CURTIS & SONS CORP	COMPUTER-GEN	02/07/08	1,497.02	
201267	27230	RICHARD H DEHAAN JR	COMPUTER-GEN	02/07/08	1,130.14	
201268	30270	EDUCATION FOR LIFE CORP	COMPUTER-GEN	02/07/08	72.00	
201269	30480	EMPLOYERS OVERLOAD (DBA)	COMPUTER-GEN	02/07/08	6,782.49	
201270	31337	ENGINEERED CONTROL PRODUCTS, INC	COMPUTER-GEN	02/07/08	3,377.67	

PAYABLES CHECK REGISTER
 CHK-# VND-# NAME

BOOKKEEPING

DISBURSEMENT DATE 02/07/08 GF20060 PAGE 6
 CHECK-DT CHECK-AMT :NOTE

CHK-#	VND-#	NAME	TYPE	CHECK-DT	CHECK-AMT	:NOTE
201271	31465	EOFF ELECTRIC CO	COMPUTER-GEN	02/07/08	124.97	
201272	32290	FEDERAL EXPRESS CORP	COMPUTER-GEN	02/07/08	53.78	
201273	35285	ROSA M GALVAN	COMPUTER-GEN	02/07/08	375.00	
201274	39520	GROUP MACKENZIE CORP	COMPUTER-GEN	02/07/08	1,022.44	
201275	40064	HACH COMPANY	COMPUTER-GEN	02/07/08	32,825.45	
201276	44537	HILLSBORO ARGUS (DBA)	COMPUTER-GEN	02/07/08	1,548.65	
201277	44541	HILLSBORO CHAMBER OF COMMERCE INC	COMPUTER-GEN	02/07/08	17.00	
201278	44545	HILLSBORO DOWNTOWN BUSINESS ASN	COMPUTER-GEN	02/07/08	342.00	
201279	44558	HILLSBORO LANDFILL INC	COMPUTER-GEN	02/07/08	423.54	
201280	44566	HILLSBORO QUICK PRINT (DBA)	COMPUTER-GEN	02/07/08	465.00	
201281	44571	HILLSBORO UMPIRES LLC	COMPUTER-GEN	02/07/08	9,453.00	
201282	47583	IKON OFFICE SOLUTIONS INC	COMPUTER-GEN	02/07/08	1,080.36	
201283	48595	ERIK JENSEN	COMPUTER-GEN	02/07/08	70.33	
201284	54300	LANDIS & LANDIS CONSTRUCTION	COMPUTER-GEN	02/07/08	169,207.79	
201285	56520	LENOVO (UNITED STATES) INC.	COMPUTER-GEN	02/07/08	1,804.39	
201286	57350	LIGHTHOUSE UNIFORM CO INC	COMPUTER-GEN	02/07/08	367.53	
201287	58332	Longbottom Coffee & Tea Inc	COMPUTER-GEN	02/07/08	341.00	
201288	62142	MACKENZIE FORD INC	COMPUTER-GEN	02/07/08	32.95	
201289	64835	METRO SAFETY & FIRE INC	COMPUTER-GEN	02/07/08	97.00	
201290	64987	MIDWEST TAPE	COMPUTER-GEN	02/07/08	2,739.84	
201291	65522	MINUTEMAN PRESS - HILLSBORO	COMPUTER-GEN	02/07/08	2,335.59	
201292	67208	MOTOR VEHICLES DIV	COMPUTER-GEN	02/07/08	63.50	
201293	68685	NET ASSETS CORP	COMPUTER-GEN	02/07/08	1,960.00	
201294	70550	OPEN ONLINE (DBA)	COMPUTER-GEN	02/07/08	304.20	
201295	70649	OREGON DEPT OF REVENUE	COMPUTER-GEN	02/07/08	19,084.41	

PAYABLES CHECK REGISTER
 CHK-# VND-# NAME

BOOKKEEPING

DISBURSEMENT DATE 02/07/08 GF20060 PAGE 7
 CHECK-DT CHECK-AMT :NOTE

CHK-#	VND-#	NAME	TYPE	CHECK-DT	CHECK-AMT	:NOTE
201296	70667	OREGON JUDICAL DEPT - FIN & ADMIN SVCS	COMPUTER-GEN	02/07/08	2,036.75	
201297	70681	THE OREGONIAN - ORENCO DISTR	COMPUTER-GEN	02/07/08	192.13	
201298	74153	PORTLAND PATROL INC	COMPUTER-GEN	02/07/08	17,787.01	
201299	74167	PORTLAND HABILITATION CENTER INC	COMPUTER-GEN	02/07/08	62,614.07	
201300	74196	POSTMASTER - HLSB BRANCH	COMPUTER-GEN	02/07/08	4,000.00	
201301	74500	PRESS TIME PRINTING (DBA)	COMPUTER-GEN	02/07/08	3,057.83	
201302	74659	PROFESSIONAL & BUDGET DRY CLEANERS DBA	COMPUTER-GEN	02/07/08	251.25	
201303	74675	PROVIDENCE HEALTH SYSTEM	COMPUTER-GEN	02/07/08	426.50	
201304	75170	CLAUDIA RAFFAELE	COMPUTER-GEN	02/07/08	440.00	
201305	77288	RHODIA INC	COMPUTER-GEN	02/07/08	13,208.51	
201306	78330	RONJONS UNLIMITED INC	COMPUTER-GEN	02/07/08	50.00	
201307	82555	SEAWESTERN FIRE APPARATUS & EQUIP	COMPUTER-GEN	02/07/08	1,682.23	
201308	82570	SECURITY COMMUNICATIONS	COMPUTER-GEN	02/07/08	60.00	
201309	83853	MICHAEL D SHERTZ MD	COMPUTER-GEN	02/07/08	2,500.00	
201310	84377	SIERRA GLASS INC	COMPUTER-GEN	02/07/08	646.40	
201311	85000	SKANSKA USA BUILDING INC	COMPUTER-GEN	02/07/08	236,770.00	
201312	86330	SONITROL - PORTLAND INC	COMPUTER-GEN	02/07/08	7,803.00	
201313	89485	SUN BADGE CO	COMPUTER-GEN	02/07/08	516.25	
201314	89593	SYSCO FOOD SERVICES	COMPUTER-GEN	02/07/08	515.43	
201315	92475	TV FIRE & RESCUE	COMPUTER-GEN	02/07/08	9,279.68	
201316	92476	TV FIRE & RESCUE TRAINING DIVISION	COMPUTER-GEN	02/07/08	1,960.00	
201317	93053	UPS	COMPUTER-GEN	02/07/08	61.25	
201318	93094	UNITED RENTALS INC	COMPUTER-GEN	02/07/08	330.44	
201319	93206	US POSTAL SERVICE	COMPUTER-GEN	02/07/08	4,897.73	
201320	93292	VERIZON NORTHWEST	COMPUTER-GEN	02/07/08	12,372.19	

PAYABLES CHECK REGISTER
 CHK-# VND-# NAME

BOOKKEEPING

DISBURSEMENT DATE 02/07/08 GF20060 PAGE 8
 CHECK-DT CHECK-AMT :NOTE

CHK-#	VND-#	NAME	BOOKKEEPING	TYPE	CHECK-DT	CHECK-AMT	:NOTE
201321	94949	WASHINGTON CO CONSOLIDATED	COMM AGENCY	COMPUTER-GEN	02/07/08	270,870.13	_____
201322	94986	WASTE MANAGEMENT OF OREGON		COMPUTER-GEN	02/07/08	79.68	_____
201323	95050	WATER METRICS CO WEST		COMPUTER-GEN	02/07/08	797.00	_____
201324	96254	WESTSIDE ECONOMIC ALLIANCE		COMPUTER-GEN	02/07/08	8,000.00	_____
TOTAL COMPUTER GN						1,622,086.28	
TOTAL DISBURSEMENTS						1,622,086.28	

PAYABLES CHECK REGISTER
CHK-# VND-# NAME

BOOKKEEPING

TYPE

DISBURSEMENT DATE 02/08/08 GF20060
CHECK-DT CHECK-AMT :NOTE

PAGE 1

201325 9754 DARRELL TUCKER

COMPUTER-GEN

02/08/08

3,200.00

TOTAL COMPUTER GN

3,200.00

TOTAL DISBURSEMENTS

3,200.00

Amber D.

PAYROLL MONTH OF JANUARY 2008

01 GENERAL FUND	2,116,953.31
03 ECONOMIC DEVELOPMENT	4,602.48
07 CADET FUND	(2,366.02)
09 SWM	81,422.17
10 STREET FUND	91,119.07
16 FUNDED DEPT SWM	828.40
17 FUNDED DEPT SEWER	4,345.20
18 FUNDED DEP WATER	10,631.25
19 BARNEY JOINT COMMISSION	12,319.28
25 SDC-WATER	809.70
26 SDC-SWM	4,312.43
27 SDC-SEWER	2,840.69
28 TIF	4,095.37
29 SDC-PARKS	0.00
40 STREET PROJECTS	0.00
41 PARKS CAPTIAL PROJECTS	0.00
50 WATER	160,933.33
51 JOINT	105,484.80
52 SEWER FUND	100,351.57
54 PROPERTY MANAGEMENT FUND	671.84
61 BROADBAND USERS GROUP	0.00
65 HEDC	24,653.92
67 JACKSON BOTTOM PROJECTS	197.78
70 SUPPORT SERVICES	658,689.81
71 FACILITIES MANAGEMENT	0.00
74 SELF - INSURANCE	11,480.00
75 INTERNAL SERVICES	9,248.08
TOTAL GROSS PAYROLL BY FUND INFORMATION ONLY	\$ 3,403,624.46
DO NOT ISSUE CHECK	

Schedule B

CONTRACT INPUT FORM

Contract No: 2007-08-236 **Resolution No:** 2243 **Resolution Date:** 2/19/2008

Type of Contract: Personal Services Contract **Contract Subtype:** Vendor Agreement

Contract Name: Information Technology Services

Contract Description: Contract to create a qualified pool of providers of technical services.

Contract With: TEK Systems

City Dept(s): Information Services

City Contact: Greg Mont

Total Cost:

City Funding Source:

Effective Date: 12/1/2007 **Termination Date:** 11/30/2008

Amendment Description:

Original Contract Effective Date: **Amount:** \$0.00

Contract No: 2007-08-237 **Resolution No:** 2243 **Resolution Date:** 2/19/2008

Type of Contract: Professional Services Contract **Contract Subtype:** Vendor Agreement

Contract Name: GeoNorth LLC Application Development, Customization and Consulting Services

Contract Description: A sole source exemption contract for the purposes of allowing the IS Department to utilize application development, customization and consulting services with GeoNorth LLC to redeploy the City's existing GeoNorth branded MapOptix based application, Hillsboro Maps, in a supported and maintainable environment, and to provide, as needed, ongoing customization and consulting services for the City's MapOptix based applications.

Contract With: GeoNorth LLC

City Dept(s): Information Services

City Contact: Jay Leroux

Total Cost:

\$45,000.00

City Funding Source: 70-801-3-0-849-49-00, 70-024-2-0-760-60-05, 7

Effective Date: 2/1/2008 **Termination Date:** 2/1/2009

Amendment Description:

Original Contract Effective Date: **Amount:** \$0.00

Contract No: 2007-08-238 **Resolution No:** 2243 **Resolution Date:** 2/19/2008

Type of Contract: Professional Services Contract **Contract Subtype:**

Contract Name: Graebel - Storage

Contract Description: Storage of Civic Center carpeting - overage, and Plaza Bldg. Need to move carpet from current storage warehouse due to their going out of business.

Contract With: Graebel

City Dept(s): Capital Planning & Development

City Contact: Toni Plunkett

Total Cost:

City Funding Source: Fund 71

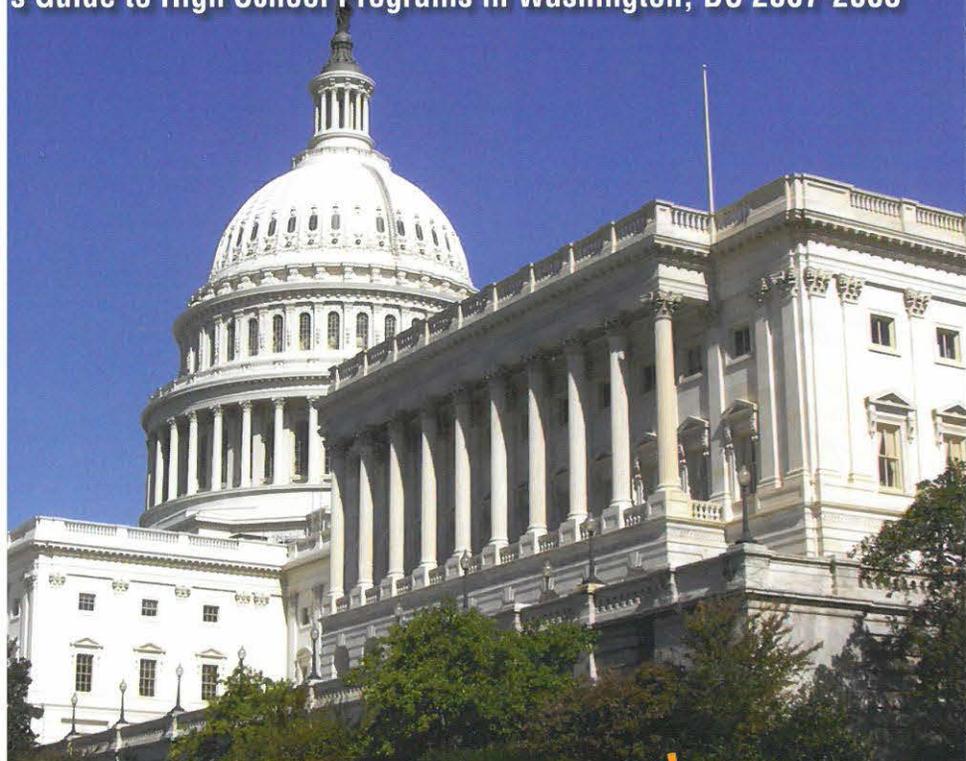
Effective Date: 3/1/2008 **Termination Date:** 3/1/2011

Amendment Description:

Original Contract Effective Date: **Amount:** \$0.00

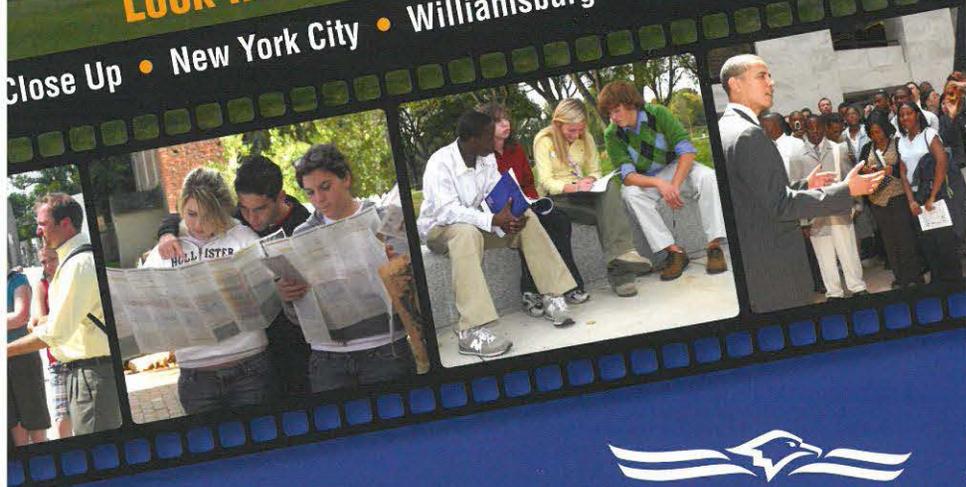
ate. Inspire. Empower.

's Guide to High School Programs in Washington, DC 2007-2008



Look Inside For New Options!

Close Up • New York City • Williamsburg • Make Your Own DC



Educational Value

Our Programs

- ▶ Use DC as learning lab to study democracy
- ▶ Reflect state learning standards for social studies & history
- ▶ Teach key skills and motivate positive attitudes for immediate civic engagement
- ▶ Draw on classic questions of democracy
- ▶ Teach students how to make informed decisions
- ▶ Enable students to earn college credit from top schools
- ▶ Offer payment plans & financial aid

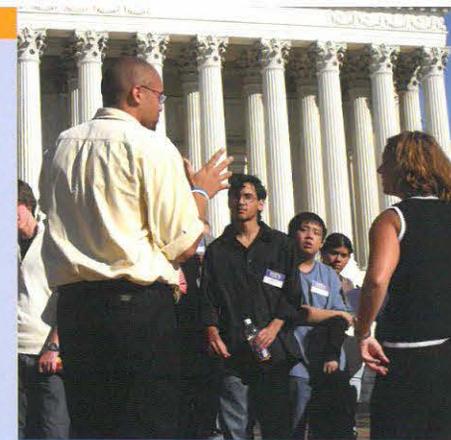
Our Methodology

- ▶ Appeals to all students in grades 9-12
- ▶ Leverages hot topics to make democracy resonate with youth
- ▶ Brings 40 years experience in civic education
- ▶ Is driven by peer-to-peer learning
- ▶ Incorporates role plays and simulations into 14 structured learning activities

Our People

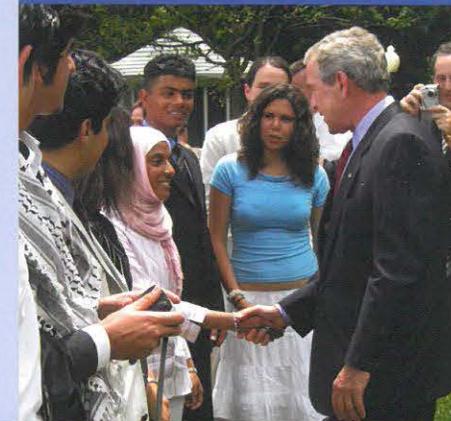
- ▶ Faculty led by Dr. Jo-Ann Amadeo, civic education specialist
- ▶ Curriculum experts who know how to engage youth
- ▶ Instructors receive extensive classroom & field training

Room #: 2A
 Contacted By: Brian Buckner
 Date: 2/19/08
 District #: 1



Why DC This Year?

This is a pivotal time in US history. With a Republican president and Democratic Congress, major Supreme Court cases, and presidential campaigns to follow, DC is making history every day. With us, your students will be part of the action.



Dr. Jo-Ann Amadeo, VP of Curriculum



Jo-Ann heads our faculty and curriculum team. She brings her PhD in Human Development, numerous articles on civic education and the media, and international work examining adolescents' civic knowledge and attitudes to our program development. Plus, her background as an evaluation specialist for public schools helps us constantly evolve our programs to give your students a robust learning experience.

Safety First

Only Close Up gives you access to timely medical care, top-notch supervision, and quality hotels including:

- ▶ ER-trained doctors from George Washington University Hospital
- ▶ CPR & 1st Aid/AED training for all instructors
- ▶ Night monitors & ER-trained field nurse
- ▶ Central hotels including L'Enfant Plaza in DC & Double Tree Crystal City



Fun!

All week you and your students will learn and have fun in a safe environment. Unwind at the end of the day with activities like:

- ▶ Farewell dinner & dance (7-day Classic Close Up DC)
- ▶ Theater, night monument tour, or sporting event (7-day Classic Close Up DC)
- ▶ Ghost tour & Tavern dinner (DC-Virginia)
- ▶ Broadway show & Empire State Building (DC-Philly-NYC)

“Close Up is a great program if you want to learn about DC and meet new people. I am taking home a newfound understanding of American government and policies, as well as great new friends”

—Wynndee, Student, Chicago, IL

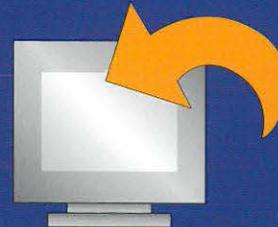
Close Up at the Newseum

Nominate your students to participate on our weekly TV show! *Close Up at the Newseum* is the only nationally broadcast student-centered TV show on C-SPAN. Participating students debate on-camera with various DC insiders. For details or nominations, call 800-CLOSE UP.

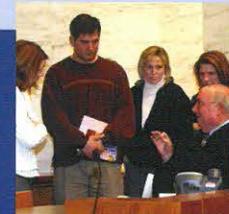


Teacher Bonuses

- ▶ **FREE** trip with minimum number of students
- ▶ Teacher Incentives
- ▶ Back stage access at the DC's newest attraction, the Newseum
- ▶ Expert faculty leading trips to Gettysburg or Annapolis
- ▶ Professional development, graduate credit & CEUs



closeup.org for
classroom resources and updates
to *Current Issues*.



“Not only is the student program outstanding, but so is the teacher program. Every year the speakers, the tours, and the educational activities arranged show concern for the classroom teacher and the job that we do. This program allows us to impact not just the students we're able to bring to Washington, DC, but also the students waiting for us back home.”

—Kayleen, teacher, Troy, MT



Close Up Foundation
44 Canal Center Plaza
Alexandria, VA 22314-1592

800-CLOSE UP (256-7387)
TDD: 800-336-2167
Fax: 703-706-0001

Washington, D.C., scenic photos provided by Joseph Sohm and Visions of America, LLC.
© 2007 Visionsofamerica.com Cover Photo: Trisha Stehouwer

CST 1002082-40
UBI 601 918 893
3393-07

Close Up of the Best!

of civic ed experience, distinctive methodology, and top-notch instructors inspire thousands of students to be informed and engaged citizens. Our wide 14 structured learning activities designed for diverse groups of students include seminars, study-visits, and a day on Capitol Hill.

can customize your program with 1 of 4 options:

- Basic Close Up DC (5 Days)
- Basic Close Up DC (7 Days)—**NEW!** Visit Newseum
- Philly-New York City (7 Days)—**NEW!** Offered more weeks
- Virginia (7 Days)—**NEW!** Visit Charlottesville

us to design your own 5-day trip with our *Make Your Own DC* program.



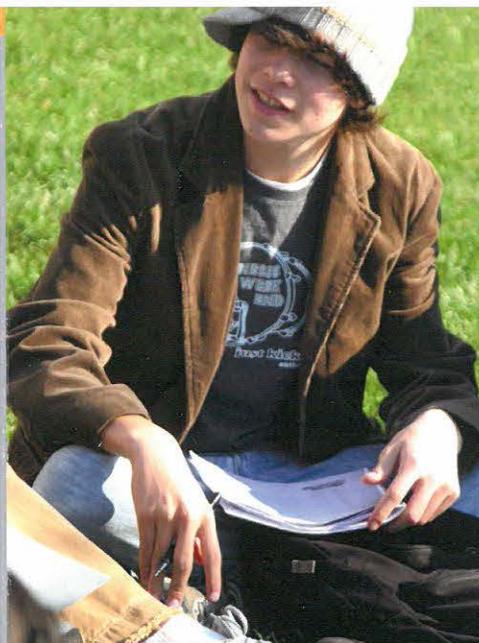
Program Theme: How can I get involved in issues important to me?

Sunday:	Monday:	Tuesday:	Wednesday:
	Classic Questions of Democracy	US & the Global Community	Role of Citizens in a Democracy
<ul style="list-style-type: none"> ▶ Travel 	<ul style="list-style-type: none"> ▶ Breakfast ▶ Workshop: Understanding political labels ▶ Explore 3 Faces of Democracy: Jefferson, FDR & Lincoln Memorials 	<ul style="list-style-type: none"> ▶ Breakfast ▶ Workshop: Tools of foreign policy ▶ Visit War Memorials: WWII, Korean, Vietnam 	<ul style="list-style-type: none"> ▶ Breakfast ▶ Capitol Hill Day: See Supreme Court & Library of Congress
<ul style="list-style-type: none"> ▶ Hotel check-in 	<ul style="list-style-type: none"> ▶ Seminar: No Child Left Behind & Education Policy ▶ Lunch ▶ Neighborhood study-visit 	<ul style="list-style-type: none"> ▶ Seminar : War & Peace—Alternatives to Force in International Conflict ▶ Lunch ▶ Walking workshop on Capitol Hill 	<ul style="list-style-type: none"> ▶ Lunch ▶ Capitol Hill Meetings
<ul style="list-style-type: none"> ▶ Dinner & Orientation 	<ul style="list-style-type: none"> ▶ Dinner ▶ Workshop: Debate prep ▶ Hot Topics Debate 	<ul style="list-style-type: none"> ▶ Dinner ▶ Congressional Session Simulation 	<ul style="list-style-type: none"> ▶ Dinner ▶ Workshop: Taking it all home ▶ Evening social

Sample schedule. See closeup.org for registration, dates & prices.

of your program gives your students a foundation of citizenship skills, second half lets you tailor your program based on your interests. Choose options below to complete your week.

	Classic Close Up DC (7 Days)	DC-Philly-NYC (7 Days)	DC-Virginia (7 Days)
Thursday	<p>Thursday</p> <ul style="list-style-type: none"> ▶ Breakfast ▶ Arlington Cemetery or Mt. Vernon ▶ Lunch ▶ Explore Newseum ▶ Dinner ▶ Cultural Event (theater, night tour, or sporting event) 	<p>Thursday</p> <ul style="list-style-type: none"> ▶ Breakfast ▶ Travel to Philly ▶ Independence Park or Constitution Center ▶ Lunch ▶ Travel to NYC ▶ Empire State Building ▶ Dinner ▶ Hotel check-in 	<p>Thursday</p> <ul style="list-style-type: none"> ▶ Breakfast ▶ Travel to Charlottesville ▶ Explore Monticello ▶ Lunch ▶ Tour University of Virginia ▶ Travel to Williamsburg ▶ Hotel check-in ▶ Dinner
Friday	<p>Friday</p> <ul style="list-style-type: none"> ▶ Breakfast ▶ Free time in DC ▶ Lunch ▶ Farewell dinner & dance 	<p>Friday</p> <ul style="list-style-type: none"> ▶ Breakfast ▶ Liberty & Ellis Island ▶ Wall Street & Ground Zero ▶ Lunch ▶ United Nations ▶ Dinner & theater 	<p>Friday</p> <ul style="list-style-type: none"> ▶ Breakfast ▶ Explore Williamsburg ▶ Lunch ▶ Tour College of William & Mary ▶ Tavern dinner ▶ Cultural event
Saturday	<p>Saturday</p> <ul style="list-style-type: none"> ▶ Breakfast ▶ Depart for home 	<p>Saturday</p> <ul style="list-style-type: none"> ▶ Breakfast ▶ Depart for home 	<p>Saturday</p> <ul style="list-style-type: none"> ▶ Breakfast ▶ Depart for home



Our newest program puts you in charge. You'll work one-on-one with us to create your unique program. Benefits include:

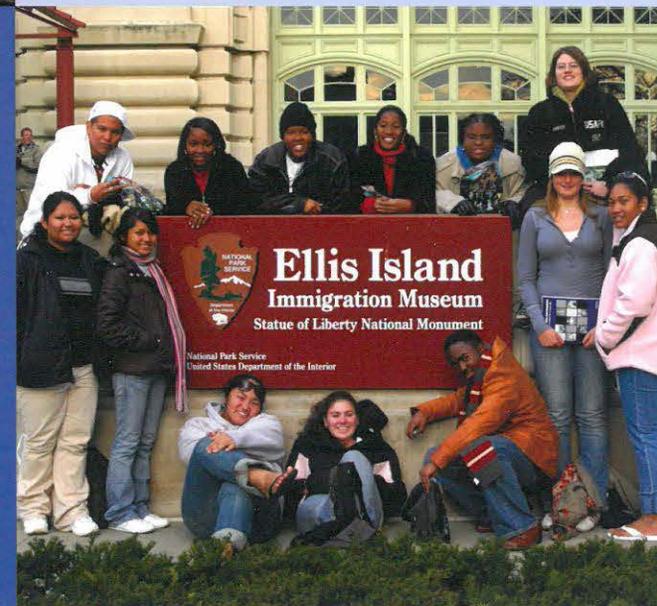
- ▶ Start any day of the week
- ▶ Minimize time out of school
- ▶ Earn stipend for co-managing students

Here's how it works:

- 1 We recommend 10 'must-see' sites (ex. WWII Memorial & Arlington Cemetery)
- 2 You choose activities to complete your trip (ex. Spy Museum or Mt. Vernon)
- 3 Register at closeup.org or call 800-CLOSE UP

Register Today!

Register at closeup.org before your favorite program sells out. Or call us at 800-CLOSE UP and we'll show you how easy it is to participate. Hurry, space is limited!



"What I like about Close Up is that it is more than just a field trip. You're debating the issues, you're tying it into current events. And it's just been such an empowering experience. My students are so excited to go back to our high school, share that experience, and get that civic energy going within our school."

—Andrea, teacher, Miami, FL

Liberty High School
21945 NW Wagon Way
Hillsboro, Oregon 97124-8572
Phone: (503) 844-1250
Fax: (503) 848-5851
www.hsd.k12.or.us/schools/liberty
Email: bucknerb@hsd.k12.or.us
February, 2008

Item #: 2A
Offered by: Brian Buckner
Date: 2/19/08
Exhibit #: 2

Dear Sir or Madam,

During the third week of April, students from Liberty High School will have a great opportunity to learn firsthand about the workings of the government and the responsibilities they hold as citizens of the United States when they travel to Washington, D.C., for 'Close Up'.

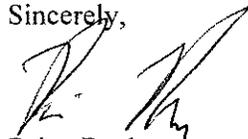
The Close Up Foundation is the nation's premier civic education organization. Close Up provides exciting and unique government study programs. Close Up programs have a curriculum designed to introduce students to the history, politics, and culture of our nation through a hands-on learning environment. From small-group seminars and workshops to meetings with congressional members to study visits of museums and monuments, Close Up offers students an unparalleled, non-partisan learning experience. In addition to the program provided for students, Close Up has a professional development program for teachers that allow them the opportunity to share ideas with other educators from across the country. Teachers attend seminars and workshops that provide insight to enhance their classroom curricula. Both students and teachers alike will return from Washington, D.C. with renewed excitement and increased knowledge.

The program cost for each student including professional instruction, travel expenses, meals, and lodging is \$1948.00. For some students to meet this cost, it is necessary to seek financial help. We are dedicated to making this valuable educational program available to all students, regardless of financial ability and hope you will help us in this effort by contributing. Donations are tax-deductible, as the Close Up Foundation is a nonprofit, nonpartisan organization. Please make any checks payable to Close Up Foundation and mail it to the close up coordinator, Brian Buckner at Liberty High School. For your records, the Close Up Federal Employer Identification number is, 23-7122882. Your donation will be an investment in our community's future, helping students to become more informed and responsible citizens as well as giving teachers the tools necessary to provide students with the best education available.

Please call me for any further information concerning Close Up. Your contribution will be greatly appreciated by our students and must be submitted by April 1, 2007. I can be reached at Liberty High School, 503-844-1250 during the day; or my email is: bucknerb@hsd.k12.or.us

Thank you for your interest.

Sincerely,



Brian Buckner

Item #: 2A
Offered By: Brian Buckner
Date: 2/19/08
Exhibit #: 3

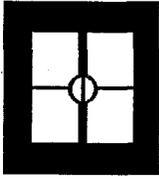
Washington D.C.
Close Up 2008
Alek Selby

Have you ever wanted that once in a lifetime experience that no one else can get? Well, from the 20th to the 26th of April, that chance may come. Mr. Buckner, history teacher here at Liberty, will be taking a trip with high school students from Liberty High School to explore our nation's capitol. The program is called Close Up, a program that has been around for 40 years and offers the experience of a lifetime to high school students like you. There is no need to be enrolled in a specific class or know anything about politics. It is truly a learning experience to better help you understand how our government works. This year is different than any other because it's right in the middle of the 2008 presidential election. With more than 20,000 high school students from around the world attending, participants will depart on a Sunday, April 20th, and return on a Saturday, April 26th, and yes, you'll be missing an entire week of school.

You will experience history upon history, visiting the Smithsonian Museum, the Holocaust Museum, the Spy Museum, the Arlington National Cemetery, the Washington, Lincoln, FDR, and Jefferson Memorials, the foreign embassies, the Supreme Court Chamber, the Vietnam, Korea, and WWII Memorials, the Hard Rock Café, Mt. Vernon, the Library of Congress, and a possible tour of the White House. You will get a chance to meet with Representative David Wu and Senators Ron Wyden and Gordon Smith, along with other members of Congress. And who knows, you may even get a chance to meet W himself! What would you ask him?

Students may also get to appear on C-SPAN, a popular political cable broadcast.

You will also receive college credit for this trip, which may appeal to many of you seniors heading off to college. Fundraising will be done to help cut costs. This is truly a once in a lifetime opportunity, so do yourself a favor this Christmas break and ask your parents for the best gift of all. You get a week off of school to learn about your countries history and politics and your parents get the sense that they're doing something amazing and worthwhile for their student. So, after getting the a-ok from the parentals, make sure you pay Mr. Buckner a visit in room 226 for more information, or visit their website at www.closeup.org. You can also contact Nathan Van Winkle for information on what you can do to help fundraise to reduce the overall cost.



****REVISED****

MEMORANDUM

Date: February 15, 2008
To: Finance Committee
From: Ben Rowe - Police Project Specialist
Denise Carlson – Police Administrative Services Manager
Subject: Edward Byrne Memorial Justice Assistance Grant - 2008

Requested Finance Committee Action:

Please consider the Hillsboro Police Department's (HPD) request to participate in the Fiscal Year 2008 Edward Byrne Memorial Justice Assistance Grant (JAG) program being administered through the United States Department of Justice. Grant funds will be used to purchase training for Hillsboro Youth Peer Court staff, program materials and supplies and to help offset overtime expenses for School Resource Officers involved in the program.

Part of the grant requirements is a public review process of the Department's grant application. Therefore this item will be a Public Hearing at City Council. Written testimonies regarding this item received prior to this date are attached.

Background:

With Finance Committee approval in 2007, HPD applied for and was granted \$31,397.00 in Federal funds from the Edward Byrne Memorial Justice Assistance Grant (JAG) to use towards the initial set up of the Youth Peer Court Program. These Grant funds are being used to purchase a laptop computer, supplies, training and contract expenses.

In 2008, HPD has the opportunity to apply for an additional \$46,566.90 in JAG funds to further develop the program. These funds will be used to offset overtime expenses for School Resource Officers, salary expenses for a program intern, specialized Peer Court training, program materials and supplies, printing and volunteer recognition items and contract fees.

HPD recognizes the growing number of offenses committed by juveniles within the Hillsboro community, and feel strongly in implementing a program to address the need of early intervention, immediate and effective consequences, and problem solving and conflict resolution skills for young first time offenders.

Project Objectives:

- discourage repeat offenders
- encourage personal accountability, better decision making and restorative justice
- involve young people in making positive changes among their peer group
- educate youth about the law, the justice system and their civic responsibility

- increase court sentencing impact by having the juvenile offender face a jury of their peers
- reduce the number of referrals to the Washington County Juvenile Department
- encourage offenders to help others in need by being a part of the Peer Court Jury

Program Summary:

Over the next four years, the proposed Youth Peer Court Program within the City of Hillsboro will be developed, implemented and supported by HPD, McMinnville Community Peer Court, Portland State University and the Washington County Juvenile Department. The Hillsboro Peer Court will be a diversion program for juvenile offenders in Hillsboro who have been cited by law enforcement authorities for selected low-level violations. The juveniles must meet the eligibility requirements of the program to participate (i.e. juvenile status, verification of first-time offender status, admission of guilt and consent for participation by both the juvenile and parent/guardian).

The Hillsboro Peer Court will achieve this by establishing a forum of youth volunteer jurors that will offer early intervention sentencing to first time, low-level crime offenders. These jurors will be trained by HPD, Portland State University Interns and McMinnville Community Peer Court staff.

The Hillsboro Peer Court Program process will begin when the Washington County Juvenile Department receives a police report and refers the case to the Hillsboro Youth Peer Court. The referred offenses will include criminal trespass, criminal mischief, disorderly conduct, harassment, alcohol/minor in possession and curfew. Next, HPD will conduct a program intake interview with the juvenile offender and his/her parents/guardians. The juvenile offender will be required to sign a Jurisdictional Contract during intake, and a hearing will follow in front of the Peer Court Jury and an adult volunteer judge. The Peer Court Jury will consist of 6 to 12 youth. A portion of the jury will include past defendants who are serving their required jury duty. Every juvenile offender who chooses to participate in the Youth Peer Court is required to serve as a Peer Court juror at least once. The Peer Court jury will listen to the facts of the case and ask several questions before deliberating and imposing a fair and appropriate sentence. Failure to complete the sentence will result in referring the case back to the Juvenile Department. In order to have their record expunged, the juvenile offender will complete the sentence including participating as a juror. Paid interns from the PSU Hatfield School of Government will be recruited to perform administrative services and program analysis.

Grant Project Summary:

Due Date:	January 30, 2008
To Fund:	HPD staff, travel, supplies, consultant fees
Total Cost:	\$51,740.90
Grant Amount:	\$46,566.90
Matching Funds:	\$5,174.00
Funding Period:	48 months
Funding TBA:	Upon approval of grant application

February 13, 2008

Mayor Tom Hughes
and
Members, Hillsboro City Council

Re: Justice Assistance Grant for Hillsboro Youth Peer Court Program

I wish to express my enthusiastic support for your efforts to implement a youth peer court program in Hillsboro. In my experience as a member of the Washington County Commission on Children and Families I have been impressed by the success of the adult and juvenile drug courts in Washington County. As a faculty member at Oregon Health & Science University teaching an Adolescent Risky Behavior Epidemiology class to Master of Public Health students and a substance abuse treatment researcher, I have reviewed extensive research regarding adolescents and their involvement in risky behavior and it is clear that adolescents are still developing and need meaningful consequences that are not overly harsh but help the recipients learn from their mistakes. In addition, receiving judgment from peers is often more meaningful than any intervention that might be received from adults. This past year I was a co-author of a grant to evaluate Oregon drug courts that was funded by the Robert Wood Johnson Foundation. Our review of previous research clearly documents that drug courts are effective interventions to reduce drug use among adult offenders. Peer courts have also been used with adolescents and found to be effective. They are also a cost saving mechanism because they prevent future problems for both the adolescent and potential victims. Based upon these experiences and research, I believe it would be in Hillsboro's interest to implement a youth peer court program and support your efforts to make this a reality.

Sincerely,

Katherine (Katie) Riley, Ed.D.
250 NE Hillwood Dr.
Hillsboro, OR 97124

503-640-8689

Dale C. Harris

1947 NE Estate Drive, Hillsboro, OR 97124-2161
Phone: 503 648-7415, e-mail: dch33@comcast.net

February 11, 2008

To members of the Hillsboro City Council

I am writing in support of the proposal to establish a Hillsboro Youth Peer Court Program with funding coming through the Justice Assistance Grant. I have been a volunteer mediator with the Hillsboro Police Department for three years doing community mediations and truancy mediations. In addition I am a volunteer mediator for the Washington County Small Claims Court.

With four other mediators I had the opportunity to visit the peer court program in Newberg last week. I was impressed with the model of having youth offenders face a jury of their peers and then later being required to serve as a peer juror. I believe the more youth offenders can be required to explain their antisocial behavior to their peers the more effective their sentences will be in deterring future criminal activity. Furthermore I believe it is good experience for the youth jurors to get a better feeling for the court system and realize the importance of citizen jurors.

It seems to me that a peer court program is beneficial both to the offenders and to the jurors. I believe Hillsboro would be well served by implementing this type of program.

Sincerely yours,

Dale C. Harris, United Methodist Minister (retired)

I would like to testify on behalf of the Hillsboro Peer Court Program.

I am a volunteer with the Hillsboro Mediation Program. Last week I observed the Peer Court Program in Newberg. I was very impressed with the program. The Judge, the volunteer jury, and all the coordinators and volunteers ran the court very efficiently and professionally. The defendants and the adult with them showed the court respect and courtesy.

As a substitute aid in Special Education in the Hillsboro School District I can visualize how the program can greatly benefit all students that participate. This program can offer students who have committed a first time offense a chance to pay society back with a penalty as adjudicated by their peers.

I truly believe this program will benefit not only the student but the community.

Elissa Burns
Volunteer Mediation Program
burnhk@aol.com

I would like to speak in support of the City of Hillsboro supporting and funding the Hillsboro Mediation Program Peer Court.

As a volunteer mediator with the HMP, Truancy court, and Small claims for Washington county, I cannot emphasize enough how important the peer court is to first time offenders. I have observed the peer court mediations in session and believe it is a powerful program in deterring the juvenile offenders from re-offending.

We found in the truancy court mediations that we were able to successfully help the students in working out back to school plans on a regular basis. This program has significantly improved returning students to an active school program and the opportunity to be successful in that return. I believe the Peer Court can have the same impact truancy court does.

Juvenile crimes are increasing. The peer court gives the juvenile system an opportunity to provide an alternative to the offenders. This program is proving successful in many districts around the state. I would encourage the Council to provide funding for this program to provide our citizens and juvenile courts an alternative. There are many volunteers ready to step up and participate in a Peer Court. If we can accomplish the success rate other cities/counties are experiencing, it will be of great benefit to the city of Hillsboro, short term and long term.

Carol Williams
Volunteer Mediator
Hillsboro Mediation Program

TO: Amber Dcming
City of Hillsboro
City Recorder

FROM: Jess Matza
Mediator
City of Hillsboro Police Mediation Program

DATE: February. 19, 2008

SUBJECT: Youth Peer Court – Proposed City of Hillsboro
Jess Matza – Testifying at Meeting Tuesday, February 19, 2008

Dear City Council Members:

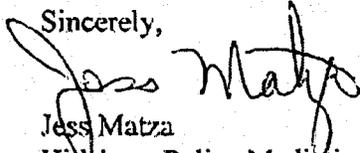
I have been Reserve Deputy Sheriff for Multnomah County and a Police Officer for the City of Lake Oswego in the past, and now an Advanced Mediator for the City of Hillsboro Police Mediation Program for approximately four years as a volunteer. I have mediated mostly neighborhood situations, and Truancy Mediation at Washington County Juvenile Court. I believe in the mediation process because of the positive results for bringing resolutions to situations and behaviors involving everyday people. When people are in conflict and can face each other without attorneys, or the police and the court system, most of the time a peaceful resolution can be found from my experience, and the parties involved will come to their own agreements that work most of the time. The City of Hillsboro was a Pioneer in this program within the State of Oregon, and should be proud of it's outside of the box thinking, and the programs outstanding results. This is a great chapter that could be written in a book for City of Hillsboro.

On February 6th, 2008 I observed Youth Peer Court in session in Yamhill County, and after the first case I observed, I knew the Youth Peer Court program is a winner from the traditional Juvenile Court System. This could be looked at as a new chapter being looked at in the book for the City of Hillsboro. This program deals with gathering information, and successful decision making as a peer group with youth offenses that are minor. These are some big picture examples of the programs methodologies:

- The young jurors 12-17 years old put themselves in the story so they can understand what happened.
- The young adults can relate to each other since they are of the same generation.
- The jurors can sentence within certain parameters, i.e. length of essays explaining why they did and an offense, and why they are sorry. Community Service. Classes. Problem solving workshops. Restitution. Other areas not mentioned.
- The Peer Jurors can step down off the jury if they feel they can't be fair.
- Consider behaviors such as: attitude, remorse, punishment at home, performance at school, just to name a few.
- Face to face apologies.

In addition, the recidivism rate under this Peer Court System is less than 10%. From a State of Oregon report from the Oregon Progress Board, Benchmark 65, for Juvenile Recidivism rates, in 2004 the recidivism rate is 31.3% for Juvenile Offenders committing another offense within twelve months of their first offense. Although the charts for 2010 projected a slight decline of 1.3%, it is still in the low 30% percentile overall for the target rate (please refer to the attached benchmark data from the State of Oregon). As you can see from the statistics, the Youth Peer Court is effective comparing success rates. I strongly recommend that the City of Hillsboro implements such a Youth Peer Court.

Sincerely,



Jess Matza

Hillsboro Police Mediation Program
Advanced Mediator

65. Juvenile Recidivism

From: 2005 Benchmark Report Report Home and Contents

Chart and Analysis

How Oregon Compares

Benchmark Data

Benchmark Endnote

State Agency Partners

From: 2005 Benchmark Report

Achieving the Oregon Shines Vision: The 2005 Benchmark Performance Report
Report to the Oregon Legislature and the People of Oregon

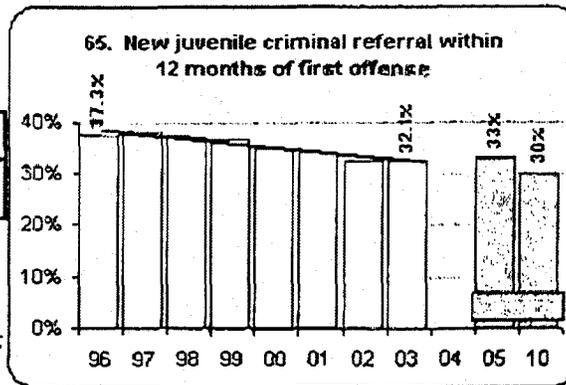
Released April 2005

Chart and Analysis

Percent of juveniles with a new criminal referral to a county juvenile department within 12 months of initial criminal offense

IS OREGON MAKING PROGRESS?
YES

Unlike adult recidivism, juvenile recidivism has fallen significantly in recent years. However, even with a lower 12-month "bar," the juvenile recidivism rate is essentially the same as the adult rate. Experts point out that the majority of juvenile crimes are committed by fewer than 10% of offenders.



View the chart updated in June 2006.

How Oregon Compares

Because each state uses varying methods of calculating recidivism, valid national comparators are unavailable.

Benchmark Data

1992	1993	1994	1995	1996	1997	1998	1999

		35.0%	38.0%	37.3%	38.3%	36.9%	36.6%	NATIONAL
2000	2001	2002	2003	2004	Target: 2005	Target: 2010		OREGON
34.8%	34.1%	32.2%	32.1%		33%	30%		

Benchmark Endnote

65. Percent of juveniles with a new criminal referral to a county juvenile department within 12 months of the initial criminal offense.

Explanation : Juvenile recidivism is measured by the percentage of juveniles who are referred to a county juvenile department within 12 months of the initial criminal offense.

Target: The Oregon Youth Authority (OYA) set the targets in consultation with the Oregon Juvenile Department Directors' Association (OJDDA).

Data Source: County juvenile department data reported through the Juvenile Justice Information System (JJIS). Recidivism reports are compiled by the OYA in collaboration with the OJDDA, as required by ORS 420A.012.

State Agency Partners

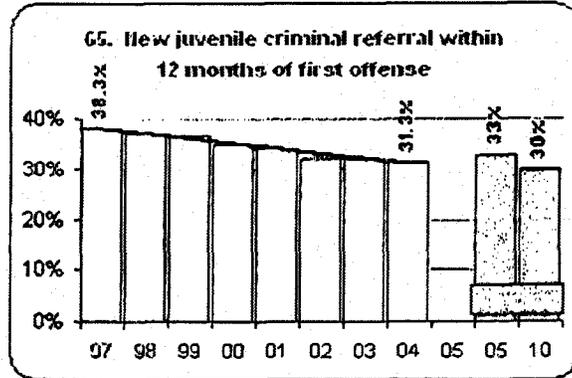
Click on the link below to see an analysis of each key measure from the agency's Annual Performance Progress Report. All are short Word (doc) documents.

A check in the "On Target?" column means actual data was at or better than target in the most recent year shown in the agency's 2005 Annual Performance Progress Report (updated October 2005).

Oregon Department of Education	On Target?
PM #14: Percent of students with documented truancy	✓
PM #15: Number of persistently dangerous schools	
Criminal Justice Commission – Juvenile Crime Prevention Program	
PM #1: Percent of youth served [by Juvenile Crime Prevention Program] whose risk factors decrease	
PM #2: Youth served by JCP	
Oregon Youth Authority	
PM #7: Facility - Percent of youth confined for more than 60 days who have a finalized written aftercare treatment plan prior to 30 days of release	
PM #8: Facility - Percent of youth who are referred to at least one community-based service as outlined in their aftercare treatment plan	
PM #9: Residential - Runaways from provider supervision per 100 person-days of youth placement, including youth on home visit status. (proposed)	
PM #10: Residential - Injuries to youth per 100 person-days of youth placement	
PM #11: Residential - Suicidal behavior with injury to youth per 100 person-days of youth placement	

Benchmark 65: Juvenile Recidivism

Percent of juveniles with a new criminal referral to a county juvenile department within 12 months
Updated June 2006



CITY OF HILLSBORO



MEMORANDUM

DATE: February 13, 2008

TO: City Council

FROM: Suzanne Linneen, Interim Finance Director
Paul Edwards, Purchasing Agent

SUBJECT: Request to submit the City of Hillsboro Public Contracting Regulations for City Council adoption.

Based on a recommendation from the Finance Committee, the Finance Department and Purchasing Division request that the City Council adopt the City of Hillsboro Public Contracting Regulations.

Background:

The primary reason for readopting the new purchasing ordinance is as a result of the City Charter changes. Following is a listing of the changes and the reasons why the change is necessary:

- 1) Hillsboro Economic Development Council: There has been some confusion as to the authority of the HEDC Director when it came to buying items. Adding the HEDC to the purchasing ordinance will treat HEDC the same as any other City Department.
- 2) Professional Service Contracts: A semantic change which is believed to more accurately describe contracts with engineers, architects and other professionals. These types of contracts have previously been referred to as Personal Service Contracts.
- 3) Removal of the Contract Resolution and Mayor's Order Process: The new City Charter has eliminated the requirement of every contract to be ratified by Council and signed by the Mayor when the contract amount exceeded \$100. The Schedule of Signature Authority governs the delegation of authority of who can sign contracts. Items of significance and projects and purchases over the City Manager's authority will still require City Council approval.
- 4) IGA's: Intergovernmental Agreements are linked to the Schedule of Signature Authority so that the City Manager may sign IGA's that are budgeted and more routine in nature. Any IGA's of any significance or over the dollar limit delegated to the City Manager will be forwarded to the City Council for approval and signature by the Mayor.
- 5) The remaining changes fall under the category of clarifying procurement processes and aligning the current processes with the Attorney General's Model Rules.

An emergency clause has been added to the ordinance in order to facilitate the continued smooth internal operations of the City, avoid confusion regarding which set of rules to follow and align the City's internal operations with the new City Charter.

Requested Finance Committee Action:

Please consider a request to adopt the City of Hillsboro Public Contracting Regulations.

ORDINANCE NO. _____

AN ORDINANCE REPEALING CHAPTER 2.16 OF THE HILLSBORO MUNICIPAL CODE, AND ADOPTING A NEW CHAPTER 2.16 OF THE HILLSBORO MUNICIPAL CODE, RELATING TO PUBLIC CONTRACTS AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary to adopt policies on the procurement of public contracts and authorize the city manager, as the purchasing agent for the city, to adopt additional rules relating to public contracts,

WHEREAS, the city council conducted a public hearing on this ordinance on February 19, 2008, and based upon that record,

NOW, THEREFORE, THE CITY OF HILLSBORO DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 2.16 of the Hillsboro Municipal Code, is repealed, and a new Chapter 2.16 is adopted to provide as follows:

Chapter 2.16

PUBLIC CONTRACTS

Sections:

- 2.16.010 Title.**
- 2.16.020 Purposes.**
- 2.16.030 Definitions**
- 2.16.040 Relation to State and Federal Law.**
- 2.16.050 Application of Public Contracting Regulations.**
- 2.16.060 Delegation of Authority.**
- 2.16.070 Process for Approval of Special Solicitation Methods and Exemptions.**
- 2.16.080 Methods of Soliciting Types of Public Contracts.**
- 2.16.090 Use of Brand Name Specifications.**
- 2.16.100 Bid, Performance and Payment Bonds.**
- 2.16.110 Electronic Advertisement of Public Contracts.**
- 2.16.120 Appeal of Debarment or Prequalification Decision.**

2.16.010 Title.

The provisions of this chapter and all rules adopted under this chapter may be cited as the City of Hillsboro Public Contracting Regulations.

2.16.020 Purposes.

It is the policy of the city in adopting public contracting regulations to utilize public contracting practices and methods that maximize the efficient use of public resources and the

purchasing power of public funds by:

- A. Promoting impartial and open competition;
- B. Using solicitation materials that are complete and contain a clear statement of contract specifications and requirements; and,
- C. Taking full advantage of evolving procurement methods that suit the contracting needs of the city as they emerge within various industries.

2.16.030 Definitions.

For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meanings given in this section. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number and words in the singular number include the plural number. The words "shall" and "will" are mandatory and "may" is permissive. Words that are not defined in this section shall have the meaning set forth in the Oregon Public Contracting Code. If not defined there, the words shall be given their common and ordinary meaning.

"Award" means the selection of a person to provide goods, services or public improvements under a public contract. The award of a public contract is not binding on the city until the contract is executed, delivered to the city and ratified by the mayor and attested by the city recorder.

"Bid" means a binding, sealed written offer to provide goods, services or public improvements for a specified price or prices.

"City" means the City of Hillsboro, Hillsboro Economic Development Council and any of its boards, commissions and agencies.

"Concession agreement" means a contract that authorizes and requires a private entity or individual to promote or sell, for its own business purposes, specified types of goods or services from real property owned or managed by the city, and under which the concessionaire makes payments to the city based, at least in part, on the concessionaire's revenues or sales. The term "concession agreement" does not include a mere rental agreement, license or lease for the use of premises.

"Contract price" means the total amount paid or to be paid under a contract, including any approved alternates, and any fully executed change orders or amendments.

"Contract review board" means the city council, Hillsboro Economic Development Council or the utilities commissions for contracts made under its authority.

"Cooperative procurement" means a procurement conducted by or on behalf of more than one contracting agency.

“Debarment” means a declaration by the purchasing agent under ORS 279B.130 or ORS 279C.440 that prohibits a potential contractor from competing for the city's public contracts for a prescribed period of time.

“Disposal” means any arrangement for the transfer of property by the city under which the city relinquishes ownership.

“Emergency” means circumstances that create a substantial risk of loss, damage or interruption of services or a substantial threat to property, public health, welfare or safety; and require prompt execution of a contract to remedy the condition.

“Energy savings performance contract” means a contract with a qualified energy service company for the identification, evaluation, recommendation, design and construction of energy conservation measures that guarantee energy savings or performance.

“Finance contracts” means contracts or other documents entered into, issued or established in connection with: the incurring of debt by the city, including any associated contracts, agreements or other documents, regardless of whether the obligations that the contracts, agreements or other documents establish are general, special or limited; the making of program loans and similar extensions or advances of funds, aid or assistance by the city to a person for the purpose of carrying out, promoting or sustaining activities or programs authorized by law other than for the construction of public works or public improvements; the investment of funds by the city as authorized by law, or banking, money management or other predominantly financial transactions of the city that, by their character, cannot practically be established under the competitive contractor selection procedures, based upon the findings of the purchasing agent.

“Findings” mean the statements of fact that provide justification for a determination. Findings may include, but are not limited to, information regarding operation, budget and financial data; public benefits; cost savings; competition in public contracts; quality and aesthetic considerations, value engineering; specialized expertise needed; public safety; market conditions; technical complexity; availability, performance and funding sources.

“Goods and services” or “goods or services” mean supplies, equipment, materials and services other than professional services and any personal property including any tangible, intangible and intellectual property and rights and licenses in relation thereto, that the city is authorized by law to procure. “Goods and services” or “goods or services” include combinations of any of the items identified in this definition.

“Grant” or “grant agreement” means an agreement under which the city is either a grantee or a grantor of moneys, property or other assistance, including loans, loan guarantees, credit enhancements, gifts, bequests, commodities or other assets, for the purpose of supporting or stimulating a program or activity of the grantee and in which no substantial involvement by the grantor is anticipated in the program or activity other than involvement associated with monitoring compliance with the grant conditions.

“Hillsboro Economic Development Council” means the Hillsboro Economic Development Council (HEDC) operating under the authority of ORS 457.010, ORS 457.020 and Ordinance No. 3829.

“Informal solicitation” means a solicitation made in accordance with rules adopted by the purchasing agent to a limited number of potential contractors, in which the solicitation agent attempts to obtain at least three quotes or proposals.

“Invitation to bid” means a publicly advertised request for competitive sealed bids.

“Model Rules” means the rules adopted by the Attorney General pursuant to ORS 279A.065.

“Offeror” means a person who submits a bid, quote or proposal to enter into a public contract with the city.

“Oregon Public Contracting Code” means ORS chapters 279A, 279B and 279C.

“Person” means a natural person or any other private or governmental entity, having the legal capacity to enter into a binding contract.

“Proposal” means a binding offer to provide goods, services or public improvements with the understanding that acceptance will depend on the evaluation of factors other than, or in addition to price. A proposal may be made in response to a request for proposals or under an informal solicitation.

“Professional Services Contract” means a contract with an independent contractor predominantly for services that require special training or certification, skill, technical, creative, professional or communication skills or talents, unique and specialized knowledge, or the exercise of judgment skills, and for which the quality of the service depends on attributes that are unique to the service provider. Such services include, but are not limited to the services of architects, engineers, land surveyors, attorneys, auditors and other licensed professionals, artists, designers, computer programmers, performers, consultants and property managers. The purchasing agent shall have discretion to determine whether additional types of services not specifically mentioned in this paragraph fit within the definition of personal services. A “professional services contract” is analogous to a “personal services contract” as that term is used under Oregon law.

“Public contract” means a sale or other disposal, or a purchase, lease, rental or other acquisition by the city of personal property, services, including professional services, public improvements, public works, minor alterations, or ordinary repair or maintenance necessary to preserve a public improvement.

“Public improvement” means a project for construction, reconstruction or major renovation on real property by or for the city. “Public improvement” does not include projects for which no funds of the city are directly or indirectly used, except for participation that is incidental or related primarily to project design or inspection, or emergency work, minor alteration, ordinary

repair or maintenance necessary to preserve a public improvement.

“Purchasing agent” or “city manager” means the city manager or a designee appointed by the city manager to exercise the authority of the purchasing agent under the City of Hillsboro Public Contracting Regulations.

“Quote” means a price offer made in response to an informal or qualified pool solicitation to provide goods, services or public improvements.

“Request for proposals” means a publicly advertised request for sealed competitive proposals.

“Schedule of signature authority” means a schedule adopted as part of the Public Contracting Rules for the City of Hillsboro that sets out the procurement method and execution authority for classes of public contracts by dollar amounts. The “specified amount” in the schedule of signature authority is the dollar amount of a contract above which more formal procurement processes are required.

“Services” includes all types of services (including construction labor) other than professional services.

“Solicitation” means an invitation to one or more potential contractors to submit a bid, proposal, quote, statement of qualifications or letter of interest to the city with respect to a proposed project, procurement or other contracting opportunity. The word "solicitation" also refers to the process by which the city requests, receives and evaluates potential contractors and awards public contracts.

“Solicitation agent” means, with respect to a particular solicitation or contract, the city manager or employee delegated responsibility for conducting the solicitation and preliminarily awarding the contract.

“Solicitation documents” includes all informational materials issued by the city for a solicitation, including, but not limited to advertisements, instructions, submission requirements and schedules, award criteria, contract terms and specifications, and all laws, regulations and documents incorporated by reference.

“Surplus property” means personal property owned by the city which is no longer needed for use by the city.

“Telecommunication services” means two way switched access and transport of voice communications but does not include: (a) services provided by radio common carrier, (b) one-way transmission of television signals, (c) surveying, (d) private telecommunication networks, or (e) communications of the city which take place on the city's side of on-premises equipment.

“Utilities commission” means the utilities commission operating under the authority of section 38 of the Hillsboro Charter.

2.16.040 Relation to State and Federal Law.

A. Interpretation. To implement the purposes set out in section 2.16.020 of this code, the City of Hillsboro Public Contracting Regulations shall be interpreted to authorize the full use of all contracting powers and authorities described in the Oregon Public Contracting Code.

B. Contract Review Board. The city council is designated as the contract review board for the City of Hillsboro and any agency acting on behalf of the City including the Hillsboro Economic Development Council, except for the utilities commission. The utilities commission is designated as the contract review board for contracts within its jurisdiction. The city council and utilities commission shall exercise the authority provided to a contract review board by state law and this chapter. This includes, but is not limited to, the authority to,

1. Approve the use of contracting methods and exemptions from contracting methods for a specific contract or certain classes of contracts;
2. Exempt the use of brand name specifications for public improvement contracts;
3. Approve the partial or complete waiver of the requirement for the delivery of a performance or payment bond for construction of a public improvement other than in cases of emergencies;
4. Authorize the use of electronic advertisements for public contracts in lieu of publication in a newspaper of general circulation; and,
5. Hear properly filed appeals of the purchasing agent's determination of debarment, or concerning requalification.

C. Adoption of Model Rules. The Attorney General's Model Public Contract Rules set out in Oregon Administrative Rules, chapter 137, divisions 46, 47, 48 and 49, as currently enacted or as amended in the future, are adopted as a supplement to the City of Hillsboro Public Contracting Regulations. The Model Public Contract Rules apply to public contracts of the city except to the extent they conflict with the City of Hillsboro Public Contracting Regulations, in which case the provisions in the City of Hillsboro Public Contracting Regulations control.

D. Federal Law. Applicable federal statutes and regulations govern a public contract of the city when federal funds are involved and the federal statutes or regulations conflict with any provision of the Oregon Public Contracting Code or the City of Hillsboro Public Contracting Regulations, or require additional conditions in public contracts not authorized by the Oregon Public Contracting Code or these regulations.

2.16.050 Application of Public Contracting Regulations. The provisions of this chapter do not apply to the following types of contracts, although the purchasing agent may adopt rules concerning these types of contracts:

A. Contracts between the city and a county, a district, a public body or agency of the State of Oregon or the federal government, except for the delegation of authority under section 2.16.060.

B. Grant agreements, except for the delegation of authority under section 2.16.060.

C. Contracts for witnesses or consultants to provide services or testimony relating to existing or potential litigation in which the city is or may be interested.

D. Acquisition or disposition of real property or interests in real property.

E. Purchases from an Oregon corrections enterprises program.

F. Finance contracts.

G. Contracts for employee benefit plans as provided by state law.

H. Contracts whose primary purpose is generating revenue and are typically awarded to the offeror proposing the most advantageous or highest monetary offer to the city, or both. The council may designate a particular contract as a revenue-generating contract.

I. Energy savings performance contracts.

J. Contracts exempt from the Oregon Public Contracting Code.

2.16.060 Delegation of Authority.

A. Approval by City Manager. All public contracts of the city shall be in writing. A public contract that is entered into in a manner authorized by this chapter shall be considered to be authorized by ordinance. The city manager is authorized to approve any contract that is procured consistent with the City of Hillsboro Public Contracting Regulations as an agent of the city council and that approval shall be considered to be the order of the council and mayor.

B. Authority of Purchasing Agent.

1. The city manager shall be the purchasing agent for the city and is hereby authorized to award all city contracts for which there is an appropriation and delegation of signature authority, subject to any necessary approval or ratification by the city council and mayor. The city manager is designated to be the "contracting agency" as that term is used in the Model Rules. Subject to the provisions of this chapter, the purchasing agent may adopt and amend all rules, regulations, procedures and forms required or permitted to be adopted by contracting agencies under the Oregon Public Contracting Code or otherwise convenient for the city's contracting needs. Without limiting the generality of the foregoing, the purchasing agent shall adopt and amend public contracting rules for the award of professional services contracts and concession agreements and shall hear all solicitation and award protests.

2. When adopting public contracting rules, the purchasing agent shall establish practices and procedures that:

- (a) Do not encourage favoritism or substantially diminish competition;
- (b) Allow the city to take advantage of the cost-saving benefits of alternative contracting methods and practices;
- (c) Give preference to goods and services that have been manufactured or produced in the State of Oregon if price, fitness, availability and quality are otherwise equal;
- (d) Give preference to goods that are certified to be made from recycled products when such goods are available, can be substituted for non-recycled products without a loss in quality, and the cost of goods made from recycled products is not significantly more than the cost of goods made from non-recycled products; and
- (e) Establish purchasing practices that assure, to the maximum extent economically feasible, purchase of materials, goods and supplies that may be recycled or reused when discarded.

3. Any of the responsibilities or authority of the purchasing agent under this chapter may be delegated and sub-delegated by administrative order.

4. The city manager is further delegated the authority to execute the following types of intergovernmental agreements and other contracts:

(a) Intergovernmental agreements for allocation of existing equipment and personnel, such as mutual aid agreements or involvement in dedicated task forces, if the agreement does not significantly affect the city's ability to provide services within its own boundaries.

(b) Intergovernmental agreements implementing council policy decisions.

(c) All other Intergovernmental agreements which may incur costs to the City and have been budgeted by the City Council in accordance with the schedule of signature authority.

(d) Grant agreements that are consistent with any budget authority, including grants where the city will either donate or receive funds and grants with no expenditure of city funds. The city manager may submit applications to receive grants. The making or receiving of a grant is not a public contract subject to the Oregon Public Contracting Code; however, any grant made by the city for the purpose of constructing a public improvement or public works project shall impose conditions on the grantee that ensure that expenditures of the grant to design or construct the public improvement or public works project are made in accordance with the Oregon Public Contracting Code and the City of Hillsboro Public Contracting Regulations.

(d) Contracts under which the city receives materials or services at little or no costs, such as Americorp, Work Study or Job Corps programs.

(e) Donations of real or personal property to the city.

2.16.070 Process for Approval of Special Solicitation Methods and Exemptions.

A. Authority of Contract Review Board. In its capacity as the contract review board, and upon its own initiative or at the request of the purchasing agent, the council or utilities commission may create special selection, evaluation and award procedures for, or may exempt from competition, the award of a specific contract or class of contracts as provided in this section.

B. Basis for Approval. The approval of a special solicitation method or exemption from competition must be based upon a record created in a public hearing before the contract review board that contains substantial evidence to support findings on the approval criteria. The contract review board may consider the type, cost, amount of the contract or class of contracts, number of persons available to make offers, and any other evidence that is relevant. The approval shall be based on adopted findings addressing the following:

1. The nature of the contract or class of contracts for which the special solicitation or exemption is requested;

2. The estimated contract price or cost of the project, if relevant;

3. A determination that the method or exemption would be unlikely to encourage favoritism or diminish competition for the public contract or class of public contracts;

4. A determination that the method or exemption will result in substantial cost savings to the city or the public, or will otherwise substantially promote the public interest in a manner that could not practicably be realized by complying with the normal solicitation requirements;

5. A description of the proposed alternative contracting methods to be employed; and,

6. The estimated date by which it will be necessary to let the contract.

7. If a Public Improvement, findings as defined by the State Public Contracting Code, which includes:

(a) Operation, budget and financial data

(b) Public Benefits:

(c) Value Engineering;

(d) specialized expertise required;

(e) Public Safety;

(f) Market Conditions;

(g) Technical Complexity; and

(h) Funding Sources.

C. Public Hearing. Notice of a public hearing on a method or exemption shall be published in a newspaper of general circulation within the area where the contract will be performed. The notice shall be published at least seven days prior to the public hearing. Any interested person may testify at the public hearing.

D. Special Requirements for Public Improvement Contract. Additional notice of a public hearing on a method or exemption applicable to a public improvement contract or class of public improvement contracts shall be published in a trade newspaper of general statewide circulation at least 14 days prior to the public hearing. The notice shall state that the public hearing is for the purpose of taking comments on the contract review board's draft findings for an exemption from the competitive bidding requirement. At the time of the notice, copies of the draft findings shall be available to the public.

E. Commencement of Solicitation Prior to Approval. A solicitation may be issued prior to the approval of a special exemption under this section, provided that the closing of the solicitation may not be earlier than five days after the date of the hearing at which the contract review board approves the exemption. If the board fails to approve a requested exemption, or requires the use of a solicitation procedure other than the procedures described in the issued solicitation documents, the issued solicitation may either be modified by addendum, or canceled.

2.16.080 Methods of Soliciting Types of Public Contracts.

The city shall use the following methods of soliciting and awarding the described types of public contracts:

A. Purchases from Non-Profit Agencies. When available, the city shall purchase goods, services and public improvements from qualified nonprofit agencies for disabled individuals in accordance with the provisions of ORS 279.835 through 279.850 and rules adopted by the purchasing agent.

B. Public Improvement Contracts.

1. Except as provided herein, or when approved for a special exemption, public improvement contracts shall be procured using an invitation to bid process.

2. An invitation to bid process need not be used for certain public improvement contracts where the estimated contract price does not exceed the specified amount contained in the schedule of signature authority. When an invitation to bid process is not used for these contracts, they shall be awarded using an informal solicitation for quotes in accordance with rules adopted by the purchasing agent.

3. The city may contribute funding to a privately constructed public improvement project without subjecting the project to competitive solicitation requirements if all of the following conditions are met with respect to the entire public improvement project:

- a. The city's contribution to the project may not exceed 25% of the total cost of the project;
- b. The city must comply with all applicable laws concerning the reporting of the project to the Bureau of Labor and Industries as a public works project;
- c. The general contractor for the project must agree in writing to comply with all applicable laws concerning reporting and payment of prevailing wages for the project;
- d. The funds contributed to the project may not provide a monetary benefit to the owner of the development for which the project is being constructed, other than benefits that are shared by all members of the community;
- e. The performance of the general contractor and the payment of labor for the project must be secured by performance and payment bonds or other cash-equivalent security that is acceptable to the purchasing agent to protect the city against defective performance and claims for payment, unless the city's obligation to make a payment is conditioned upon final completion of the public improvement and proof of, or security for, payment for labor that is acceptable to the purchasing agent; and,
- f. The contract for construction of the project must require the general contractor to maintain adequate workers compensation and liability insurance and to protect and provide indemnification to the city for all claims for payment, injury or property damage arising from or related to the construction of the project.

C. Professional Services Contracts.

1. Professional services contracts in any amount may be awarded under a publicly advertised request for competitive sealed proposals.
2. Contracts for professional services for which the estimated contract price does not exceed the specified amount in the schedule of signature authority may be awarded using an informal solicitation for proposals or by direct appointment without competition from a qualified pool.
3. Professional service contracts for which the solicitation agent estimates that payments will not exceed \$20,000 in any fiscal year or the specified amount contained in the schedule of signature authority over the full term, including optional renewals, may be awarded under any method deemed in the city's best interest by the solicitation agent, including by direct appointment.
4. Professional service contracts of not more than \$75,000 or the specified amount contained in the schedule of signature authority, for the continuation of work by a contractor who performed preliminary studies, analysis or planning for the work under a prior contract, may be awarded without competition if the prior contract was awarded under a competitive process and the solicitation agent determines that use of the original contractor will significantly reduce the costs of, or risks associated with, the work.

D. Hybrid Contracts. The following classes of contracts include elements of construction of public improvements as well as professional services and may be awarded under a request for proposals process, unless exempt from competitive solicitation.

1. Contracts for the construction of public improvements using a design/build or construction manager/general contractor construction method may be awarded under a request for proposals process. The determination to construct a project using a design/build or construction manager/general contractor construction method must be approved by the purchasing agent, and be based upon evidence submitted by the solicitation agent that supports a finding that the construction of the improvement under the proposed method is likely to result in cost savings, higher quality, reduced errors, or other benefits to the city.

2. Unless the contract qualifies for award under another classification in this section, energy savings performance contracts shall be procured under a request for proposals process.

E. Contracts for Goods and Services.

1. The procurement of goods or services, or goods and services in any amount may be made under either an invitation to bid or a request for proposals process.

2. The procurement of goods or services, or goods and services, for which the estimated contract price does not exceed the amount contained in the schedule of signature authority may also be made under an informal solicitation for either quotes or proposals.

F. Contracts Subject to Award at Solicitation Agent's Discretion. Subject to rules adopted by the purchasing agent, the following classes of contracts may be awarded in any manner that the solicitation agent deems appropriate to the city's needs, including by direct appointment or purchase. Except as otherwise provided, the solicitation agent shall make a record of the method of award of these contracts.

1. Contracts for the placing of notice or advertisements in any medium.

2. Contract amendments shall not be considered to be separate contracts if made in accordance with OAR 137-047-0800 or rules adopted by the purchasing agent.

3. Contracts for the purchase of animals.

4. Contracts of any type for which the contract price does not exceed \$5,000 may be awarded and amended as provided in rules adopted by the purchasing agent.

5. Contracts for the acquisition of materials entitled to copyright, including, but not limited to, works of art and design, literature, and music, and contracts for library lending materials.

6. Contracts for equipment repair or overhauling, provided the service or parts required are unknown and the cost cannot be determined without extensive preliminary dismantling or

testing.

7. Contracts for the purchase of items for which prices or selection of suppliers are regulated by a governmental authority.

8. Insurance contracts.

9. Contracts or arrangements for the sale or other disposal of used abandoned property or other personal property not owned by the city.

10. Contracts that are being renewed in accordance with their terms are not considered to be newly issued contracts and are not subject to competitive procurement procedures.

11. Contracts for goods or services that are available from a single source may be awarded without competition as provided in rules adopted by the purchasing agent.

12. Contracts for the purchase of goods for resale to consumers.

13. Sponsorship agreements, under which the city receives a gift or donation in exchange for recognition of the donor.

14. Contracts for the disposal of structures located on city-owned property.

15. Contracts for a single period of one year or less, for the temporary extension or renewal of an expiring and non-renewable, or recently expired, contract, other than a contract for public improvements.

16. A license, permit or other contract for the temporary use of city-owned property provided that:

a. The contract results from an unsolicited proposal to the city based on the unique attributes of the proposer or the unique needs of the proposer;

b. The proposed use of the property is consistent with the city's use of the property and the public interest; and,

c. The city reserves the right to terminate the contract without penalty, in the event that the city determines that the contract is no longer consistent with the city's present or planned use of the property or the public interest.

17. A solicitation agent, for procurements up to \$20,000, and the purchasing agent, for procurements in excess of \$20,000, may contract for the purchase of used property by negotiation if such property is suitable for the city's needs and can be purchased for a lower cost than substantially similar new property. For this purpose the cost of used property shall be based upon the life-cycle cost of the property over the period for which the property will be used by the city. A record shall be made of the findings that support any purchase over \$10,000.

18. Contracts for the purchase of steam, power, heat, water, telecommunications services, and other utilities.

19. Contracts with persons responsible for implementing conditions of approval of a land use decision or limited land use decision for the carrying out of those conditions. "Land use decision" and "limited land use decision" have the meaning stated in ORS 197.015.

20. Contracts with the manufacturer for specific goods, if a large volume purchase is required and the cost from the manufacturer is the same or less than the cost the manufacturer charges to its distributors.

21. Any other contract exempted from a more formal procurement process by the Oregon Public Contracting Code or the Model Rules.

G. Contracts Required by Emergency Circumstances.

1. When the city manager determines that immediate execution of a contract is necessary because of an emergency, the city may execute the contract without competitive selection and award. The solicitation agent shall document the nature of the emergency, the method used for selection of the particular contractor and the reason why the selection method was deemed in the best interest of the city and the public.

2. A public improvement contract may only be awarded under emergency circumstances if the city council has made a written declaration of emergency under HMC 2.46.060. As provided in HMC 2.46.100, the procurement laws of the city may be suspended in order to respond to the emergency. Any public improvement contract awarded under emergency conditions must be awarded within 60 days following the declaration of an emergency unless the city council grants an extension of the emergency period. When the delay required to obtain a payment or performance bond would result in injury or substantial property damage, the purchasing agent may waive, wholly or in part, the requirement for a payment or performance bond.

H. Federal Purchasing Programs. Goods and services may be purchased without competitive procedures under a local government purchasing program administered by the federal government in accordance with rules adopted by the purchasing agent.

I. Cooperative Procurement Contracts. Cooperative procurements may be made without competitive solicitation as provided in the Oregon Public Contracting Code and under the Model Rules or other rules adopted by the purchasing agent.

J. Surplus Property. The purchasing agent shall adopt rules for the disposal of all surplus property. The rules shall be consistent with any surplus property policies adopted by the city council or the finance committee of the council. The purchasing agent's rules may include rules under which nonprofit corporations may lease or purchase structures suitable for use as residential buildings that are declared surplus property and must be removed from city-owned property. The rules shall give preferences to nonprofit corporations who will use the structure to

provide housing for persons of low income, or who are otherwise disadvantaged.

K. Concession Agreements. The purchasing agent shall adopt rules for the award of concession agreements.

2.16.090 Use of Brand Name Specifications.

A. Standards for Use of Brand Name Specifications. Specifications for contracts shall not expressly or implicitly require any product by one brand name or mark, nor the product of one particular manufacturer or seller, except for any of the following reasons:

1. It is unlikely that such exemption will encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts;
2. The specification of a product by brand name or mark, or the product of a particular manufacturer or seller, would result in substantial cost savings to the city;
3. There is only one manufacturer or seller of the product of the quality required; or,
4. Efficient utilization of existing equipment, supplies requires the acquisition of compatible equipment or supplies.

B. Authority of Purchasing Agent. The purchasing agent shall have authority to determine whether an exemption for the use of a specific brand name specification should be granted based on the standards in subsection A of this section. The purchasing agent shall record findings in support of the determination.

C. Brand Name or Equivalent. Nothing in this section prohibits the city from using a "brand name or equivalent" specification, from specifying one or more comparable products as examples of the quality, performance, functionality or other characteristics of the product needed by the city, or from establishing a qualified product list under rules adopted by the purchasing agent.

2.16.100 Bid, Performance and Payment Bonds.

A. Solicitation Agent May Require Bonds. The solicitation agent may require bid security and a good and sufficient performance and payment bond even though the contract is of a class that is exempt from the requirement under this section.

B. Bid/Proposal Security. Except as otherwise exempted, the invitation to bid or request for proposals shall require bid or proposal security for all contracts being procured for the construction of a public improvement where the estimated contract price exceeds \$50,000 or the specified amount in the schedule of signature authority.

C. Performance Bonds.

1. Except as provided in this section, all public contracts are exempt from the requirement for the furnishing of a performance bond.

2. Prior to executing a contract for more than \$50,000 or the specified amount in the schedule of signature authority, that includes the construction of a public improvement, the contractor must deliver a performance bond in an amount equal to the full contract price conditioned on the faithful performance of the contract in accordance with the plans, specifications and conditions of the contract. The performance bond must be solely for the protection of the city and any public agency that is providing funding for the project for which the contract was awarded.

3. The purchasing agent may permit the successful offeror to submit a cashier's check or certified check in lieu of all or a portion of the required performance bond.

D. Payment Bonds.

1. Except as provided in this section, all public contracts are exempt from the requirement for the furnishing of a payment bond.

2. Prior to executing a contract for more than \$50,000, or the specified amount in the schedule of signature authority, that includes the construction of a public improvement, the contractor must deliver a payment bond equal to the full contract price for the protection of claimants under ORS 279C.600.

E. Design/Build Contracts. If the public improvement contract is with a single person to provide both design and construction of a public improvement, the obligation of the performance bond for the faithful performance of the contract must also be for the preparation and completion of the design and related services covered under the contract. Notwithstanding when a cause of action, claim or demand accrues or arises, the surety is not liable after final completion of the contract, or longer if provided for in the contract, for damages of any nature, economic or otherwise and including corrective work, attributable to the design aspect of a design-build project, or for the costs of design revisions needed to implement corrective work.

F. Construction Manager/General Contractor Contracts. If the public improvement contract is with a single person to provide construction manager and general contractor services, in which a guaranteed maximum price may be established by an amendment authorizing construction period services following preconstruction period services, the contractor shall provide the required performance and payment bonds upon execution of an amendment establishing the guaranteed maximum price. The city shall also require the contractor to provide bonds equal to the value of construction services authorized by any early work amendment in advance of the guaranteed maximum price amendment. Such bonds must be provided before construction starts.

G. Surety Obligation. Each performance bond and each payment bond must be executed solely by a surety company or companies holding a certificate of authority to transact surety business in Oregon. The bonds may not constitute the surety obligation of an individual or individuals. The performance and payment bonds must be payable to the city or to the public agency or agencies for whose benefit the bond is issued, as specified in the solicitation documents, and shall be in a

form approved by the purchasing agent.

H. Emergencies. In cases of emergency declaration under HMC 2.46.060, or when the purchasing agent finds that the interest or property of the city may suffer material injury by delay or other cause, the requirement of furnishing a performance bond or payment bond may be waived

2.16.110 Electronic Advertisement of Public Contracts.

In lieu of publication in a newspaper of general circulation in the city, the advertisement for an invitation to bid or request for proposals for a contract may be published electronically by posting on the website of the city or another governmental entity, provided that the following conditions are met:

A. The placement of the advertisement is on a location within the website that is maintained on a regular basis for the posting of information concerning solicitations for projects of the type for which the invitation to bid or request for proposals is issued; and

B. The solicitation agent determines that the use of electronic publication will be at least as effective in encouraging meaningful competition as publication in a newspaper of general circulation in the city and will provide costs savings for the city, or that the use of electronic publication will be more effective in encouraging meaningful competition.

2.16.120 Appeal of Debarment or Prequalification Decision.

A. Right to Hearing. Any person who has been debarred from competing for city contracts or for whom prequalification has been denied, revoked or revised may appeal the city's decision to the appropriate contract review board as provided in this section.

B. Filing of Appeal. A written notice of appeal must be filed with the city recorder within three business days after the person's receipt of the notice of the determination of debarment, or denial of prequalification.

C. Notification of Contract Review Board. Immediately upon receipt of such notice of appeal, the city recorder shall notify the contract review board of the appeal. The city recorder shall set the time and place for the appeal hearing.

D. Hearing. The procedure for appeal from a debarment or denial, revocation or revision of prequalification shall be as follows:

1. Promptly upon receipt of notice of appeal, the city shall notify the appellant of the time and place of the hearing;

2. The contract review board shall conduct the hearing and decide the appeal within 30 days after receiving notice of the appeal from the city recorder; and

3. At the hearing, the contract review board shall consider de novo the notice of debarment, or the notice of denial, revocation or revision of prequalification, the standards of responsibility upon which the decision on prequalification was based, or the reasons listed for debarment, and any evidence provided by the parties. The standards of responsibility are defined in the Oregon Public Contracting Code and also in the rules adopted by the purchasing agent.

E. Decision. The contract review board shall set forth in writing the reasons for the decision.

F. Costs. The contract review board may allocate the costs for the hearing between the appellant and the city. The costs may include the staffing costs for the hearing and other incurred costs. The allocation shall be based upon facts found by the contract review board and stated in the board's decision that warrant the allocation of costs. If the city council does not allocate costs, the costs shall be paid by the appellant, if the decision is upheld, or by the city, if the decision is overturned.

G. Judicial Review. The decision of the city review board may be reviewed only upon a petition in the circuit court of Washington County filed within 15 days after the date of the decision of the contract review board.

Section 2. The findings attached as Exhibit A hereto are adopted in support of this ordinance.

Section 3. The City of Hillsboro Public Contracting Rules attached as Exhibit B are adopted. The rules and the provisions of this ordinance apply to all contracts of the city, including any contract made by the utilities commission. The purchasing agent is authorized to amend or revise those rules under the procedures set out in HMC 2.04.080.

Section 4. The City Recorder, at the request of, or with the concurrence of the City Attorney, is authorized to administratively correct any reference errors contained herein or in other provisions of the Hillsboro Municipal Code, to the provisions added, amended or repealed herein and to correct errors in the administrative rules that are attached to this ordinance. Any administrative change should not affect the substance of the provision. Changes may include corrections to the numbering of the policies, rearrangement of sections, changes or updates to references, changes of capitalization and punctuation for purposes of uniformity, and correction of manifest clerical or typographical errors.

Section 5. If any section, subsection, or portion of this ordinance is, for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, that portion shall be deemed a separate, distinct and independent provision, and the court's holding shall not affect the validity of the remaining portions of this ordinance.

Section 6. Emergency Clause. This Ordinance being necessary to assure continued internal operation of the City government which will contribute to the preservation of the peace, health and safety of the City of Hillsboro and its citizens, an emergency is hereby declared to exist and this Ordinance shall become effective, upon passage by the City Council and approval by the Mayor.

Section 7. Repealing Clause. Ordinance number 5636 is hereby repealed.

Passed by the Council this ____ day of _____, 2008.

Approved by the Mayor this ____ day of _____, 2008.

Mayor

ATTEST: _____
City Recorder

EXHIBIT "A" TO ORDINANCE NO. ___

**FINDINGS IN SUPPORT OF ORDINANCE NO. ___
ADOPTING PUBLIC CONTRACTING CODE PROVISIONS**

ORS 279B.085 and 279C.335 authorize the Contract Review Board, upon adoption of appropriate findings, to exempt from competition or to establish special selection, evaluation and award procedures for certain classes of contracts.

Pursuant to that authority and after a public hearing, the City Council, acting as the Contract Review Board is adopting Ordinance No. _____, which establishes classes of contracts and the solicitation methods for their award, together with the following specific findings in support thereof, or a determination that no findings are required.

No Findings Required:

The Contract Review Board is not required to adopt findings with respect to the solicitation methods and awards of the classes of contracts set forth in the following provisions of the City of Hillsboro Public Contracting Regulations because these provisions are a restatement of state law or require no supportive findings. The references are to the proposed code provisions and the proposed Public Contracting Rules ("PCR"):

HMC 2.16.080A/PCR 6	Purchases from Nonprofit Agencies for Disabled Individuals
HMC 2.16.080B(1)	Any public improvement
HMC 2.16.080C/PCR 3	Professional Services Contracts
HMC 2.16.080E	Contracts for Goods and Services
HMC 2.16.080F(2)	Contract Amendments
HMC 2.16.080F(4)/PCR 11	Contracts up to \$5,000.
HMC 2.16.080F(8)	Insurance
HMC 2.16.080F(10)	Renewals
HMC 2.16.080F(19)	Land Use Conditions
HMC 2.16.080F(21)	State Exemptions
HMC 2.16.080G	Contracts Required by Emergency Circumstances
HMC 2.16.080H/PCR 5	Federal Purchasing Programs
HMC 2.16.080I	Cooperative Procurement Contracts

Specific Findings for Public Improvement Exemptions

The City Council, acting as the Contract Review Board, approves the specific findings for the exemptions for each class of public contracts established in the provisions described below and also finds that the establishment of each class of contracts and the methods approved for their award:

1. Are unlikely to encourage favoritism in the awarding of public improvements contracts or substantially diminish competition for public improvement contracts; and
2. The awarding of public improvement contracts under each exemption will result in substantial cost savings to the City.

HMC 2.16.080B(2) – Non-transportation public improvements up to \$75,000, transportation public improvements up to \$50,000.

Alternate Award Process. The informal solicitation procedure for this class of contracts requires the solicitation agent to obtain at least three written price quotes. Contracts will be awarded based on price.

Cost Savings and Other Benefits. The informal solicitation process provides the following benefits:

1. Reduction in staff time.
2. Reduced bidding expenditure.
3. Elimination of bid bond requirement and small cost of quote preparation as compared to bid preparation will result in lower quotes.
4. Flexibility in timing of solicitations will allow solicitation to be made during construction season when projects can be used as fill-in projects for otherwise busy contractors. This should result in lower pricing from contractors.

Effect on Competition. Requires competition by award based on price. The size of the job makes it unlikely that contractors from outside the local area would submit bids if the job was advertised.

No Favoritism. Award to lowest of three or more quotes, prevents selection based on favoritism. Willingness of any particular contractor to submit a quote will depend on the contractor's schedule at the time of the solicitation. It is unlikely that the same contractor will be able to submit a quote for every solicitation. The ability of the City to obtain quotes for projects with short lead

times will depend on the schedules of contractors and therefore the city will not be able to obtain quotes from the same contractors over and over again.

Other Factors. Section 132 of Chapter 794, Oregon Laws, 2003 created this class of contracts as a special award class under the Oregon Public Contracting Code; however, the class expires on June 30, 2009. By adopting this classification as a contract review board exemption, the statutory classification will be protected from automatic repeal.

HMC 2.16.080B(3) – City funded privately-constructed public improvements.

Alternate Award Process. Not applicable. City does not award contract.

Cost Savings and Other Benefits.

1. No mobilization cost.
2. Reduced engineering and design costs – ties into existing project.
3. No solicitation expense.
4. Allows city to take advantage of private funding and development activities to enhance public infrastructure.

Effect on Competition. None. The contract is awarded by private business owner who has personal motivation to minimize cost of improvements.

No Favoritism. City does not select general contractor. General contractor is selected by developer.

Other Factors. Initiated by private entities rather than City. City responds to opportunity.

HMC 2.16.080D(1) -- Hybrid Contracts – Design/Build and CM/GC contracts.

Alternate Award Process. Requires the use of formal, advertised request for proposals.

Cost Savings and Other Benefits. Award of Design/Build or CM/GC contract to the lowest bidder under an invitation to bid would dramatically increase the risk of unsuccessful projects, waste and improper expenditure of public funds. Use of the RFP process is necessary to allow staff to evaluate the unique qualifications of the Design/Build team which will include professional service providers as well as construction experts. In the case of CM/GC contracts, the construction manager must provide design advice and the experience, management skills and efficiency of the construction manager are essential qualities that cannot be evaluated on a price basis.

Effect on Competition. Requires complete and open competition to the same pool of potential contractors that would be qualified to respond to an invitation to bid.

No Favoritism. Requires complete and open competition to the same pool of potential contractors that would be qualified to respond to an invitation to bid.

Other Factors. The City has never awarded a Design/Build or CM/GC contract under an invitation to bid. The Board is not aware of any other state or federal agency that awards design/build or CM/GC contracts under an invitation to bid.

HMC 2.16.080D(2) – Hybrid Contracts – Energy savings performance contracts.

Alternate Award Process. Requires the use of formal, advertised request for proposals.

Cost Savings and Other Benefits. Energy savings performance contracts will include scientific analysis, engineering and design services, cost-benefit analysis, construction services and subsequent scientific testing and monitoring services. Energy savings performance projects may be phased in over several years. Award of an energy savings performance contract to the lowest bidder under an invitation to bid would impair the City's ability to evaluate the skill, experience and educational qualifications of the contractor's team and dramatically increase the risk of unsuccessful projects, waste and improper expenditure of public funds.

Effect on Competition. Requires complete and open competition to the same pool of potential contractors that would be qualified to respond to an invitation to bid.

No Favoritism. Requires complete and open competition to the same pool of potential contractors that would be qualified to respond to an invitation to bid.

Other Factors. The model rules adopted by the Attorney General for this class of contracts require evaluation under a request for proposals due to the heavy scientific analysis and design requirements for this class of contracts.

Specific Finding for Special Classes and Methods of Award for Contracts Other than Public Improvements.

The City Council approves the specific findings for the establishment of special solicitation methods for the classes of public contracts described below and also finds that the establishment of each class of contracts and the methods approved for their award:

1. Are unlikely to encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts; and
2. The awarding of public contracts under the exemption will result in substantial cost savings to the city.

HMC 2.16.080F(1) – Contracts Subject to Award at Purchasing Agent’s Discretion (Advertising).

Alternate Award Process. Solicitation agent’s discretion. The process selected may be competitive or non-competitive.

Cost Savings and Other Benefits. Size of and frequency of average advertisement (including all notices required to be published by City) does not justify the cost of solicitation. Period of time from recognition of need to advertise until advertising date is too short to issue solicitation.

Effect on Competition. The potential market is limited because not all advertisers work in every market. Choice of advertising medium is somewhat price sensitive, but primarily driven by location and size of circulation compared to City’s target audience.

No Favoritism. Not applicable due to the lack of competitors and specialized contracting needs.

Other Factors. This exemption is in the City’s best interest.

HMC 2.16.080F(3) - Contracts Subject to Award at Purchasing Agent’s Discretion (Animals).

Alternate Award Process. Solicitation agent’s discretion.

Cost Savings and Other Benefits. Each animal is unique. An officer’s life may depend on the inherent personality traits as well as training of the animal. Price is not the most important factor.

Effect on Competition. The extremely personal nature of the relationship between the animals and staff assure that animals will be carefully evaluated for the City’s needs.

No Favoritism. Not applicable due to the lack of competitors and specialized contracting needs.

Other Factors. This exemption is in the City’s best interest.

HMC 2.16.080F(5) – Contracts Subject to Award at Purchasing Agent’s Discretion (Copyrighted and Library Materials).

Alternate Award Process. Solicitation agent’s discretion.

Cost Savings and Other Benefits. Necessary to allow City to acquire special needs products that are unique.

Effect on Competition. None. There is no competitive market for a unique product. Library products are generally acquired from a sole source copyright holder or as used property or by donation.

No Favoritism. Not applicable due to the lack of competitors and specialized contracting needs.

Other Factors. This exemption is in the City’s best interest.

HMC 2.16.080F(6) – Contracts Subject to Award at Purchasing Agent’s Discretion (Equipment Repair).

Alternate Award Process. Solicitation agent’s discretion.

Cost Savings and Other Benefits.

1. Pre-contract pricing is impossible.
2. Solicitation agent has discretion to decide whether costs of solicitation are justified in relationship to size of contract and availability of skilled technicians to repair the specific equipment.
3. Delay required for solicitation would impair city’s ability to respond to equipment breakdown and be injurious to the public interest.
4. Experience with contractor is crucial because reliability over the course of several projects is important.

Effect on Competition. Allows contractor to be selected based on ability to provide accurate, reliable and fast service.

Effect on Favoritism. Favoritism will not be greater than if statutory request for proposals process is used.

Other Factors. This exemption is in the City’s best interest.

HMC 2.16.080F(7) – Contracts Subject to Award at Purchasing Agent’s Discretion (Government Regulated Items).

Alternate Award Process. Solicitation agent's discretion.

Cost Savings and Other Benefits. Expense of solicitation would be wasted.

Effect on Competition. No competitive market exists.

Effect on Favoritism. None. Choice is limited by governmental authority.

Other Factors. This exemption is in the best interest of the City.

HMC 2.16.080F(8) – Contracts Subject to Award at Purchasing Agent's Discretion (Insurance Contracts)

Alternative Award Process. Solicitation agent's discretion. Use of insurance agent.

Cost Savings and Other Benefits. Insurance contracts are subject to negotiation and the difference in terms makes price comparisons inexact.

Effect on Competition. Limited market for government liability insurance.

Effect on Favoritism. None.

Other Factors. This exemption is in the best interest of the City.

HMC 2.16.080F(9) – Contracts Subject to Award at Purchasing Agent's Discretion (Non-owned Property).

Alternate Award Process. Other state laws govern disposal process in most cases.

Cost Savings and Other Benefits. Solicitation would be unnecessary expense.

Effect on Competition. None.

Effect on Favoritism. None

Other Factors. This exemption is in the best interest of the City.

HMC 2.16.080F(11)/PCR 10 – Contracts Subject to Award at Purchasing Agent's Discretion (Sole Source Contracts).

Alternate Award Process. Solicitation agent's discretion.

Cost Savings and Other Benefits. Avoids unnecessary expenditure.

Effect on Competition. No competitive market exists.

Effect on Favoritism. Not applicable where there is only one source.

Other Factors. This exemption is in the City's best interest.

HMC 2.16.080F(12) – Contracts Subject to Award at Purchasing Agent's Discretion (Specialty Goods for Resale).

Alternate Award Process. Solicitation agent's discretion.

Cost Savings and Other Benefits. Allows unique goods to be purchased for City operated specialty concessions. Generates revenues that would not be available using standard competitive processes that are successful when goods are fungible.

Effect on Competition. Enhances competition by stimulating development of unique goods.

No Favoritism. Too much variation in selection to allow favoritism.

Other Factors. It is intended to allow a buyer for a City-operated souvenir or gift shop (e.g., Cultural Center or library or Jackson Bottom other consumer-oriented enterprise) to make purchases of items for resale based on highly subjective decisions. Product innovation, fashion trends and spot-market availability, such as trade-show purchasing, is crucial to the success of resale operation.

HMC 2.16.080F(13) – Contracts Subject to Award at Purchasing Agent's Discretion (Sponsorship Agreements).

Alternate Award Process. Solicitation agent's discretion.

Cost Savings and Other Benefits. This exemption allows the city to respond to unsolicited proposals for revenue opportunities that would otherwise be unknown or unavailable.

Effect on Competition.

1. Mandatory open competition likely to discourage creative proposals from sponsors.
2. Sponsorship often results from the match between a unique attribute of a city event or asset and unique characteristics of the sponsor for which no competitive market exists.

Effect on Favoritism. Minimal.

HMC 2.16.080F(14) – Contracts Subject to Award at Purchasing Agent’s Discretion (Structures).

Alternate Award Process. Solicitation agent’s discretion.

Cost Savings and Other Benefits.

1. Cost of demolition of structure often exceeds value of structure.
2. Destruction is often least costly method of disposal.
3. Fast removal of structure often required to prepare site for public improvement project. Time required to conduct solicitation could result in costly delays in public improvement project.
4. Most efficient method of disposal may be incorporation of demolition into public improvement project.
5. Allowing solicitation agent discretion to solicit sale or removal necessary to avoid unnecessary solicitation expenditures and project delays.

Effect on Competition. Competitive market may not exist.

Effect on Favoritism. Unique, non-repetitive nature of transaction does not provide framework for favoritism.

Other Factors. This exemption is in the best interest of the City.

HMC 2.16.080F(15) – Contracts Subject to Award at Purchasing Agent’s Discretion (Temporary Extensions or Renewals).

Alternate Award Process. No selection because extension of existing contract.

Cost Savings and Other Benefits. Gives staff time to prepare for competitive solicitation when existing contracts expire without notice by staff. Deals with administrative errors. Protects the public interest against employee error.

Effect on Competition. Delays competition by not more than one year.

Effect on Favoritism. No impact. At expiration of temporary period, standard competitive procedure will apply.

HMC 2.16.080F(16) – Contracts Subject to Award at Purchasing Agent’s Discretion (Temporary Use of City-Owned Property).

Alternate Award Process. Solicitation agent’s discretion.

Cost Savings and Other Benefits. Allows City to respond to unsolicited proposals for unique revenue opportunities.

Effect on Competition. None. No competitive market..

Effect on Favoritism. No impact. Responds to unique opportunities.

HMC 2.16.080F(17) – Contracts Subject to Award at Purchasing Agent’s Discretion (Used Property).

Alternate Award Process. Renewal. No selection.

Cost Savings and Other Benefits. Allows city to take advantage of unique opportunity to require needed good and services for discounted prices.

Effect on Competition. No impact. Responds to unique opportunities.

Effect on Favoritism. No impact. Responds to unique opportunities.

HMC 2.16.080F(18) – Contracts Subject to Award at Purchasing Agent’s Discretion (Utilities).

Alternate Award Process. Solicitation agent’s discretion.

Cost Savings and Other Benefits. Avoids unnecessary solicitation costs.

Effect on Competition. No impact. Very narrow market. Subject to governmental and price regulation.

Effect on Favoritism. No impact. Very narrow market.

HMC 2.16.080F(20) – Contracts Subject to Award at Purchasing Agent’s Discretion (Purchase at Wholesale).

Alternative Award Process. Solicitation agent’s discretion.

Cost Savings and Other Benefits. This exemption allows the City to purchase goods at wholesale directly from a manufacturer if the goods can be obtained at wholesale prices. Allows City to take advantage of unique opportunities.

Effect on Competition. Very little impact since direct purchase is unusual and little competition.

Effect on Favoritism. No impact. Responds to unique opportunities.

HMC 2.16.080K and PCR 4 – Concession Agreements.

Alternate Award Process. Purchasing agent to adopt rules for award, as in the case of professional service contracts.

Cost Savings and Other Benefits. Allows city to take advantage of unique revenue opportunities.

Effect on Competition. Responds to unique opportunities for which the number of competitors may range from none to many.

Effect on Favoritism. No impact. Responds to unique opportunities.

Other Factors. Not a contract for the acquisition or disposal of good, or services or public improvements. Most similar to professional services contract because the quality of the concession may be more important than price factors. Variation in types and sizes of concession opportunities is too great to provide a single method of solicitation. Statutory public contracting requirements may not apply. May not be a public contract. Most similar to professional services contract. Findings may not be required.

EXHIBIT "B" TO ORDINANCE NO. _____

**PUBLIC CONTRACTING RULES
CITY OF HILLSBORO CITY MANAGER**

1. Title.

These rules are the Public Contracting Rules of the City of Hillsboro. Each rule may be cited or referenced as "PCR."

2. Definitions.

As used in these rules, the following words and phrases have the meanings given in this section. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number and words in the singular number include the plural number. The words "shall" and "will" are mandatory and "may" is permissive. Words that are not defined in this section shall have the meaning set forth in the Oregon Public Contracting Code. If not defined there, the words shall be given their common and ordinary meaning.

"Award" means the selection of a person to provide goods, services or public improvements under a public contract. The award of a public contract is not binding on the City until the contract is executed, delivered to the City and ratified by the mayor and attested by the city recorder.

"Bid" means a binding, sealed written offer to provide goods, services or public improvements for a specified price or prices.

"City" means the City of Hillsboro, Hillsboro Economic Development Council and any of its boards, commissions and agencies.

"Concession agreement" means a contract that authorizes and requires a private entity or individual to promote or sell, for its own business purposes, specified types of goods or services from real property owned or managed by the City, and under which the concessionaire makes payments to the City based, at least in part, on the concessionaire's revenues or sales. The term "concession agreement" does not include a mere rental agreement, license or lease for the use of premises.

"Contract price" means the total amount paid or to be paid under a contract, including any approved alternates, and any fully executed change orders or amendments.

"Contract review board" means the city council, Hillsboro Economic Development Council or the utilities commissions for contracts made under its authority.

"Cooperative procurement" means a procurement conducted by or on behalf of more than one

contracting agency.

“Debarment” means a declaration by the purchasing agent under ORS 279B.130 or ORS 279C.440 that prohibits a potential contractor from competing for the City's public contracts for a prescribed period of time.

“Disposal” means any arrangement for the transfer of property by the City under which the City relinquishes ownership.

“Emergency” means circumstances that create a substantial risk of loss, damage or interruption of services or a substantial threat to property, public health, welfare or safety; and require prompt execution of a contract to remedy the condition.

“Energy savings performance contract” means a contract with a qualified energy service company for the identification, evaluation, recommendation, design and construction of energy conservation measures that guarantee energy savings or performance.

“Finance contracts” means contracts or other documents entered into, issued or established in connection with: the incurring of debt by the City, including any associated contracts, agreements or other documents, regardless of whether the obligations that the contracts, agreements or other documents establish are general, special or limited; the making of program loans and similar extensions or advances of funds, aid or assistance by the City to a person for the purpose of carrying out, promoting or sustaining activities or programs authorized by law other than for the construction of public works or public improvements; the investment of funds by the City as authorized by law, or banking, money management or other predominantly financial transactions of the City that, by their character, cannot practically be established under the competitive contractor selection procedures, based upon the findings of the purchasing agent.

“Findings” mean the statements of fact that provide justification for a determination. Findings may include, but are not limited to, information regarding operation, budget and financial data; public benefits; cost savings; competition in public contracts; quality and aesthetic considerations, value engineering; specialized expertise needed; public safety; market conditions; technical complexity; availability, performance and funding sources.

“Goods and services” or “goods or services” mean supplies, equipment, materials and services other than professional services and any personal property including any tangible, intangible and intellectual property and rights and licenses in relation thereto, that the City is authorized by law to procure. “Goods and services” or “goods or services” include combinations of any of the items identified in this definition.

“Grant” or “grant agreement” means an agreement under which the City is either a grantee or a grantor of moneys, property or other assistance, including loans, loan guarantees, credit enhancements, gifts, bequests, commodities or other assets, for the purpose of supporting or stimulating a program or activity of the grantee and in which no substantial involvement by the grantor is anticipated in the program or activity other than involvement associated with monitoring compliance with the grant conditions.

“GSA” means the United States General Services Administration or its successor.

“Hillsboro Economic Development Council” means the Hillsboro Economic Development Council operating under the authority of ORS 457.010, ORS 457.020 and Ordinance No. 3829.

“Informal solicitation” means a solicitation made in accordance with rules adopted by the purchasing agent to a limited number of potential contractors, in which the solicitation agent attempts to obtain at least three quotes or proposals.

“Invitation to bid” means a publicly advertised request for competitive sealed bids.

“Model Rules” means the rules adopted by the Attorney General pursuant to ORS 279A.065.

“Offeror” means a person who submits a bid, quote or proposal to enter into a public contract with the City.

“Oregon Public Contracting Code” means ORS chapters 279A, 279B and 279C.

“Person” means a natural person or any other private or governmental entity, having the legal capacity to enter into a binding contract.

“Proposal” means a binding offer to provide goods, services or public improvements with the understanding that acceptance will depend on the evaluation of factors other than, or in addition to price. A proposal may be made in response to a request for proposals or under an informal solicitation.

“Personal services contract” means a contract with an independent contractor predominantly for services that require special training or certification, skill, technical, creative, professional or communication skills or talents, unique and specialized knowledge, or the exercise of judgment skills, and for which the quality of the service depends on attributes that are unique to the service provider. Such services include, but are not limited to the services of architects, engineers, land surveyors, attorneys, auditors and other licensed professionals, artists, designers, computer programmers, performers, consultants and property managers. The purchasing agent shall have discretion to determine whether additional types of services not specifically mentioned in this paragraph fit within the definition of personal services.

“Professional Services Contract” means a Personal Services Contract as defined above and as provided for in the Oregon Public Contracting Code.

“Public contract” means a sale or other disposal, or a purchase, lease, rental or other acquisition by the City of personal property, services, including professional services, public improvements, public works, minor alterations, or ordinary repair or maintenance necessary to preserve a public improvement.

“Public improvement” means a project for construction, reconstruction or major renovation on

real property by or for the City. "Public improvement" does not include projects for which no funds of the City are directly or indirectly used, except for participation that is incidental or related primarily to project design or inspection, or emergency work, minor alteration, ordinary repair or maintenance necessary to preserve a public improvement.

"Purchasing agent" or "city manager" means the city manager or a designee appointed by the city manager to exercise the authority of the purchasing agent under the City of Hillsboro Public Contracting Regulations.

"Quote" means a price offer made in response to an informal or qualified pool solicitation to provide goods, services or public improvements.

"Request for proposals" means a publicly advertised request for sealed competitive proposals.

"Schedule of signature authority means a schedule adopted as part of the Public Contracting Rules for the City of Hillsboro that sets out the procurement method and execution authority for classes of public contracts by dollar amounts. The "specified amount" in the schedule of signature authority is the dollar amount of a contract above which more formal procurement processes are required.

"Services" includes all types of services (including construction labor) other than professional services.

"Solicitation" means an invitation to one or more potential contractors to submit a bid, proposal, quote, statement of qualifications or letter of interest to the City with respect to a proposed project, procurement or other contracting opportunity. The word "solicitation" also refers to the process by which the City requests, receives and evaluates potential contractors and awards public contracts.

"Solicitation agent" means, with respect to a particular solicitation or contract, the city manager or employee delegated responsibility for conducting the solicitation and preliminarily awarding the contract.

"Solicitation documents" includes all informational materials issued by the City for a solicitation, including, but not limited to advertisements, instructions, submission requirements and schedules, award criteria, contract terms and specifications, and all laws, regulations and documents incorporated by reference.

"Special procurement" has the meaning provided in ORS 279B.085 and HMC 2.16.070.

"Surplus property" means personal property owned by the City which is no longer needed for use by the City.

"Telecommunication services" means two way switched access and transport of voice communications but does not include: (a) services provided by radio common carrier, (b) one-

way transmission of television signals, (c) surveying, (d) private telecommunication networks, or (e) communications of the City which take place on the City's side of on-premises equipment.

3. Professional Service Contracts.

3.1. The following contracts are professional service contracts:

3.1.1. Contracts for services performed as an independent contractor in a professional capacity, including but not limited to, the services of an accountant, attorney, architectural or land use planning consultant, physician or dentist, registered professional engineer, appraiser or surveyor, passenger aircraft pilot, aerial photographer, timber cruiser, information services consultant or broadcaster;

3.1.2. Contracts for services as an artist in the performing or fine arts, including but not limited to, persons identified as photographer, filmmaker, painter, weaver or sculptor;

3.1.3. Contracts for services of a specialized, creative and research-oriented, noncommercial nature;

3.1.4. Contracts for services as a consultant; and

3.1.5. Contracts for educational and human custodial care services.

3.2. The following contracts are not professional service contracts:

3.2.1. Contracts, even though in a professional capacity, if predominately for a product, e.g., a contract with a landscape architect to design a garden is for professional services, but a contract to design and supply all the shrubs and trees, is predominately for a tangible product;

3.2.2. A service contract to supply labor which is of a type that can generally be done by any competent worker, e.g., janitorial, security guard, laundry and landscape maintenance service contracts; and

3.2.3. Contracts for a trade-related activity, even though a specific license is required to engage in the activity. Examples are repair and/or maintenance of all types of equipment or structures.

3.3. The following services may be procured by the City without a competitive process:

3.3.1. Contracts for employee benefit insurance;

3.3.2. Contracts for legal services;

- 3.3.3. Contracts in which the rates for the services being purchased are established by federal, state, county or other local regulatory authority, and either all eligible contractors (e.g. all licensed facilities in the City) are awarded funds, or an alternate process for soliciting and approving qualified contractors is approved in advance by the purchasing agent;
- 3.3.4. Contracts for which a non-City funding source, e.g. grant, federal or state, identifies the contractor or contractors;
- 3.3.5. Escalation clauses providing cost of living increases over the term of the contract are excluded from the limitations of PCR 3.4 and 3.5, if the escalation was part of the original RFP/Waiver and Contract;
- 3.3.6. Cost of living and/or blanket funding increases received from the State of Oregon for client services that exceed the limitations of PCR 3.4 and 3.5 are exempt from further competitive process;
- 3.3.7. Contracts for the purpose of the investment of public funds or the borrowing of funds by the City when such investment or borrowing of funds is contracted pursuant to duly enacted statute, ordinance, charter, or constitution, or other finance contracts;
- 3.3.8. Multi-year contracts for professional services that do not exceed a five (5) year term on a project specific basis, if:
 - 3.3.8.1. The professional service is in support of an on-going multi-year capital construction program, including but not limited to road construction and reconstruction;
 - 3.3.8.2. Proposals are solicited and contractor selection is conducted in a manner similar to the request for proposals process. The solicitation document shall indicate the maximum number of multi-year contracts to be awarded for each professional service category, the ranking criteria for contractor selection and describe the process and criteria for project specific selections; and
 - 3.3.8.3. The project specific selection process requires consideration of factors that promote efficient use of public resources and do not discourage competition, such as experience in the specific fields or technology relevant to the project; the magnitude and complexity of the services anticipated to be needed for the specific project; access to the specific skills and equipment required; familiarity with the project; availability and ranking in the initial selection process. The rationale for each project specific selection shall be documented;
- 3.3.9. Hospitalization, medical and dental services;
- 3.3.10. Software maintenance services; and

3.3.11. Professional service contracts with other public agencies and federal agencies.

3.4. Except as otherwise provided by rule or by a waiver, professional service contracts anticipated to exceed the specified amount in the schedule of signature authority shall be awarded pursuant to the request for proposal process.

3.5. For professional service contracts to a single vendor or to multiple vendors providing similar services, anticipated not to exceed the specified amount in the schedule of signature authority, the informal quote method to evaluate alternative proposers shall be used when practicable. The purchasing agent may award a professional service contract for less than the specified amount in the schedule of signature authority by direct appointment without competition from a qualified pool as established under PCR 9.

3.6. Professional service contracts for which the solicitation agent estimates that payments will not exceed \$20,000 in any fiscal year or more than the specified amount in the schedule of signature authority over the full term, including optional renewals, may be awarded under any method deemed in the City's best interest by the solicitation agent, including by direct appointment.

3.7. Professional service contracts of not more than \$75,000 or the specified amount in the schedule of signature authority, by a contractor who performed preliminary studies, analysis or planning for the work under a prior contract, may be awarded without competition if the prior contract was awarded under a competitive process and the solicitation agent determines that use of the original contractor will significantly reduce the costs of, or risks associated with, the work.

3.8. In considering the evaluation and selection of a professional services contractor, the purchasing agent may consider the following criteria:

- 3.8.1. Specialized experience in the type of work to be performed.
- 3.8.2. Capacity and capability to perform the work, including any specialized services within the time limitations for the work.
- 3.8.3. Educational and professional record, including past record of performance on contracts with governmental agencies and private parties with respect to cost control, quality of work, ability to meet schedules, and contract administration, where applicable.
- 3.8.4. Availability to perform the assignment and familiarity with the area in which the specific work is located, including knowledge of design or techniques peculiar to it, where applicable.
- 3.8.5. Any other factors relevant to the particular contract.

3.9. The purchasing agent or council may waive the request for proposal process for a particular professional service, or a category of professional services. The request and granting of the waiver shall address the following criteria:

3.9.1. The nature of the contract;

3.9.2. The estimated cost;

3.9.3. A narrative description of the basis for the waiver and the reasons a RFP process would be inappropriate; and

3.9.4. A statement of the alternative selection process that will be used, if any.

3.10. Professional service contracts may be amended to increase the contract amount up to twenty five percent (25%) over the original professional service contract amount or that results in a total contract amount of less than specified amount in the schedule of signature authority, without a new request for proposal process, provided that the increase must be for substantially the same type of work described in the original request for proposal. If the original professional service contract allowed for increase in units of service at a set fee, an amendment to that professional service contracts is not subject to the percentage increase limitation. Any amendment that increases the contract amount by more than twenty five percent (25%) or results in a total contract amount that exceeds the specified amount in the schedule of signature authority, requires a formal competitive request for proposal process or waiver granted by the purchasing agent or contract review board.

3.11. Professional service contracts shall have a maximum contract period of five (5) years, unless otherwise specified in state or federal program regulations, or the five (5) year limitation is specifically waived by the purchasing agent.

3.12. The purchasing agent shall advertise each specific request for proposal at least once in a newspaper of general circulation in the City or appropriate trade journal. The last advertisement shall appear at least five (5) days before the due date for proposals.

4. Concession Agreements.

4.1. No part of a concession agreement shall contain or constitute a waiver of any generally applicable rules, code provisions or requirements of the City concerning regulation, registration, licensing, inspection, or permit requirements for any construction, rental or business activity.

4.2. The following concession agreements may be awarded by any method deemed appropriate by the solicitation agent, including without limitation, by direct appointment, private negotiation, from a qualified pool, or using a competitive process.

4.2.1. Contracts under which the solicitation agent estimates that receipts by the City will not exceed \$5,000 in any fiscal year and \$50,000 in the aggregate.

4.2.2. Concessions to sell or promote food, beverages, merchandise or services at a single public event shall be awarded based on any method determined by the purchasing agent to provide a fair opportunity to all persons desiring to operate a concession, but in which the promotion of the public interest and success of the event shall be of predominant importance.

4.3. Concession agreements solicited by the City for the use of designated public premises for a term greater than a single event shall be awarded as follows:

4.3.1. For concession agreements for which the concessionaire's projected annual gross revenues are estimated to be \$500,000 or less, the purchasing agent has discretion to use either an informal solicitation or formal request for proposals process applicable to contracts for professional services. If the proposals received indicate a probability that the concessionaire's annual gross revenues will exceed \$500,000, the purchasing agent may, but shall not be required to, reissue the solicitation as a request for proposals.

4.3.2. Concession agreements for which the concessionaire's projected annual gross revenues under the contract are estimated to exceed \$500,000 annually shall be awarded using a request for proposal process.

5. Federal Purchasing Programs.

5.1. Goods and services may be purchased without competitive procedures under a local government purchasing program administered by the United States General Services Administration as provided in this rule.

5.2. The procurement must be made in accordance with procedures established by GSA for procurements by local governments, and under purchase orders or contracts submitted to and approved by the purchasing agent. The solicitation agent shall provide the purchasing agent with a copy of the letter, memorandum or other documentation from GSA establishing permission to the City to purchase under the federal program.

5.3. The price of the goods or services must be established under price agreements between the federally approved vendor and GSA.

5.4. The price of the goods or services must be less than the price at which such goods or services are available under state or local cooperative purchasing programs that are available to the City.

5.5. If a single purchase of goods or services exceeds the upper limit for formal bids, the solicitation agent must obtain informal written quotes or proposals from at least two additional vendors (if reasonably available) and find, in writing, that the goods or services offered by GSA represent the best value for the City. This paragraph does not apply to the purchase of equipment manufactured or sold solely for military or law enforcement purposes.

6. Qualified Rehabilitation Facilities.

6.1. As used in PCR 6,

- 6.1.1. "Price" means the cost to the City of the products and services under contracts procured under the program created by ORS 279.835 to 279.850 as determined by this rule.
- 6.1.2. "Procurement List" means a listing of those nonprofit agencies for individuals with disabilities that currently are qualified to participate in the program created by ORS 279.835 to 279.850 and includes a list of the products and services offered by QRFs and determined by the state procurement office to be suitable for purchase by the City.
- 6.1.3. "Qualified Rehabilitation Facility" or "QRF" means an activity center or rehabilitation facility, certified as a community rehabilitation program or as a vocational service provider through the Oregon Department of Human Services that the State Procurement Office has determined to be qualified to participate in the program created by ORS 279.835 to 279.850.
- 6.1.4. "QRF Contract" means a contract entered into under the program created by ORS 279.835 to 279.850.

6.2. It is the policy of the City to encourage and assist disabled persons to achieve maximum professional independence through useful and productive gainful employment by assuring an expanded and constant market for sheltered workshop and activity center products and services, thereby enhancing their dignity and capacity for self-support and minimizing their dependence on welfare and need for costly institutionalization. An essential element of this policy is to support sheltered employment to the fullest extent provided by law by contracting for needed goods and services available from QRF's. The City shall identify contracting opportunities within the organization and award appropriate contracts to QRF's in accordance with this rule.

6.3. Procurements from Qualified Rehabilitation Facilities:

- 6.3.1. When the City intends to procure a product or service that is listed on the Procurement List, it shall procure that product or service, at the price determined by the State Procurement Office, from a Qualified Rehabilitation Facility if the product or service is of specifications appropriate to the City's procurement needs and is available within the time required by the City.
- 6.3.2. The City shall enter into and renew QRF Contracts only for the specific products or services that are on the Procurement List.

- 6.3.3. If a QRF is removed from the Procurement List, the City shall not award or renew a QRF contract, and the removal from the Procurement List shall constitute sufficient grounds for the City to terminate any outstanding QRF contract.
- 6.3.4. No placement of a product or service on the Procurement List shall act to displace a contractor under an existing contract with the City for the same product or service prior to the expiration or other termination of the contractor's contract with the City. However, where a product or service is on the Procurement List, no existing contract shall be renewed for such a product or service.
- 6.3.5. If a QRF submits a competitive bid, proposal, price quotation or other offer in a competitive procurement for a public contract, then regardless of whether the offer was accepted, that QRF may not, at any time during the initial term of the contract for which the QRF submitted a bid, proposal or offer, make any claim to the City that the product or service that was the subject of the offer is on the Procurement List. If, during the solicitation process, a QRF claims the product or service that is the subject of the procurement is on the Procurement List, then, if the product or service is determined to have been on the Procurement List at the time the solicitation document was issued, the solicitation process shall be terminated so long as a contract has not been fully executed at the time the claim is made.

6.4. Procurement of QRF Contracts.

- 6.4.1. When a product or service on the Procurement List is offered by more than one QRF, the City may purchase the required product or service from any QRF without competition between QRFs.
- 6.4.2. The City may use the solicitation process to select a QRF to provide a service on the Procurement list, provided that:
 - 6.4.2.1. The solicitation shall not request any information concerning price and price shall not be a consideration in making the award.
 - 6.4.2.2. The solicitation shall not be advertised.
 - 6.4.2.3. Notice of the solicitation may be given to those QRFs offering the service on the Procurement List.
 - 6.4.2.4. After selection of a QRF the price will be determined in accordance with PCR 6.5.

6.5. Price.

- 6.5.1. For products or services on the Procurement List where the price is listed, the contract shall provide that the City will pay the price that is listed.

- 6.5.2. For services for which no price is listed on Procurement List, the City shall proceed as follows:
- 6.5.2.1. The City shall request that the QRF submit its proposed price to the City based on the volume or scope of the work and specifications provided by the City as prescribed in the proposed contract between the QRF and the City. For janitorial and security services where a fair wage is required to be paid, the specifications shall state the wage required to be paid.
 - 6.5.2.2. In submitting its proposed price to the City, the City shall require the QRF to make full disclosure of known costs. The disclosure must include documentation, on a form prescribed by the State Procurement Office, that the costs proposed will result in a price that will permit the QRF to recover the amounts prescribed in ORS 279.845(1)(a). The City shall require that an authorized officer of the QRF certify that the costs claimed are, to the best of the officer's knowledge, reasonable and adequate, and that the proposed Price will permit the QRF to recover the amounts prescribed in ORS 279.845(1)(a).
 - 6.5.2.3. If the QRF and the City agree on the terms and conditions of a proposed contract and the price for the services to be provided under the proposed contract, the purchasing agent shall present the proposed contract (including the agreed price) to the State Procurement Office for review and approval of the price. If the QRF and the City cannot agree on the price, the parties shall present the issue of price to the State Procurement Office for determination.
 - 6.5.2.4. The City shall not execute or implement any contract under the program created by ORS 279.835 to 279.850 until the State Procurement Office has transmitted notice of the price approved determined by the State Procurement Office to the City and the QRF.
- 6.5.3. The price established by the State Procurement Office shall apply for the initial term or period of the contract unless otherwise approved by the State Procurement Office. The State Procurement Office may re-determine a price at the request of a QRF or City, or at the discretion of the State Procurement Office. Until the State Procurement Office approves a new price, the QRF shall continue to provide, at the established price, the service or product in accordance with the scope of work that was the basis for establishing the existing price.
- 6.5.4. The City shall not pay or agree to pay a QRF any amount other than the price approved by the State Procurement Office. Any price established by the State Procurement Office for a product or service shall remain in effect until the State Procurement Office approves a new price.

6.5.5. The City shall not make material changes (changes that affect the cost of providing the products or services in more than a negligible manner) to the specifications of a QRF contract under ORS 279.835 to 279.850 unless the changes are in writing and have been submitted to the State Procurement Office for a re-determination of price. If the City wishes to make a material change to the specifications from the most recent solicitation for the product or service, the City shall notify the QRF in writing of the specific changes in the scope of work or other conditions which will be required during the new contract period. No agreement making a material change in the specifications shall be executed until State Procurement Office re-determines the price.

7. Overview of Source Selection and Contractor Selection.

7.1. The City shall award a public contract for goods and services covered by the City of Hillsboro Public Contracting Regulations using any method authorized by State or local law. These different methods are called methods of "source selection." Source selection methods include cooperative procurements, competitive sealed bidding, and competitive sealed proposals and small, intermediate, sole source, emergency and special procurements. The specific policies for each of these processes are largely set out in the Oregon Public Contracting Code and the Model Rules. In addition, the City uses an informal solicitation process set out in PCR 8. These rules state policies that supplement or change the Model Rules.

7.2. State law requires the City to use the services of Qualified Rehabilitation Facilities in certain instances. When required, the City shall use a QRF pursuant to PCR 6 before proceeding with a purchase through other methods of source selection.

7.3. Once the appropriate source selection method has been chosen, the City may consider the best process of selecting a contractor within the source selection method it has chosen.

7.4. The City may employ methods of contractor selection for the procurement of goods and services by using any process authorized by State law, including multi-tiered processes as set forth in the Model Rules, including, but not limited to:

- 7.4.1. An award or awards based solely on the ranking of proposals;
- 7.4.2. Discussions leading to best and final offers in which the City may not disclose private discussions leading to best and final offers;
- 7.4.3. Discussions leading to best and final offers, in which the City may not disclose information derived from proposals submitted by competing proposers;
- 7.4.4. Serial negotiations, beginning with the highest ranked Proposer;
- 7.4.5. Competitive simultaneous negotiations;

- 7.4.6. Multiple-tiered competition designed to identify, at each level, a class of proposers that fall within a competitive range or to otherwise eliminate from consideration a class of lower ranked proposers;
- 7.4.7. A multi-step request for proposals requesting the submission of un-priced technical submittals, and then later issuing a request for proposals limited to the proposers whose technical submittals the City had determined to be qualified under the criteria set forth in the initial request for proposals; or
- 7.4.8. Any combination of methods described in PC 7.4 or as otherwise adopted by the purchasing agent.

7.5. The methods of contractor selection identified in PCR 7.4 shall conform to the procedures identified in these rules and the Model Rules.

7.6. The purchasing agent may, but is not required to, waive any nonconformity with the rules of contractor selection if the purchasing agent determines that the defect was minor and likely would not have had an effect on the outcome of the selection process.

8. Informal Solicitation Procedures.

The City may use the following procedure for informal solicitations in lieu of the procedures set forth in the Model Rules.

8.1. When authorized by these regulations, an informal solicitation may be made by general or limited advertisement to a certain group of vendors, by direct inquiry to persons selected by the solicitation agent, or in any other manner which the solicitation agent deems suitable for obtaining competitive quotes or proposals. The solicitation agent shall deliver or otherwise make available to potential offerors, a written scope of work, a description of how quotes or proposals are to be submitted and description of the criteria for award.

8.2. The solicitation agent shall attempt to obtain a minimum of three written quotes or proposals before making an award. If the award is made solely on the basis of price, the solicitation agent shall award the contract to the responsible offeror that submits the lowest responsive quote. If the award is based on criteria other than price, or in addition to price, the solicitation agent shall award the contract to the responsible offeror that will best serve the interest of the City, based on the criteria for award.

8.3. A written record of all persons solicited and offers received shall be maintained. If three offers cannot be obtained, a lesser number will suffice, provided that a written record is made of the effort to obtain the quotes.

9. Qualified Pools.

9.1. To create a qualified pool, the purchasing agent may invite prospective contractors to submit their qualifications to the City for inclusion as participants in a pool of contractors qualified to

provide certain types of goods, services, or projects including professional services, and public improvements.

9.2. The invitation to participate in a qualified pool shall be advertised in the manner provided for advertisements of invitations to bid and requests for proposals by publication in at least one newspaper of general circulation or through electronic advertisement. If qualification will be for a term that exceeds one year or allows open entry on a continuous basis, the invitation to participate in the pool must be re-published at least once per year and shall be posted at the City's main office and on its website.

9.3. Requests for participation in a qualified pool shall describe the scope of goods or services or projects for which the pool will be maintained, and the minimum qualifications for participation in the pool, which may include, but shall not be limited to qualifications related to financial stability, contracts with manufacturers or distributors, certification as an emerging small business, insurance, licensure, education, training, experience and demonstrated skills of key personnel, access to equipment, and other relevant qualifications that are important to the contracting needs of the City.

9.4. The operation of each qualified pool may be governed by the provisions of a pool contract to which the City and all pool participants are parties. The contract shall contain all terms required by the City, including, without limitation, terms related to price, performance, business registration or licensure, continuing education, insurance, and requirements for the submission, on an annual or other periodic basis, of evidence of continuing qualification. The qualified pool contract shall describe the selection procedures that the City may use to issue contract job orders. The selection procedures shall be objective and open to all pool participants and afford all participants the opportunity to compete for or receive job awards. Unless expressly provided in the contract, participation in a qualified pool will not entitle a participant to the award of any City contract.

9.5. Subject to the provisions of these regulations concerning methods of solicitation for classes of contracts, the solicitation agent shall award all contracts for goods or services of the type for which a qualified pool is created from among the pool's participants, unless the solicitation agent determines that best interests of the City require solicitation by public advertisement. In that case, pool participants shall be notified of the solicitation and invited to submit competitive proposals.

9.6. The purchasing agent may discontinue a qualified pool at any time, or may change the requirements for eligibility as a participant in the pool at any time, by giving notice to all participants in the qualified pool.

9.7. The purchasing agent shall notify any applicant who fails to qualify for participation in a pool that it may appeal a qualified pool decision to the City Council in the manner described in HMC 2.16.120.

10. Sole Source Procurements.

10.1. The City may award a public contract for goods or services without competition as a sole source procurement if the purchasing agent or contract review board, depending on the amount of the contract, makes a written finding that:

10.1.1. Efficient utilization of existing goods or services requires the acquisition of compatible goods or services;

10.1.2. The goods or services required for the exchange of software or data with other public or private agencies are available from only one source;

10.1.3. The goods or services are for use in a pilot or an experimental project; or,

10.1.4. Any other findings that support the conclusion that the goods or services are available from only one source.

10.2. Negotiation with a sole source contractor is desirable. The City is entitled to negotiate with any sole source contractor to obtain a favorable price, terms or conditions.

10.3. The City shall give notice of the determination that the goods or services or class of goods or services are available from only one source when the contract is estimated to be greater than the specified amount in the schedule of signature authority by publishing a notice on the City's website or comparable web site of another governmental jurisdiction at least seven (7) days before the contract is awarded.

11. Small Procurements.

11.1. For procurements of goods and services not exceeding \$5,000 the City may award a public contract as a small procurement pursuant to ORS 279B.065 and this rule. The City may choose any method of selecting such contractors, including, but not limited to, offering the contract to only one firm or conducting a competition for the contract.

11.2. State law prohibits a contract from being artificially divided or fragmented so as to constitute a small procurement under this rule.

11.3. Small procurements shall not be amended beyond \$5,000 without prior approval of the purchasing agent before the additional goods or services are provided.

12. Specifications and Brand Names.

12.1. Specification content is in the sole discretion of the City.

12.2. The City may consult with technical experts, suppliers, prospective contractors and representative of the industries with which the City will contract. The City shall take reasonable measure to ensure that no person who prepares or assists in the preparation of solicitation documents, specifications, plans or scopes of work, and that no business with which the person is

associated, realizes a material competitive advantage in a procurement that arises from the City's use of those documents.

12.3. A "brand name or equal" specification may be used when it is advantageous to the City. The brand name describes the standard of quality, performance, functionality and other characteristics of the product needed by the City. The City's determination of what constitutes a product that is equal or superior to the product specified is final. Unless otherwise specified, the use of a brand name shall mean "brand name or equal."

12.4. As provided in HMC 2.16.090, a "brand name" specification may be used requiring a contractor to provide a specific brand only if the purchasing agent makes a written determination finding that the brand name will meet one or more of the following needs:

12.4.1. The use of a brand name specification is unlikely to encourage favoritism in the awarding of a public contract or substantially diminish competition for public contracts;

12.4.2. The use of a brand name specification would result in a substantial cost savings to the City;

12.4.3. There is only one manufacturer or seller of the product of the quality, performance or functionality required; or,

12.4.4. Efficient utilization of existing goods requires the acquisition of compatible goods or services.

12.5. The City's use of a brand name specification is subject to protest and review only as provided in PCR 15.2 and OAR 137-047-0710.

13. Rejection of Individual Bids or Proposals.

13.1. The City may reject any offer not in compliance with all prescribed solicitation procedures and requirements, and may reject for good cause any offer upon a written finding of the City that it is in the public interest to do so.

13.2. In addition, the City may reject an offer upon the City's finding that:

13.2.1. The contract is for a public work and the Commissioner of the Bureau of Labor and Industries has declared the bidder or proposer ineligible under ORS 279C.860; or

13.2.2. The vendor is not responsible. A vendor is not responsible if the City finds:

13.2.2.1. The bidder or proposer does not have available the appropriate financial, material, equipment, facility and personnel resources and expertise, or

ability to obtain the resources and expertise, necessary to indicate the capability of the bidder or proposer to meet all contractual responsibilities;

13.2.2.2. The bidder or proposer does not have a satisfactory record of performance. The City shall document the record of performance of the bidder or proposer if the City finds the bidder not responsible under this rule;

13.2.2.3. The bidder or proposer does not have a satisfactory record of integrity. The City shall document the record of integrity of the bidder or proposer if the City finds the bidder or proposer not to be a responsible bidder or proposer under this rule;

13.2.2.4. The bidder or proposer is not qualified legally to contract with the City, including the failure to have a business license from the City; or

13.2.2.5. The bidder or proposer has not supplied all necessary information in connection with the inquiry concerning responsibility. If the bidder or proposer fails to promptly supply information requested by the City concerning responsibility, the City shall base the determination of responsibility upon any available information, or may find the bidder or proposer not responsible.

13.2.3. The contract is for a public improvement and the Construction Contractor's Board lists the bidder or proposer as not qualified; or

13.2.4. Other circumstances relevant to the offer, bidder or proposer, indicate that acceptance of the offer may impair the integrity of the selection process.

13.3. For purposes of this rule, the City may investigate any bidder or proposer submitting an offer so that previously disqualified bidders or proposers, or their officers and directors, or principal owners may not, by subterfuge, change of ownership, or other adjustments in formal appearance, avoid application of this rule or of the disqualification provisions of state law and these rules.

14. Surplus Property.

14.1. Surplus property may be disposed of by any of the following methods upon a determination by the purchasing agent that the method of disposal is in the best interest of the City. Factors that may be considered by the purchasing agent include costs of sale, administrative costs, and public benefits to the City. The purchasing agent shall maintain a record of the reason for the disposal method selected, and the manner of disposal, including the name of the person to whom the surplus property was transferred.

14.1.1 Without competition, by transfer or sale to another City department or public agency.

- 14.1.2 By publicly advertised auction to the highest bidder.
- 14.1.3 By publicly advertised invitation to bid.
- 14.1.4 By liquidation sale using a commercially recognized third-party liquidator selected in accordance with rules for the award of professional services contracts.
- 14.1.5 The solicitation agent may establish a selling price based upon an independent appraisal or published schedule of values generally accepted by the insurance industry, schedule and advertise a sale date, and sell to the first buyer meeting the sales terms.
- 14.1.6 By trade-in, in conjunction with acquisition of other price-based items under a competitive solicitation. The solicitation shall require the offer to state the total value assigned to the surplus property to be traded.
- 14.1.7 By donation to any organization operating within or providing a service to residents of the City which is recognized by the Internal Revenue Service as an organization described in section 501(c)(3) of the Internal Revenue Code of 1986, as amended.
- 14.2. Surplus property which has a value of less than \$500, or for which the costs of sale are likely to exceed sale proceeds may be disposed of by any means determined to be cost effective, including to disposal as waste. The official making the disposal shall make a record of the value of the item and the manner of disposal.
- 14.3. An item (or indivisible set) of specialized and professional use, other than police officer's handguns, with a current value of less than \$100 may be sold to the employee or retired or terminated employee for whose use it was purchased. These items may be sold for fair market value without bid and by a process deemed most efficient by the purchasing agent.
- 14.4. City employees shall not be restricted from competing, as members of the public, for the purchase of publicly sold surplus property, but shall not be permitted to offer to purchase property to be sold to the first qualifying bidder until at least three days after the first date on which notice of the sale is first publicly advertised.
- 14.5. Upon the consummation of a sale of surplus personal property, the City shall make, execute and deliver, a bill of sale signed on behalf of the City, conveying the property in question to the purchaser and delivering possession, or the right to take possession, of the property to the purchaser.
- 14.6. The "Surplus Property Disposition Policy," originally adopted by the City Council on October 17, 2000, is incorporated into these rules as though fully set forth. That policy shall remain in effect until amended or repealed by rulemaking of the purchasing agent. The

provisions of the "Surplus Property Disposition Policy" that assign responsibilities or duties to the City Council are amended to assign those responsibilities or duties to the purchasing agent.

15. General Rules on Protests.

15.1. The Model Rules govern protests except to the extent modified by these rules.

15.2. The purchasing agent is the "contract review authority" for purposes of protests of sole source procurements under OAR 137-047-0710.

15.3. The purchasing agent is the "contracting agency" for purposes of protests of multi-tiered and multistep solicitations under OAR 137-047-0720, protests of solicitations under OAR 137-047-0730 and protests of qualified products list determinations under OAR 137-047-0745.

16. Protests and Judicial Review of Special Procurements.

16.1. An affected person may protest the City's approval of a special procurement or a class special procurement.

16.2. A written protest of the City's approval shall be provided to the purchasing agent not later than seven (7) days after the approval of the special procurement or class special procurement unless a different time period is provided in the notice. The purchasing agent shall not consider a protest submitted after the timeline established for submitting such protest under this rule.

16.3. The written protest must include:

16.3.1. Sufficient information to identify the approval that is the subject of the protest;

16.3.2. A detailed statement of all the legal and factual grounds for the protest;

16.3.3. Evidence or supporting documentation that supports the grounds on which the protest is based;

16.3.4. A description of the resulting harm to the affected person; and

16.3.5. The relief requested.

16.4. The purchasing agent shall take the following actions, as appropriate:

16.4.1. The purchasing agent shall inform the affected person in writing if the protest was not timely filed;

16.4.2. The purchasing agent shall deny the protest and inform the affected person if it failed to meet the requirements of PCR 16.3 and the reasons for that failure;

16.4.3. If the protest was timely filed and provides the information required by this rule, the purchasing agent may deny the protest by issuing a decision in writing within

seven (7) business days of the filing of the protest. The denial by the purchasing agent of the protest is final; or,

16.4.4. If the protest was timely filed and provides the information required by this rule, the purchasing agent may refer the protest and any response to the contract review board for decision.

16.5. If the protest is referred, the contract review board shall review the protest and any response, and seek additional information and argument if necessary. The board may conduct a public hearing. After review of the protest, the board may agree with the protest and take any necessary corrective action, deny the protest, issue a written response and provide that response to the affected person, or take any other action that is in the best interest of the City while giving full consideration to the merits of the protest.

16.6. An affected person may not seek judicial review of the City Council's approval of a special procurement or class special procurement unless it has complied fully with the protest requirements of this rule and exercised all administrative appeal rights.

17. Protest of Contract Award.

17.1. An adversely affected or aggrieved bidder or proposer must exhaust all avenues of administrative review and relief before seeking judicial review of the City's contractor selection or contract award decision.

17.2. Unless otherwise provided in the solicitation document and for a contract that is approved by the City Council, City staff's recommendation contained in the agenda item in the published City Council's agenda shall constitute the City's intent to award the contract. If the contract is not submitted to the City Council for approval prior to its execution, the notice of intent to award shall be posted on the City's website. The filing of a protest delays award of the contract until the protest is resolved.

17.3. An adversely affected bidder or proposer may protest the City's intent to award the contract if the person would be eligible to be awarded the contract in the event the protest was successful, i.e., the protesting bidder or proposer must claim that all lower bidders or higher-scoring proposers are ineligible for the award.

17.4. The reasons for a protest of intent to award are:

17.4.1. All lower bids, higher ranked proposals or other more advantageous offers are nonresponsive;

17.4.2. The City failed to conduct the evaluation of offers in accordance with the criteria or processes described in the solicitation document;

17.4.3. The City abused its discretion in rejecting the protester's offer as nonresponsive;
or,

17.4.4. The City's evaluation of the offers was in violation of the City of Hillsboro Public Contracting Regulations, the Model Rules or the Oregon Public Contracting Code.

17.5. An adversely affected bidder or proposer must submit a protest to the purchasing agent within seven (7) days after the City's intent to award is published, unless a different protest period was provided in the solicitation document. The bidder's or proposer's protest must be in writing. The City will not consider a protest submitted after the time period established in this rule or such different period as may be provided in the City's solicitation document.

17.6. The protest must include the following information:

17.6.1. Sufficient information to identify the award that is the subject of the protest;

17.6.2. A detailed statement of all the legal and factual grounds for the protest as described in PCR 17.4;

17.6.3. Evidence or supporting documentation that supports the grounds on which the protest is based;

17.6.4. A description of the resulting harm to the protester; and,

17.6.5. The relief requested.

17.4. The purchasing agent shall take the following actions, as appropriate:

17.4.1. The purchasing agent shall inform the affected person in writing if the protest was not timely filed;

17.4.2. The purchasing agent shall deny the protest and inform the affected person if it failed to meet the requirements of PCR 17.4 and the reasons for that failure;

17.4.3. If the protest was timely filed and provides the information required by this rule, the purchasing agent may deny the protest by issuing a decision in writing within seven (7) business days of the filing of the protest. The denial by the purchasing agent of the protest is final; or,

17.4.4. If the protest was timely filed and provides the information required by this rule, the purchasing agent may refer the protest and any response to the contract review board for decision.

17.5. If the protest is referred, the contract review board shall review the protest and any response, and seek additional information and argument if necessary. The board may conduct a public hearing. After review of the protest, the board may agree with the protest and take any necessary corrective action, deny the protest, issue a written response and provide that response

to the affected person, or take any other action that is in the best interest of the City while giving full consideration to the merits of the protest.

17.6. An affected person may not seek judicial review of the City's intent to award a contract or an award of a contract unless the person has complied fully with the protest requirements of this rule and exercised all administrative appeal rights.

18.0 Records Retention:

18.1 All records pertaining to the City's procurement of public contracts and adopted rules shall be retained and destroyed in accordance with the General Records Retention Schedule for Cities of Oregon (OAR Chapter 166, Division 200) and following the procedures established by the City Records Office.

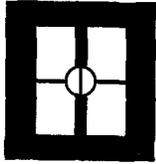
Schedule of Signature Authority

(As established by HMC 2.16 and may be amended by Administrative Rule)

Each dollar increment listed below is subject to the budgetary authority of the department. This summary does not include all the purchasing requirements found in the quote and solicitation documents prescribed for use by the City of Hillsboro.

Goods/Services/Public Improvement Projects	Professional Services	Purchasing Requirements/Signature Authority
\$0 - \$5,000	<u>\$0 - \$20,000</u>	<p>Purchasing: Up to this amount can be direct purchased without obtaining quotes. Some departments may require quotes for smaller dollar amounts for some categories of goods and services.</p> <p>Signature Authority: signatory authority comes from the department manager. The buyer and their allowable dollar limit must be on file with accounts payable.</p>
\$5,001 - \$50,000	<u>\$20,001 - \$75,000</u>	<p>Purchasing: Three (3) informal quotes are required for goods, services or projects purchased in this dollar range. Quotes may be telephone quotes or written quotes depending on the complexity of the purchase. It is recommended that quotes for larger dollar purchases be in writing.</p> <p>Signature Authority: Individuals may be granted signature authority up to \$50,000 by the department manager. The buyer and their allowable dollar limit must be on file with accounts payable.</p>
\$50,001 - \$100,000	<u>\$75,001 - \$100,000</u>	<p>Purchasing: Publicly advertised Invitation to Bid (ITB) or Request for Proposals (RFP) will be required for all purchases over \$50,000, unless exempted by the Contract Review Board.</p> <p>Signature Authority: The dept. managers have signature authority for the purchase of Goods, Services and Public Improvement Projects up to \$100,000, which includes the authority to sign contracts.</p>
\$100,001 - \$150,000	<u>\$100,001 - \$150,000</u>	<p>Purchasing: Publicly advertised Invitation to Bid (ITB) or Request for Proposals (RFP) will be required for all purchases over \$100,000, unless exempted by the Contract Review Board.</p> <p>Signature Authority: The city manager/purchasing agent will have the signature authority for budgeted items up to \$150,000.</p>
\$150,001 or greater	<u>\$150,001 or greater</u>	<p>Purchasing: Publicly advertised Invitation to Bid (ITB) or Request for Proposals (RFP) will be required for all purchases over \$150,000, unless exempted by the Contract Review Board.</p> <p>Signature Authority: All purchases of goods, services and public improvement projects will be required to be awarded by the City Council or Utilities Commission with any resulting contract to be signed by the Mayor and attested to by the City Recorder for the City Council and the chairman for the Utilities Commission, when the amount is \$150,001 or greater.</p>

CITY OF HILLSBORO



February 4, 2008

STAFF REPORT

TO: City Council

FROM: Planning Department

RE: Request for Annexation of Property into the City Limits of Hillsboro –
File No. AN 11-07: Bahr

Attached are materials relating to a proposed annexation of approximately 1.31 acres of land and associated right-of-way into the City of Hillsboro. The property under consideration for annexation is located north of SE Helene Street, south of SE Patterson Street, east of SE 54th Avenue and west of SE 56th Avenue. The property can be specifically identified as Tax Lot 12300 on Washington County Tax Assessor's Map 1S2-03CB and is addressed as 5466 SE Patterson Street.

Pursuant to the requirements of Metro Code Chapter 3.09.050, a staff report was made available 15 days prior to the hearing. A copy of the staff report is attached for your review.

A proposed ordinance and findings have also been attached for your consideration.

Please retain these materials until a final action has been taken on this matter. If you have any questions, please contact the Planning Department at (503) 681-6179.

Respectfully submitted,

HILLSBORO PLANNING DEPARTMENT

Daniel L. Dias
Urban Planner I

Attachments: Draft Ordinance
Exhibit A - legal description and historical data
Exhibit B - findings
Staff report and maps

ORDINANCE NO. _____

AN 11-07: BAHK

AN ORDINANCE ANNEXING A CERTAIN TRACT OF LAND INTO THE CITY LIMITS OF HILLSBORO AND WITHDRAWING THE TRACT FROM THE TERRITORIES OF WASHINGTON COUNTY RURAL FIRE PROTECTION DISTRICT NO. 2, WASHINGTON COUNTY SERVICE DISTRICT FOR ENHANCED LAW ENFORCEMENT, WASHINGTON COUNTY SERVICE DISTRICT FOR URBAN ROAD MAINTENANCE, AND WASHINGTON COUNTY SERVICE DISTRICT NO. 1 FOR STREET LIGHTS.

WHEREAS, the City received a complete petition from the property owner of a certain tract of land, described in Exhibit A attached to this Ordinance, requesting that the property be annexed into the city limits of Hillsboro;

WHEREAS, the petition represented 100 percent of the property owners of the territory requesting to be annexed into the City Limits of Hillsboro as required by ORS 222.125 in order to consent to an annexation;

WHEREAS, the tract of land is contiguous to the City and can be served by City services;

WHEREAS, as permitted by ORS 222.120(2) and Metro Code Sections 3.09.045(a) the City Council dispenses with submitting the question of the proposed annexation to the electors of the City for their approval or rejection;

WHEREAS, the tract of land is located within the Hillsboro Urban Service Area identified in the Hillsboro Urban Service Agreement (April, 2003) between and among the City of Hillsboro, Washington County, the City of Beaverton, Metro and several special service districts and is contemplated by the Agreement ultimately to become a part of the City of Hillsboro by eventual annexation of tracts of land to the City of Hillsboro;

WHEREAS, the tract of land lies within the following districts: Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; Washington County Service District for Urban Road Maintenance; and Washington County Service District #1 for Street Lights;

WHEREAS, notice of the proposed annexation and withdrawals has been published, mailed and posted in the manner provided by law;

WHEREAS, the City Council conducted a public hearing on this matter on February 19, 2008, and does hereby favor the annexation of the subject tract of land and withdrawals from the districts based on the findings attached hereto as Exhibit B;

WHEREAS, the annexation and withdrawals are not contested by any necessary party;

NOW, THEREFORE, THE CITY OF HILLSBORO ORDAINS AS FOLLOWS:

Section 1. The tract of land, described in Exhibit A, is declared to be annexed to the City of Hillsboro, Oregon.

Section 2. The tract of land annexed by this ordinance and described in Section 1 are withdrawn from the following districts upon the effective date of the annexation: Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; Washington County Service District for Urban Road Maintenance; and Washington County Service District #1 for Street Lights.

Section 3. The findings attached as Exhibit B are adopted. The City Recorder shall immediately file a certified copy of this Ordinance with Metro and other agencies required by Metro Code Chapter 3.09.050(f) and ORS 222.005. The annexation and withdrawals shall become effective upon filing of the annexation records with the Secretary of State as provided by ORS 222.180.

Section 4. Inasmuch as it is necessary that this annexation become effective soon, so as to avoid unnecessary hardship to the property owner and allow for the immediate provision of City services, and allow for annexation into service districts necessary for the provision of City services and site development, this ordinance shall become upon filing of the annexation records with the Secretary of State as provided by ORS 222.180.

Passed by the Council this 19th day of February, 2008.

Approved by the Mayor this 19th day of February, 2008.

Mayor

ATTEST: _____
City Recorder

City of Hillsboro
Annexation 11-07: Bahr
Proposed legal description
NS, January 30, 2008, revised Feb. 5, 2008

Exhibit 'A'

A tract of land in the southwest quarter of Section 3, Township 1 South, Range 2 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Commencing at the southeast corner of Tract 12 of Chism, a duly recorded subdivision in said county;

thence South 89°58' West, along the south line of said tract, a distance of 166.0 feet to the southeast corner of that tract of land conveyed to Casey Scott Bahr by deed recorded April 30, 1992 as Document No. 92-29099 in Deed Records of said county and the true point of beginning;

thence North 0°22' West, along the east line of said Bahr Tract and the northerly projection thereof, a distance of 502.44 feet to a point on the north right of way line of Southeast Patterson Street;

thence South 89°21' West, along said right of way line, a distance of 108.95 feet to the intersection of said right of way line and the northerly projection of the west line of said Bahr Tract;

thence South 0°22' East, along said northerly projection and the west line of said Bahr Tract, a distance of 503.89 feet to the southwest corner thereof;

thence North 88°35' East, along the south line of said Bahr Tract, a distance of 108.95 feet to the point of beginning.

ANNEXATION CERTIFIED

BY

FEB 08 2008

WASHINGTON COUNTY A & T
CARTOGRAPHY

CERTIFICATION OF PROPERTY OWNERS OF
AT LEAST ONE-HALF LAND AREA

I hereby certify that the names on the attached petition are owners of property as identified by the tax lot described in the petition.

These signatures represent at least one-half of the land area within the annexation or withdrawal area described in this petition.

NAME Heather LaBonte
TITLE Cartographer Assistant
DEPARTMENT A&T Cartography
COUNTY OF Washington
DATE 2/8/08

ANNEXATION CERTIFIED
BY [Signature]
FEB 08 2008
WASHINGTON COUNTY A & T
CARTOGRAPHY

CERTIFICATION OF LEGAL DESCRIPTION AND MAP

I certify that the description of property included within the attached petition has been checked by me and it is a true and exact description of the property under consideration, and the description corresponds to the attached map indicating the property under consideration.

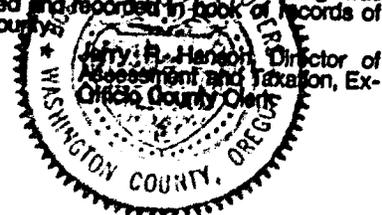
NAME Heather LaBonte
TITLE Cartographer Assistant
DEPARTMENT A&T Cartography
COUNTY OF Washington
DATE 2/8/08

EXHIBIT "A"

Beginning at an iron on the South line of Tract 12, CHISM, a plat of record in Section 3, Township 1 South, Range 2 West, Willamette Meridian, in the County of Washington and State of Oregon, which is South 89° 35' West 168.0 feet from the Southeast corner of said Tract 12; thence North 0° 22' West 472.44 feet to a point on the North line of said Tract 12, which point is South 89° 21' West 160.0 feet from the Northeast corner of said Tract 12; thence South 89° 21' West 108.95 feet along the North line of Tract 12; thence South 0° 22' East 473.89 feet to an iron rod on the South line of Tract 12 which is South 88° 35' West 108.95 feet from the place of beginning; thence North 88° 35' East 108.95 feet to the place of beginning.

STATE OF OREGON }
County of Washington } SS

I, Jerry R. Hanson, Director of Assessment and Taxation and Ex-Officio Recorder of Conveyances for said county, do hereby certify that the above instrument of writing was received and recorded in book of records of said county.



Doc : 92029099
Rect: 76281 150.00
04/30/1992 11:31:55AM

2

TICOR TITLE INSURANCE



92082808
Washington County

STATUTORY WARRANTY DEED

MICHEAL HENSRUD

Grantor,

conveys and warrants to MARVIN E. PETERSON AND CAROL FAITH-PETERSON, HUSBAND AND WIFE

Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in WASHINGTON County, Oregon, to wit:

SEE LEGAL ATTACHED HERETO AS EXHIBIT "A"



WASHINGTON COUNTY
REAL PROPERTY TRANSFER TAX
\$ 125.00 11-19-92
FEE PAID DATE

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES. The said property is free from encumbrances except STATUTORY POWERS OF THE UNIFIED SEWERAGE AGENCY OF WASHINGTON COUNTY; RIGHTS OF THE PUBLIC IN STREETS, ROADS AND HIGHWAYS;

The true consideration for this conveyance is \$ 125,000.00

(Here comply with the requirements of ORS 93.030)

Dated this 16th day of November 19 92

MICHAEL HENSRUD

Colorado

State of ~~Del~~ County of Denver

The foregoing instrument was acknowledged before me this 16th day of November 19 92 by MICHAEL HENSRUD

State of Oregon, County of _____

The foregoing instrument was acknowledged before me this _____ day of _____, 19____ by _____

President and Secretary of a corporation,

on behalf of the corporation.

Notary Public for ~~Oregon~~ Colorado
My commission expires: 10/7/96

Notary Public for Oregon
My commission expires:

WARRANTY DEED

MICHAEL HENSRUD

GRANOR
GRANTEE

MARVIN E. PETERSON CAROL A.

Until a change is requested, all tax statements shall be sent to the following address:

MARVIN E. PETERSON
24280 SW Drake Lane
Hillsboro OR 97123

Escrow No. 596321TS Title No. 596321

After recording return to:

MARVIN E. PETERSON
24280 SW Drake Lane
Hillsboro OR 97123

This Space Reserved for Recorder's Use

1-2

NOV 17 1992

W596321

10/24

LEGAL DESCRIPTION

The West one acre of the East 4 acres of Tract 12, CHISM, in the County of Washington and State of Oregon, described as follows:

BEGINNING at an iron rod on the South line of Tract 12, CHISM, in Section 3, Township 1 South, Range 2 West of the Willamette Meridian, in the County of Washington and State of Oregon, which is South 88° 35' West 274.95 feet from the Southeast corner of said tract; thence North 0° 22' West 473.89 feet to a point on the North line of said tract which is South 89° 21' West 268.95 feet from the Northeast corner of said tract; thence South 89° 21' West 100.00 feet to the Northwest corner of the East 4 acres of said Tract 12; thence South 1° 00' East 474.9 feet along the West line of the East 4 acres of Tract 12 to a point on the South line of Tract 12; thence North 88° 35' East 94.05 feet along said South line to the point of beginning. -----

STATE OF OREGON }
County of Washington } SS

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



Doc : 92082808
Rect: 89219 163.00
11/19/1992 10:27:22AM

EXHIBIT B

FINDINGS IN SUPPORT BAHR ANNEXATION FILE NO. AN 11-07

I. BACKGROUND INFORMATION AND SITE DESCRIPTION

One petitioner representing one property requested City Council approval for annexation of approximately 1.31 acres, and associated right-of-way, into the City Limits of Hillsboro.

The property under consideration for annexation is located generally north of SE Helene Street, south of SE Patterson Street, east of SE 54th Avenue and west of SE 56th Avenue. The property can be specifically identified as Tax Lot 12300 on Washington County Tax Assessor's Map 1S2-03CB and is addressed as 5466 SE Patterson Street. The total Taxable Assessed Value is \$133,190.

The site slopes gradually downward towards the northwest corner of the lot. A single family residence and numerous trees are located on the lot.

SE Patterson Street is identified as a Neighborhood Route and SE Helene Street is identified as a Local Residential Street in the City of Hillsboro Transportation System Plan (TSP).

The City of Hillsboro Goal 5 Natural Resource Inventory does not identify any Significant Natural Resources and associated impact areas on the site. The southernmost third of tax lot 12300 appears to be within the 250-foot area of potential impact on the Clean Water Services Sensitive Areas Pre-Screen Map.

II. PROCEDURAL REQUIREMENTS

In accordance with ORS 222.125 the petition for annexation from the property owners constituted 100 percent of the property owners and at least 50 percent of the registered voters residing on the property. Notice of the proposed annexation was given as specified by Metro Code Chapter 3.09.030 and ORS 222.120. A staff report was prepared and available 15 days prior to the hearing as stipulated by Metro Code Chapter 3.09.050. A public hearing on the matter was conducted by the City Council on February 4, 2008.

III. APPLICABLE APPROVAL CRITERIA

Metro Code Chapter 3.09.050(d) specifies the minimum review criteria for a proposed annexation. The six minimum applicable criteria are as follows:

- 1) *Consistency with directly applicable provisions in an urban service provider agreement or annexation plan adopted pursuant to ORS 195.065;*

FINDING: There is currently a Hillsboro Urban Service Provider Agreement in place for this area, dated April 2, 2003, as required by ORS 195.065 (Senate Bill 122). The units of local government which have entered into this agreement are as follows: Washington County; City of Hillsboro; City of Beaverton; Metro; Clean Water Services; TriMet; Tualatin Valley Park and Recreation District; Tualatin Valley Fire and Rescue District; Tualatin Valley Water District; and Washington County Fire District No. 2. The annexation is consistent with the applicable provisions of the Agreement, specifically Section 1 Roles and Responsibilities(C) and (E).

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

FINDING: The property is identified as being within Urban Area A of the Urban Planning Area Agreement (UPAA) between Washington County and the City of Hillsboro, adopted on December 15, 1998. Pursuant to that agreement, *"the City shall regulate the conversion of vacant land to urban uses in Urban Area A through the extension of water and sewer service, land partitioning requirements, provision of transportation facilities and annexations within the area. Land within Urban Area A shall not be converted to urban uses prior to annexation to the City."* Section IV (A) of the UPAA also specifies that *"all land in Area A shall annex to the City prior to development. As used in this subsection, "development" includes the construction of any residential dwelling unit structure or related accessory structures."* Annexation of this property would be consistent with the UPAA, and allows the petitioners the ability to connect to City services and further develop the property.

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

FINDING: The annexation would be consistent with the following Comprehensive Plan policies and implementation measures:

Section 2. Urbanization Policy (III)(A) Urbanization within the planning area shall be consistent with the goals and policies of this Plan. Development shall occur according to the availability of urban services and within the context of the Urban Planning Area Agreement. The City and other government agencies shall encourage property owners to maintain the present rural use and character of undeveloped or underdeveloped lands within the Hillsboro Planning Area until such land is required and proposed for urban use and the necessary urban services are available.

Section 2. Urbanization Implementation Measure (IV)(A)(5) The infill of vacant, bypassed lands, between areas of development, at an urban level, shall be encouraged. Appropriate measures shall be taken to insure that new development in infill areas is compatible with existing developed areas. The City will support a proposed annexation of infill areas and allow subsequent development to occur under the clear and objective standards in its implementing ordinances, including the Zoning and Subdivision ordinances.

Section 2. Urbanization Implementation Measure (IV)(G) All land in the Hillsboro Planning Area is assumed to be available for annexation and/or development, consistent

with the Comprehensive Plan, zoning, subdivision regulations, and the Urban Planning Area Agreement.

Section 12. Public Services Implementation Measure (V)(C)(2) The City shall require properties to annex to the City prior to the provision of sanitary sewer service.

Section 12. Public Services Implementation Measure (V)(I)(2) The City shall require properties in the urban area to annex to the City prior to the provision of water service.

In particular, the annexation would be consistent with Section 2. Urbanization Implementation Measure (IV)(A)(5), supporting the annexation of infill areas; and Section 2. Urbanization Implementation Measure (F), all land in the Hillsboro Planning Area is assumed to be available for annexation.

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

FINDING: The annexation would be consistent with regional framework and functional plans. The City's current plan designation for the property is RL – Low Density Residential, which is consistent with the regional urban growth goals and objectives. The property has been recommended for R-7 Single Family Residential zoning, and the City Council will consider the recommended zone immediately following approval of the annexation (Casefile No. ZC 18-07).

5) *Whether the proposed change will promote or not interfere with the timely, orderly and economic provisions of public facilities and services;*

FINDING: Within the SE Patterson Street right-of-way, adjacent to the site, there is an eight-inch City water line, an eight-inch sanitary sewer line, and a ten-inch City storm sewer line.

Fire and police protection would be provided by the City of Hillsboro and the property would be withdrawn from the Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; Washington County Service District for Urban Road Maintenance; and Washington County Service District No. 1 for Street Lights as of the effective date of the annexation.

Annexation of the subject property would not interfere with the provisions of public facilities and services.

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

FINDING: Pursuant to ORS 222.524, the City of Hillsboro has determined that withdrawal of the property from the Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; Washington County Service District for Urban Road Maintenance; and Washington County Service District No. 1 for Street Lights is in the best interest of the City.

IV. TESTIMONY FROM NECESSARY PARTIES

No written testimony was received prior to or at the public hearing from a necessary party as defined in Metro Code Chapter 3.09.020(j), nor was oral testimony received by the City Council from a necessary party at the public hearing.

V. ADDITIONAL MATERIALS CITED BY REFERENCE AND INCLUDED IN FINDINGS

- Staff Report dated February 4, 2008.

CITY OF HILLSBORO



February 4, 2008

STAFF REPORT

TO: City Council

FROM: Planning Department

RE: Request for Annexation of Property into the City Limits of Hillsboro –
File No. AN 11-07: Bahr

REQUEST

The petitioner and property owner, Casey Scott Bahr, request City Council approval for annexation of approximately 1.31 acres and associated right-of-way into the City Limits of Hillsboro. The purpose of the annexation is to allow future development of the site.

SITE DESCRIPTION

The property under consideration for annexation is located generally north of SE Helene Street, south of SE Patterson Street, east of SE 54th Avenue and west of SE 56th Avenue. The property can be specifically identified as Tax Lot 12300 on Washington County Tax Assessor's Map 1S2-03CB and is addressed as 5466 SE Patterson Street. The total Taxable Assessed Value is \$133,190. The property is located within Urban Area "A" as defined by the Urban Planning Area Agreement.

The site slopes gradually downwards towards the northwest corner of the site. A single family residence and numerous trees are located on the lot.

SE Patterson Street is identified as a neighborhood route in the City of Hillsboro Transportation System Plan (TSP).

The City of Hillsboro Goal 5 Natural Resource Inventory does not identify any Significant Natural Resources and associated impact areas on the site. The southern third of tax lot 12300 appears to be within the 250-foot area of potential impact on the Clean Water Services Sensitive Areas Pre-Screen Map.

DESCRIPTION OF SURROUNDING AREA

Area	Plan	Zoning	Land Uses
North	RL – Low Density Residential	R-7 Single Family Residential	Single Family Residential
East	RL – Low Density Residential	R-7 Single Family Residential	Single Family Residential
South	RL – Low Density Residential	R-7 Single Family Residential	Single Family Residential
West	RL – Low Density Residential	R-7 Single Family Residential	Single Family Residential

PUBLIC UTILITIES

Service	Provider	Size	Location	Distance from site
Water	City	8"	SE Patterson Street	Adjacent
Sanitary Sewer	City	8"	SE Patterson Street	Adjacent
Storm Drain	City	10"	SE Patterson Street	Adjacent

TRANSPORTATION FACILITIES

Streets	Existing		Plan Designated	
	R-O-W	Improvement	R-O-W	Improvement
SE Patterson Street	60' +/-	30' +/-	60'	36'
SE Helene Street	20' +/-	10+/-	54'	32'
Sidewalk Improvements	Existing		Plan Designated	
SE Patterson Street	Unimproved adjacent to site		5' sidewalk and 6' planter strip	
SE Helene Street	Unimproved adjacent to site		5' sidewalk and 5' planter strip	
Mass Transit	Bus Route/ Stop		Distance to Site	
Bus	Route 57 / TV Highway		5,000' +/-	
Bicycle Lane	Existing		Plan Designated	
SE Patterson Street	None		None	
SE Helene Street	None		None	

APPLICABLE PLAN POLICIES AND IMPLEMENTATION MEASURES

Section 2. Urbanization Policy (III)(A). Urbanization within the planning area shall be consistent with the goals and policies of this Plan. Development shall occur according to the availability of urban services and within the context of the Urban Planning Area Agreement. The City and other government agencies shall encourage property owners to maintain the present rural use and character of undeveloped or underdeveloped lands within the Hillsboro Planning Area until such land is required and proposed for urban use and the necessary urban services are available.

Section 2. Urbanization Implementation Measure (IV)(A)(5). The infill of vacant, bypassed lands, between areas of development, at an urban level, shall be encouraged. Appropriate measures shall be taken to insure that new development in infill areas is compatible with

existing developed areas. The City will support a proposed annexation of infill areas and allow subsequent development to occur under the clear and objective standards in its implementing ordinances, including the Zoning and Subdivision ordinances.

Section 2. Urbanization Implementation Measure (IV)(G). All land in the Hillsboro Planning Area is assumed to be available for annexation and/or development, consistent with the Comprehensive Plan, zoning, subdivision regulations, and the Urban Planning Area Agreement.

Section 7. Air, Water and Land Resource Quality Policy (III)(B). The City shall design a storm sewer and sanitary sewer master plan and develop implementation measures necessary to assure that a storm sewer and sanitary system are provided to areas designated urban. The plan shall be designed to accommodate the growth anticipated in undeveloped portions of the Hillsboro Planning Area.

Section 12. Public Services Implementation Measure (V)(C)(2). Consistent with the adopted UPAA and other agreements with service providers the City shall require properties in the urban area to annex to the City prior to the provision of water service by the City or Tualatin Valley Water District (TVWD).

Section 12. Public Services Implementation Measure (V)(D)(1)(b) Consistent with the adopted UPAA and other agreements with service providers within Urban Area "A" the City shall require properties to annex to the City prior to the provision of sanitary sewer service.

APPROVAL CRITERIA

- 1) Consistency with directly applicable provisions in an urban service provider agreement or annexation plan adopted pursuant to ORS 195.065;
- 2) Consistency with directly applicable provisions of urban planning or other agreements, other than agreements adopted pursuant to ORS 195.065, between the affected entity and a necessary party;
- 4) Consistency with specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facility plans;
- 5) Consistency with specific directly applicable standards or criteria for boundary changes contained in the Regional Framework Plan or any functional plan;
- 6) Whether the proposed change will promote or not interfere with the timely, orderly and economic provisions of public facilities and services;
- 7) If the proposed boundary change is for annexation of territory to Metro, a determination by the Metro Council that the territory should be included in the Urban Growth Boundary shall be the primary criteria for approval;
- 8) Consistency with other applicable criteria for the boundary change in question under state and local law.

DISCUSSION

The petitioners request annexation of the property into the City Limits of Hillsboro. The petitioners represent 100 percent of the property owners as required by ORS 222.125. At present, the City Limits abut the site on the north, south and east sides.

Public utilities are located in the adjacent right-of-way as defined in the Public Utilities table on page 2 of this staff report.

If approved, fire and police protection would be provided to the property by the City of Hillsboro and the property would be automatically withdrawn from the following districts as of the effective date of the annexation:

- Washington County Rural Fire Protection District No. 2
- Washington County Service District for Enhanced Law Enforcement
- Washington County Service District for Urban Road Maintenance
- Washington County Service District #1 for Street Lights

The annexation would be consistent with the applicable Comprehensive Plan policies and implementation measures listed above. In particular, the annexation would be consistent with Section 2. Urbanization Implementation Measure (IV)(A)(5), supporting the annexation of infill areas; and Section 2. Urbanization Implementation Measure (F), all land in the Hillsboro Planning Area is assumed to be available for annexation.

The property is identified as being within Urban Area A of the Urban Planning Area Agreement (UPAA) between Washington County and the City of Hillsboro, adopted on December 15, 1998. Pursuant to that agreement, *"the City shall regulate the conversion of vacant land to urban uses in Urban Area A through the extension of water and sewer service, land partitioning requirements, provision of transportation facilities and annexations within the area. Land within Urban Area A shall not be converted to urban uses prior to annexation to the City."* Section IV (A) of the UPAA also specifies that *"all land in Area A shall annex to the City prior to development. As used in this subsection, "development" includes the construction of any residential dwelling unit structure or related accessory structures."* Annexation of this property would be consistent with the UPAA, and allow the petitioner the ability to further develop the site.

The annexation would be consistent with regional framework and functional plans. The City's current plan designation for the site is RL – Low Density Residential, which is consistent with the regional urban growth goals and objectives. The property has been recommended for R-7 Single Family Residential zoning, and the City Council will consider the recommended zone immediately following consideration of the annexation (Casefile No. ZC 18-07).

There is currently a Hillsboro Urban Service Provider Agreement in place for this area, dated April 2, 2003, as required by ORS 195.065 (Senate Bill 122). The units of local government which have entered into this agreement are as follows: Washington County; City of Hillsboro; City of Beaverton; Metro; Clean Water Services; TriMet; Tualatin Valley Park and Recreation District; Tualatin Valley Fire and Rescue District; Tualatin Valley Water District; and Washington County Fire District No. 2. The annexation is consistent with the applicable provisions of the Agreement, specifically Section 1 Roles and Responsibilities(C) and (E).

No written testimony has been received from neighboring property owners as of the preparation of this staff report. Neither has any testimony been received from necessary parties, defined in Metro Code Chapter 3.09.020(j) as follows: any county, city or district whose jurisdictional boundary or adopted urban service area includes any part of the affected territory or who provides any urban service to any portion of the affected territory, Metro, and any other unit of local government, as defined in ORS 190.003, that is a party to any agreement for provision of an urban service to the affected territory.

RECOMMENDATION

Should the Council choose to approve the subject annexation petition, staff recommends that the annexation ordinance become effective immediately upon submission to the Secretary of State, unless contested by a necessary party as defined in Metro Code Chapter 3.09.020(j). If the proposal is contested by a necessary party then the effective date of the annexation can be no earlier than 10 days after the decision is reduced to writing pursuant to Metro Code Chapter 3.09.050(f).

Respectfully submitted,

CITY OF HILLSBORO PLANNING DEPARTMENT



Daniel L. Dias
Urban Planner I

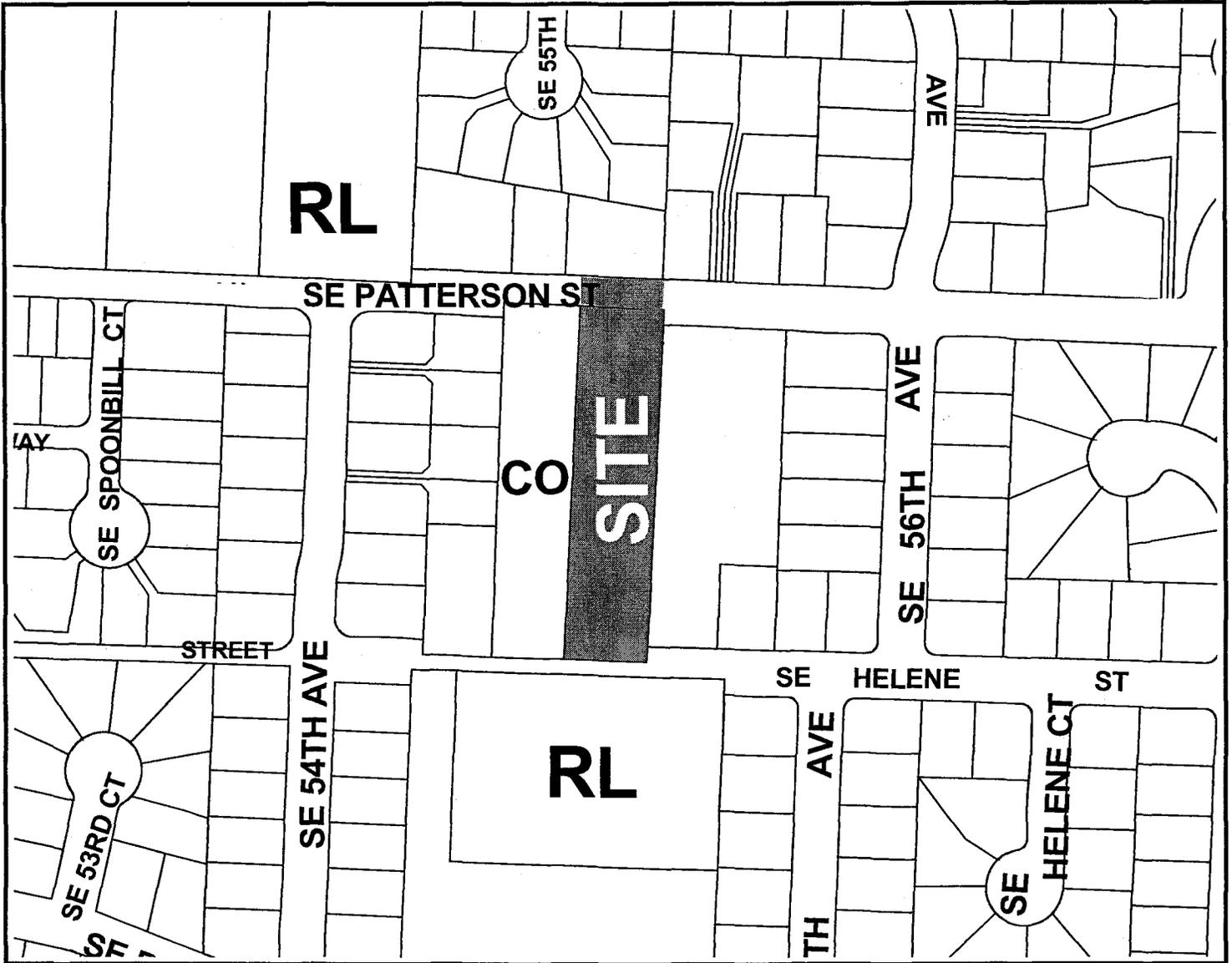
Attachments: Comprehensive Plan Map
 Zoning Map
 Clean Water Services Sensitive Area Pre Screen Map
 Aerial Map



AN 11-07 AND ZC 18-07: BAHR



REQUEST FOR ANNEXATION OF ONE PROPERTY APPROXIMATELY 1.31 ACRES IN SIZE (AND ASSOCIATED RIGHT-OF-WAY) AND SUBSEQUENT CITY-INITIATED ZONE CHANGE FROM COUNTY R-9 TO CITY R-7 SINGLE FAMILY RESIDENTIAL



0 300 600 900 1200 Feet



Comprehensive Plan Designations

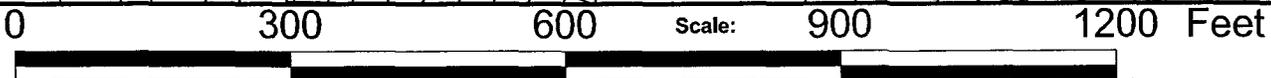
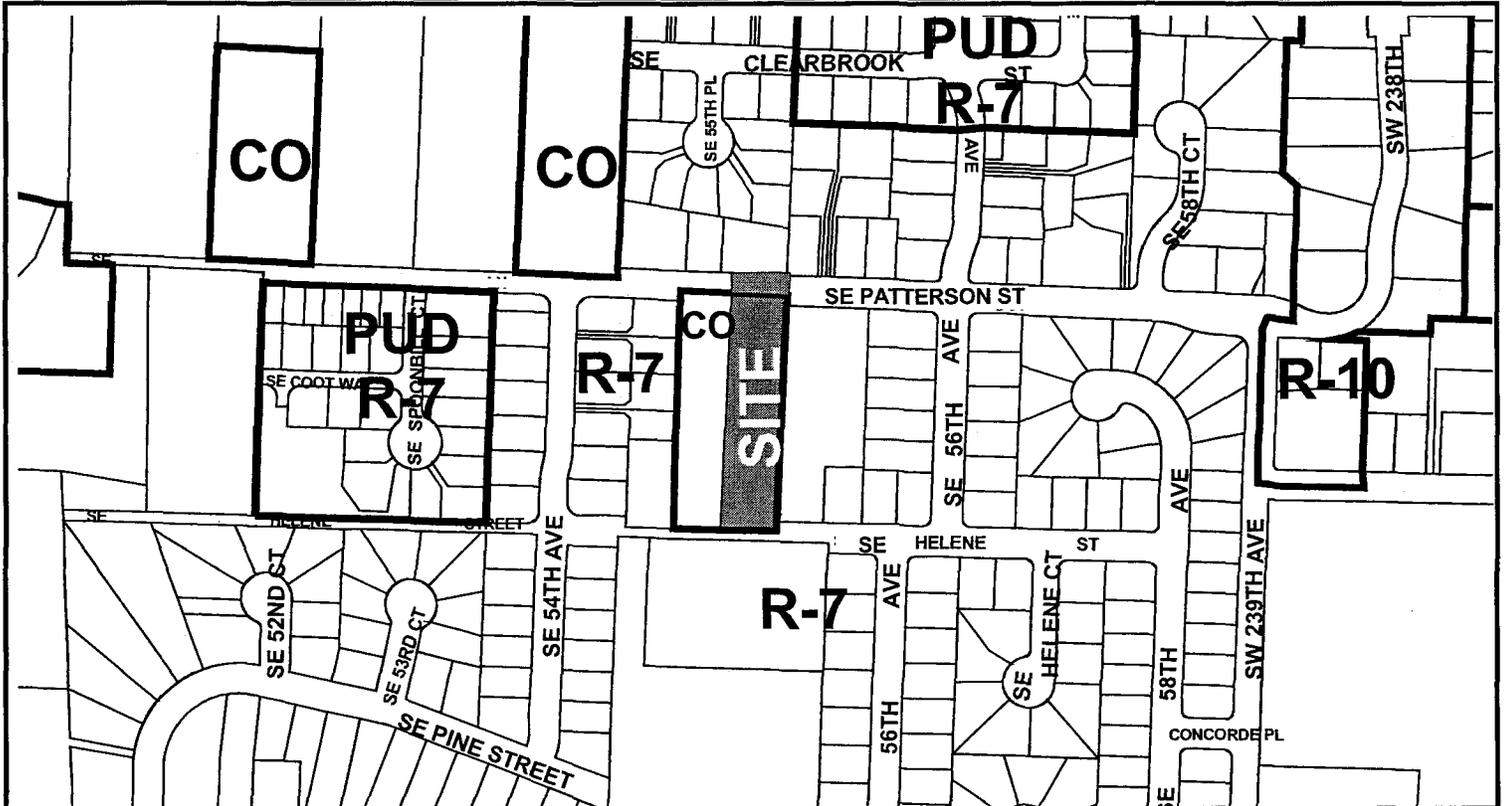
RL - Low Density Residential (3-7 units per acre)	C - Commercial	MU - Mixed Use
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SCPA - Station Community Planning Area	FP - Floodplain	



AN 11-07 AND ZC 18-07: BAHR



REQUEST FOR ANNEXATION OF ONE PROPERTY APPROXIMATELY 1.31 ACRES IN SIZE (AND ASSOCIATED RIGHT-OF-WAY) AND SUBSEQUENT CITY-INITIATED ZONE CHANGE FROM COUNTY R-9 TO CITY R-7 SINGLE FAMILY RESIDENTIAL



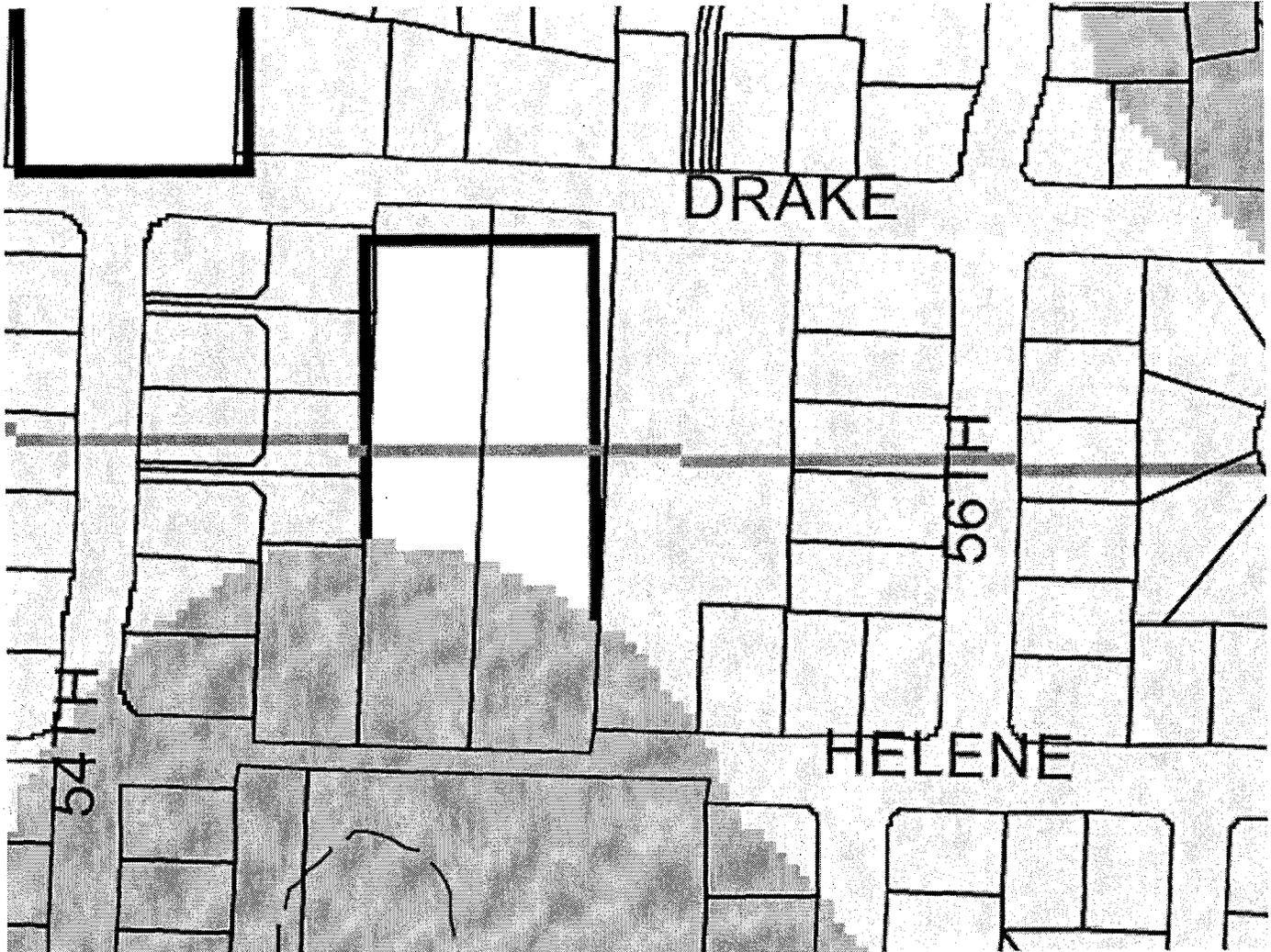
City of Hillsboro Zoning Designations

R- 4.5	Single Family Residential	R-7	Single Family Residential	R-10	Single Family Residential
R- 6	Single Family Residential	R-8.5	Single Family Residential	A-1	Duplex Residential
SCC-SC	Station Community Commercial - Station Commercial			A-2	Multi-Family Residential
SCC-MM	Station Community Commercial - Multi-Modal			A-3	Multi-Family Residential
SCC-CBD	Station Community Commercial - Central Business District			A-4	Multi-Family Residential
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SCR-DNC	Station Community Residential - Downtown Neighborhood Conservation				

City of Hillsboro Planning Department: (503) 681-6153

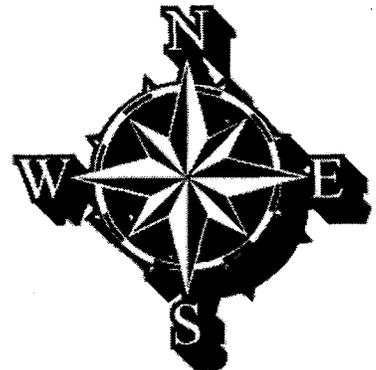
AN 11-07 / ZC 18-07: Bahr

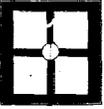
Clean Water Services Sensitive Area Pre-Screen Map



Legend

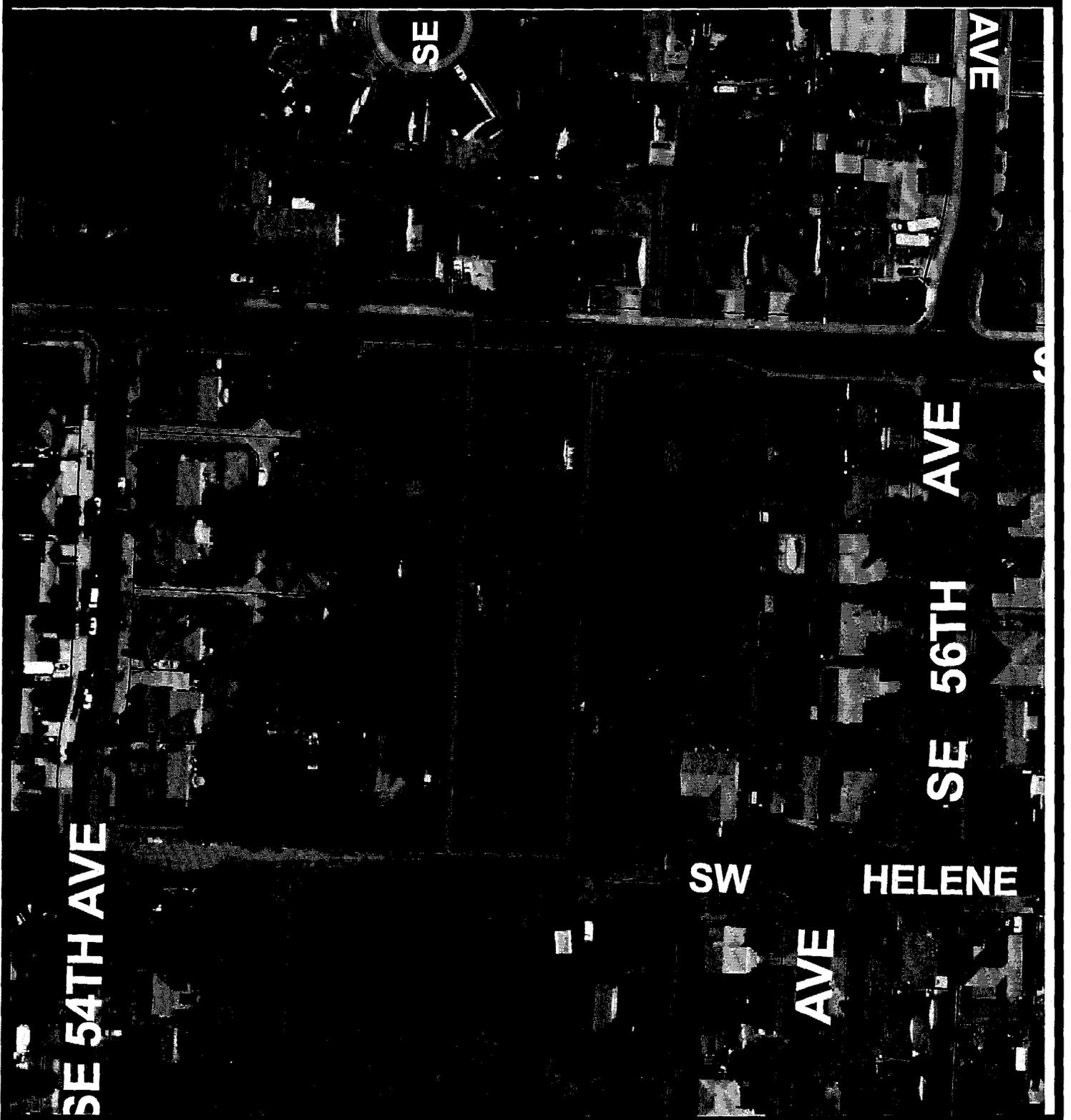
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-  p_sim
-  Streams2002
-  STM_LINE
-  Buffer_of_STM_LINE
-  GIS.CWSB
-  QTR_SEC
-  Hillsboro





AN 11-07 & ZC 18-07: BAHR

2006 AERIAL PHOTOGRAPHY



CITY OF HILLSBORO



February 11, 2008

STAFF REPORT

TO: City Council

FROM: Planning Department

RE: Request for Approval of Zone Change - File No. ZC 18-07: Bahr

Attached are materials relating to a City-initiated zone change from County R-9 Residential (nine units per acre) to City R-7 Single Family Residential on one property approximately 1.31 acres in area. The purpose of the proposed zone change is to implement the RL – Low Density Residential Comprehensive Plan designation on the property following annexation (Case File No. AN 11-07). The property proposed for the zone change is generally located north of SE Helene Street, south of SE Patterson Street, east of SE 54th Avenue and west of SE 56th Avenue. The property can be specifically identified as Tax Lot 12300 on Washington County Tax Assessor's Map 1S2-03CB and is addressed as 5466 SE Patterson Street.

A staff report is attached for your review. A proposed ordinance has also been attached for your consideration.

Please retain these materials until a final action has been taken on this matter. If you have any questions, please contact the Planning Department at (503) 681-6153.

Respectfully submitted,

HILLSBORO PLANNING DEPARTMENT

Daniel L. Dias
Urban Planner I

Attachments: Draft Ordinance
Attachment "A" Staff report and maps

ORDINANCE NO. _____

ZC 18-07: BAHR

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, A PORTION OF HILLSBORO ZONING ORDINANCE NO. 1945, AS AMENDED, BY CHANGING THE ZONING OF ONE TRACT OF RECENTLY ANNEXED PROPERTY FROM COUNTY R-9 RESIDENTIAL (NINE UNITS PER ACRE) TO CITY R-7 SINGLE RESIDENTIAL.

WHEREAS, a certain tract of land described herein has recently been annexed to the City of Hillsboro, and

WHEREAS, rezoning of annexed tracts of land from a County zone to a City zone prevents code enforcement problems associated with the City attempting to administer the land use laws of Washington County, and

WHEREAS, the City of Hillsboro Planning Commission approved Resolution No. 1652-P on January 23, 2008, initiating the zone change on the recently annexed property described below, and

WHEREAS, the City Council hereby adopts the staff report, including the recommended conditions of approval, attached hereto as Attachment "A", as findings in regard to this matter, and

WHEREAS, based on those findings, the City Council hereby determines that the zone change conforms with the Hillsboro Comprehensive Plan and Zoning Ordinance, and the particular zone recommended is the best suited for the subject site.

NOW, THEREFORE, THE CITY OF HILLSBORO ORDAINS AS FOLLOWS:

Section 1. The following described tract of land is hereby rezoned from County R-9 Residential (nine units per acre) to City R-7 Single Family Residential as outlined in Sections 2 and 3 below:

Tax Lot 12300, on Washington County Tax Map 1S2-3CB
Section 3, Township 1 South, Range 2 West, Willamette Meridian

Section 2. City of Hillsboro Zoning Ordinance No. 1945, as amended, is further amended by zoning Tax Lot 12300 as R-7 Single Family Residential.

Section 3. Approval of this zone change is subject to the following conditions:

- 1) Prior to issuance of building permits for new construction on the site, or approval of a land use action as defined in Implementation Measure (B) of the Transportation Plan, the owner(s) shall provide additional street right-of-way dedication for SE Patterson Street and SE Helene Street, to meet the standards of the Transportation Plan.

- 2) Prior to the issuance of building permits for new construction on the site, or approval of a land use action as defined in Implementation Measure (B) of the Transportation Plan, the owner(s) shall either construct road improvements to SE Patterson Street and SE Helene Street, or shall record a waiver of remonstrance stating an intent not to remonstrate against a future local improvement which may be formed for the improvement of SE Patterson Street and SE Helene Street in lieu of constructing road improvements. The determination of required road improvements or a waiver of remonstrance shall be made by the City Engineer, based on the level of impact of the proposed land use action.

- 3) A Clean Water Services Service Provider Letter shall be required prior to issuance of permits for any new development on the site, and the new development shall comply with any conditions required by the Letter.

Section 4. The City Planning Director is hereby instructed to cause the official zoning map, a part of Ordinance No. 1945, to be amended to include the zone change set forth in Section 1 hereof.

Section 5. Except as herein amended, Zoning Ordinance No. 1945, as amended, shall remain in full force and effect.

Passed by the Council this 19th day of February, 2008.

Approved by the Mayor this 19th day of February, 2008.

Mayor

ATTEST: _____
City Recorder

CITY OF HILLSBORO



ATTACHMENT "A"

February 11, 2008

STAFF REPORT

TO: City Council
FROM: Planning Department
RE: Request for Approval of Zone Change – ZC 18-07: Bahr

REQUEST

The City of Hillsboro, acting as applicant, requests a zone change from County R-9 Residential (nine units per acre) to City R-7 Single Family Residential on one property approximately 1.31 acres in area. The purpose of the proposed zone change is to implement the RL – Low Density Residential Comprehensive Plan designation on the property following annexation. The property owner is Casey Scott Bahr.

The City received an associated annexation application (AN 11-07: Bahr) which will be reviewed by the City Council at their February 19, 2008 meeting. Pursuant to Zoning Ordinance Section 97, the Planning Commission approved Resolution Number 1652-P on January 23, 2008, initiating this zone change request.

SITE DESCRIPTION

The property under consideration for annexation is located generally north of SE Helene Street, south of SE Patterson Street, east of SE 54th Avenue and west of SE 56th Avenue. The property can be specifically identified as Tax Lot 12300 on Washington County Tax Assessor's Map 1S2-03CB and is addressed as 5466 SE Patterson Street.

The site slopes gradually downward towards the northwest corner of the site. A single family residence and numerous trees are located on the lot.

SE Patterson is identified as a Neighborhood Route in the City of Hillsboro Transportation System Plan (TSP).

The City of Hillsboro Goal 5 Natural Resource Inventory does not identify any Significant Natural Resources and associated impact areas on the site. The southern third of tax lot 12300 appears to be within the 250-foot area of potential impact on the Clean Water Services Sensitive Areas Pre-Screen Map.

DESCRIPTION OF SURROUNDING AREA

Area	Plan	Zoning	Land Uses
North	RL – Low Density Residential	R-7 Single-Family Residential	Single Family Residential
East	RL – Low Density Residential	R-7 Single-Family Residential	Single Family Residential
South	RL – Low Density Residential	R-7 Single-Family Residential	Single Family Residential
West	RL – Low Density Residential	R-7 Single-Family Residential	Single Family Residential

PUBLIC UTILITIES

Service	Provider	Size	Location	Distance from site
Water	City	8"	SE Patterson Street	Adjacent
Sanitary Sewer	City	8"	SE Patterson Street	Adjacent
Storm Drain	City	10"	SE Patterson Street	Adjacent

TRANSPORTATION FACILITIES

Streets	Existing		Plan Designated	
	R-O-W	Improvement	R-O-W	Improvement
SE Patterson Street	40' +/-	35' +/-	60'	36'
SE Helene Street	20' +/-	10' +/-	54'	32'
Sidewalk Improvements	Existing		Plan Designated	
SE Patterson Street	Unimproved adjacent to site		5' sidewalk and 6' planter strip	
SE Helene Street	Unimproved adjacent to site		5' sidewalk and 5' planter strip	
Mass Transit	Bus Route/ Station		Distance to Site	
Bus	Route 57 / TV Highway		5,000' +/-	
Bicycle Lane	Existing		Plan Designated	
SE Patterson Street	None		None	
SE Helene Street	None		None	

APPLICABLE PLAN POLICIES AND IMPLEMENTATION MEASURES

Section 2. Urbanization Implementation Measure (IV)(A)(5) The infill of vacant, bypassed lands, between areas of development, at an urban level, shall be encouraged. Appropriate measures shall be taken to insure that new development in infill areas is compatible with existing developed areas. The City will support a proposed annexation of infill areas and allow subsequent development to occur under the clear and objective standards in its implementing ordinances, including the Zoning and Subdivision ordinances.

Section 2. Urbanization Implementation Measure (I) Land uses identified by the Comprehensive Plan Land Use Map have been determined to be the most suitable needed by the City. To meet the burden of proof for a proposed zone change, it is both necessary and sufficient to show that the proposed zone change is consistent with and represents the highest land use allowed by the Comprehensive Plan Land Use Map, and in the case of zone changes in the residential

areas, the proposed zone shall allow development of housing at a density within the range designated by the Land Use Map. In addition, the City may attach clear and objective conditions to the zone change provided such conditions are consistent with the Comprehensive Plan, the Zoning Ordinance, and other rules and policies regulating development in the City.

Section 2. Urbanization Implementation Measure (M) The land use map shall designate property in the Hillsboro Planning Area as Low, Medium, High or Mid-Rise Residential, Mixed-Use, Commercial, Industrial, Open Space, Floodplain, Public Facility or Station Community Planning Area. As used in this subsection, "Mixed-Use" means a mix of residential and commercial uses either vertically or horizontally. The land use map may also designate the boundaries of Hillsboro "community plan" areas. Residential land outside Station Community Planning Areas shall be designated Low, Medium, or High density, or Mid-Rise Residential, so as to provide the opportunity for an overall density of 10 units per net acre, and a 50% detached single family/50% attached single family or multi-family split on new construction.

Section 6. Natural Resources, Open Space, Scenic and Historical Sites (E) (2) The Natural Resources Management Program Ordinance shall include a map which generally identifies the extent and location of significant wetlands, riparian corridors and wildlife habitat areas and their impact areas, as identified in the adopted "*List of Significant Goal 5 Natural Resource Sites in the City of Hillsboro*" and its supporting document the "*City of Hillsboro Goal 5 Natural Resources Inventory and Assessment Report*", and the ESEE analyses, completed pursuant to the Goal 5 and Oregon Administrative Rules 660, Division 23 provisions.

Section 6. Natural Resources, Open Space, Scenic and Historical Sites (E) (5) Development projects located in or partially within the overlay area for the Natural Resources Management Program Ordinance map shall address preservation of wildlife habitat, natural vegetation, wetlands, water quality, open space and other natural resources important to the ecosystem in the vicinity of the proposed development site. During the Development Review process, development projects and subdivision applications in Station Community Planning Areas shall address the potential impacts of proposed projects on these resources, shall address provisions of Zoning Ordinance No. 1945 Section 127.III.L and Section 127 IV.B.3.e through h, and shall incorporate measures to mitigate any impacts that result from the proposed development

Section 13. Transportation – Implementation Measure (B) Approval of land use actions on properties including or adjacent to rights-of-way and street improvements which are less than that specified in the Transportation Plan and Maps shall require: dedication of adequate land for public right-of-way to meet that specified in the Plan; construction of the required interior street system; and construction of, or execution of a non-remonstrance deed restriction for the specified street improvements immediately adjacent to the properties. For the purpose of this measure, land use actions are limited to zone changes, planned unit developments, conditional uses, variances, expansions of non-conforming uses, development reviews, site plan reviews, subdivisions, major partitions and minor partitions.

APPROVAL CRITERIA

Zoning Ordinance No. 1945, Section 114 (2) specifies the approval criteria for a proposed zone change as follows:

- a. That the request must conform with the Hillsboro Comprehensive Plan and this Ordinance;

- b. That, where more than one designation is available to implement the Comprehensive Plan designation (e.g. R-7 vs. R-10), the applicant must justify the particular zoning being sought and show that it is best suited for the specific site, based upon specific policies of the Hillsboro Comprehensive Plan.

Section 114(1) of the Zoning Ordinance lists conditions that may be attached to a zone change approval:

- a. Street improvements abutting/within the development area;
- b. Street dedication abutting/within the development area;
- c. Joint use/access agreement;
- d. Improvement agreements for the installation of necessary on-site public facilities;
- e. Utility easements;
- f. Landscaping;
- g. Off-street parking;
- h. Storm drainage improvements;
- i. Off-site public improvements when the rezoning and subsequent development will contribute significantly to the need for such off-site improvements;
- j. Development Review approval by the Planning Commission; for projects in zones or locations for which development requirements and design standards are specified in the Zoning Ordinance;
- k. Screening, fencing;
- l. Limiting access;
- m. Surety/performance bond;
- n. Non-remonstrance clause.

DISCUSSION

The City Comprehensive Plan designation for the property is RL – Low Density Residential. There are four zones available to implement the RL – Low Density Residential designation: R-10 Single Family Residential, R-8.5 Single Family Residential, R-7 Single Family Residential and R-6 Single Family Residential. The adjacent property to the west is inside the Urban Growth Boundary but is still in unincorporated Washington County. Neighboring properties to the north, south, and east of the subject property are designated RL and are zoned R-7 Single Family Residential.

The City of Hillsboro Planning Department's Staff Report on the annexation, dated February 4, 2008, recommends that the subject property be rezoned to R-7 Single Family Residential. The Planning Commission has also recommended the R-7 zone.

TESTIMONY RECEIVED

No written comments or testimony have been received to date from adjacent property owners or affected agencies.

RECOMMENDATION

Should the City Council choose to approve the requested zone change, the Planning staff recommends that the following conditions be placed on the property:

- 1) Prior to issuance of building permits for new construction on the site, or approval of a land use action as defined in Implementation Measure (B) of the Transportation Plan, the owner(s) shall provide additional street right-of-way dedication for SE Patterson Street and SE Helene Street, to meet the standards of the Transportation Plan.
- 2) Prior to the issuance of building permits for new construction on the site, or approval of a land use action as defined in Implementation Measure (B) of the Transportation Plan, the owner(s) shall either construct road improvements to SE Patterson Street and SE Helene Street, or shall record a waiver of remonstrance stating an intent not to remonstrate against a future local improvement which may be formed for the improvement of SE Patterson Street and SE Helene Street in lieu of constructing road improvements. The determination of required road improvements or a waiver of remonstrance shall be made by the City Engineer, based on the level of impact of the proposed land use action.
- 3) A Clean Water Services Service Provider Letter shall be required prior to issuance of permits for any new development on the site, and the new development shall comply with any conditions required by the Letter.

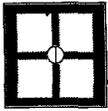
Respectfully submitted,

CITY OF HILLSBORO PLANNING DEPARTMENT



Daniel L. Dias
Urban Planner I

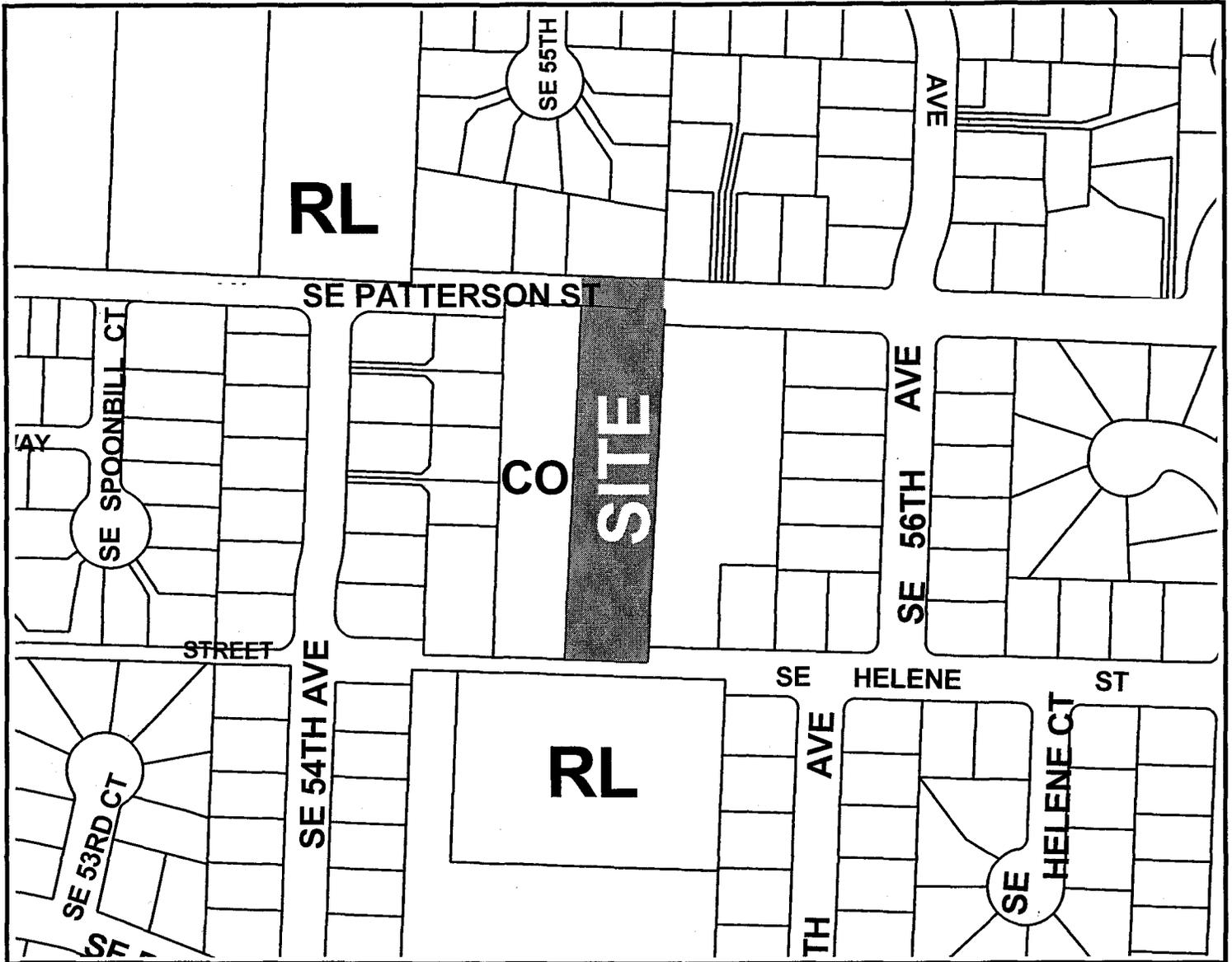
Attachments: Comprehensive Plan and Zoning maps
 Clean Water Services Sensitive Areas Pre-Screen Map
 Aerial Photo



AN 11-07 AND ZC 18-07: BAHR



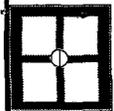
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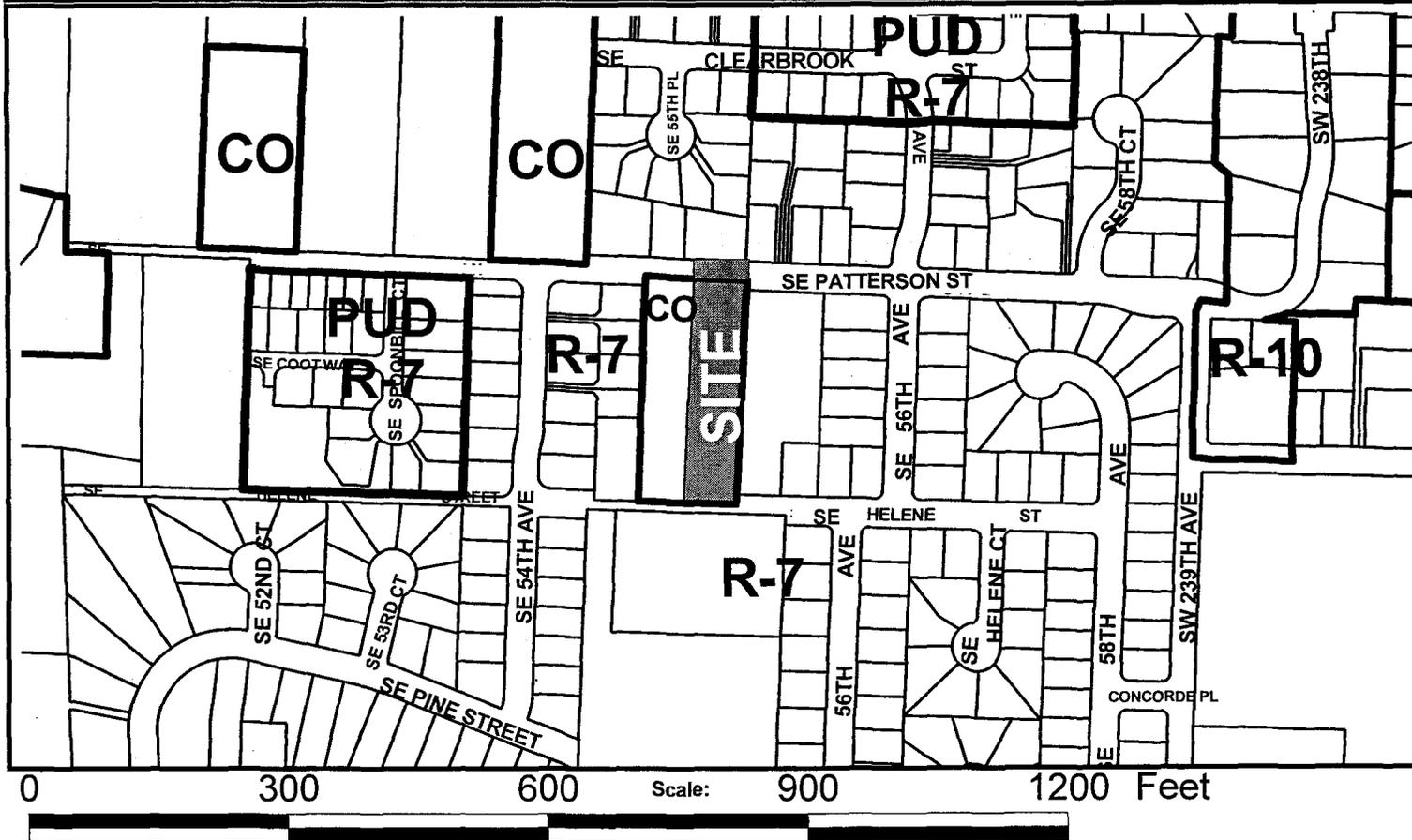
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City of Hillsboro Zoning Designations

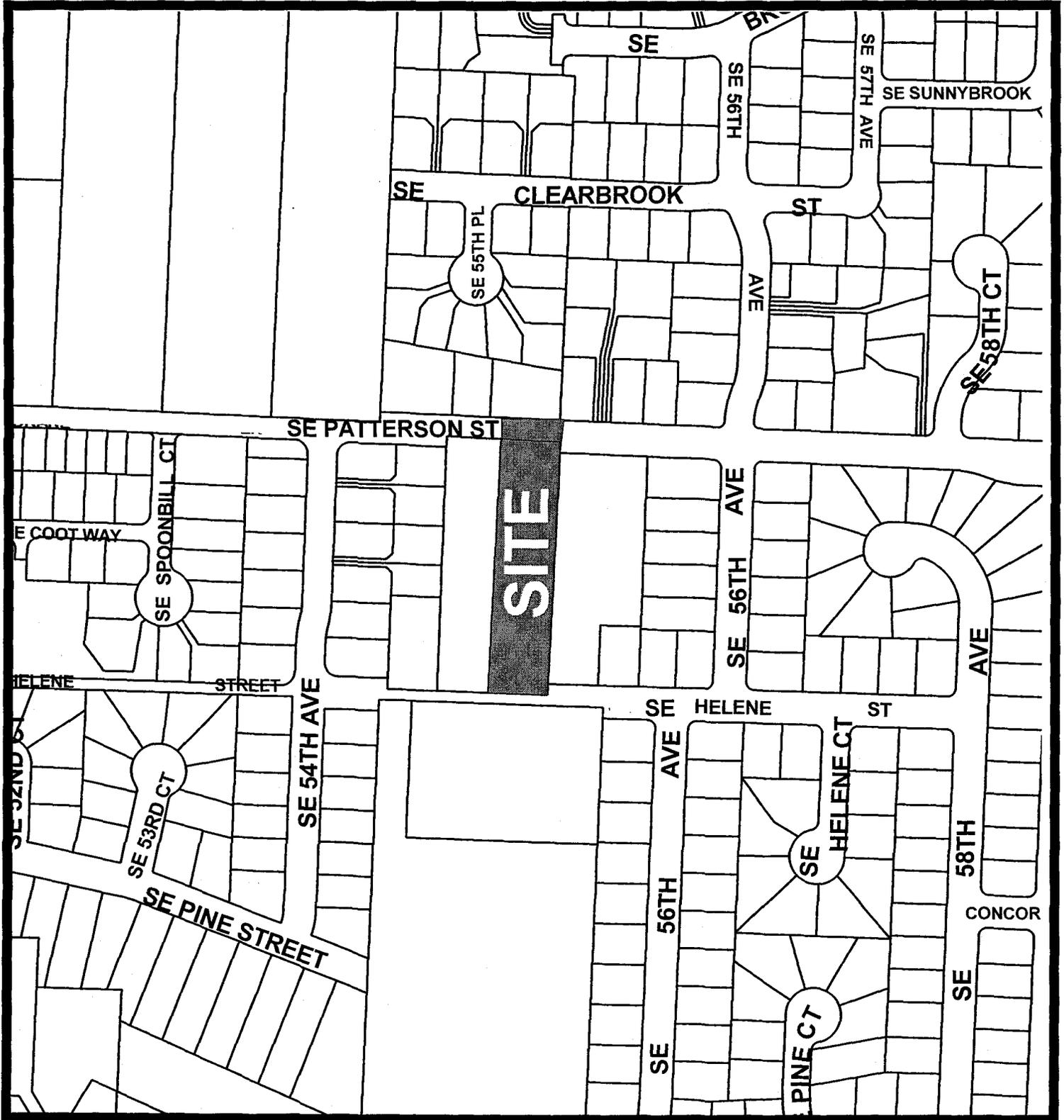
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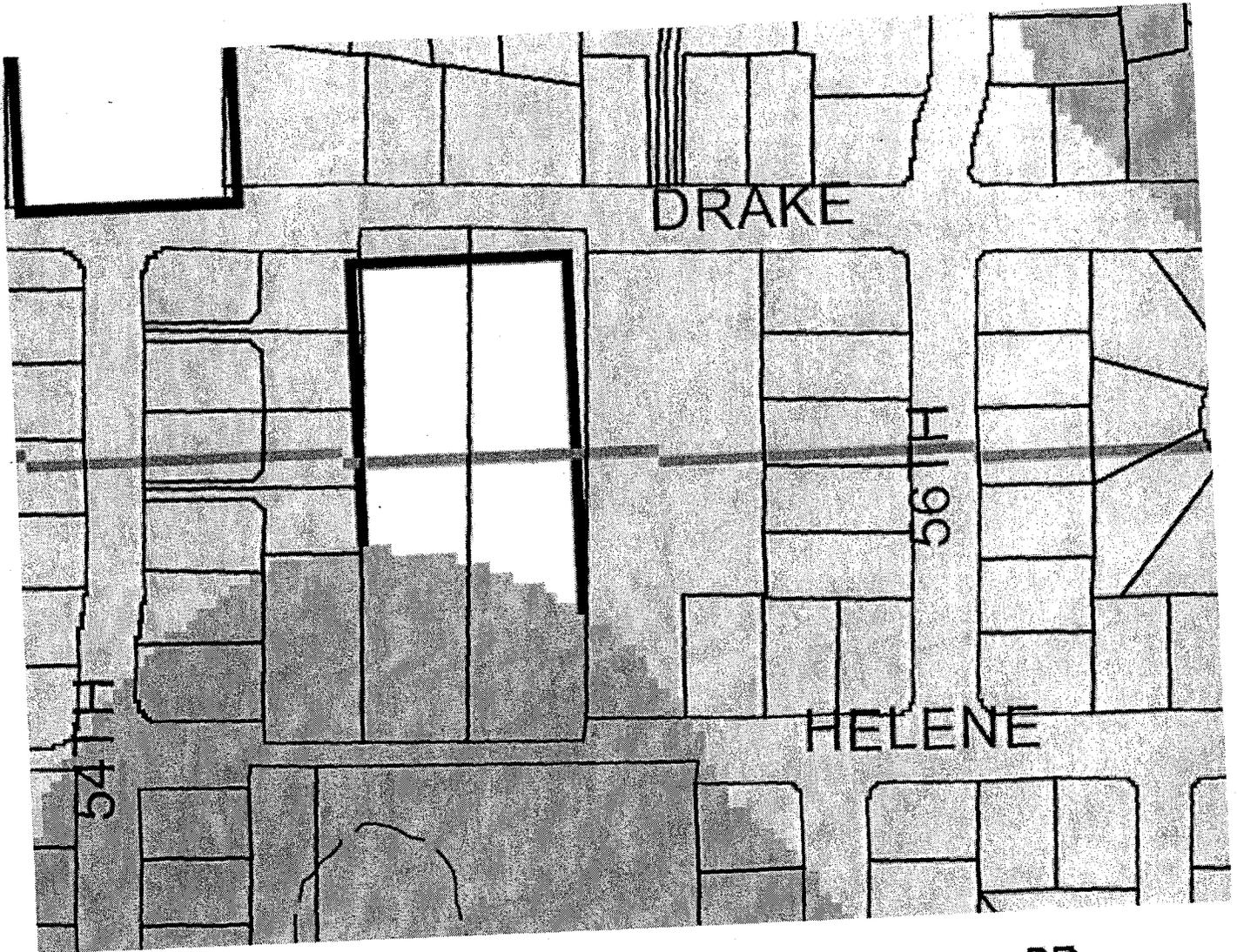


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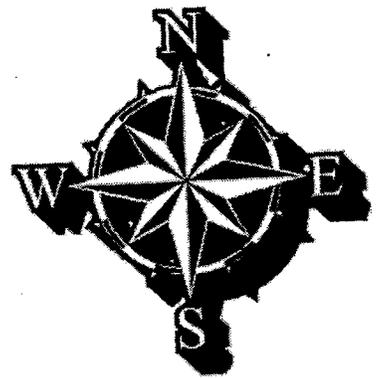
AN 11-07 / ZC 18-07: Bahr

Clean Water Services Sensitive Area Pre-Screen Map



Legend

-  GIS.WasCo_taxlots
-  p_stm
-  Streams2002
-  STM_LINE
-  Buffer_of_STM_LINE
-  GIS.CWSB
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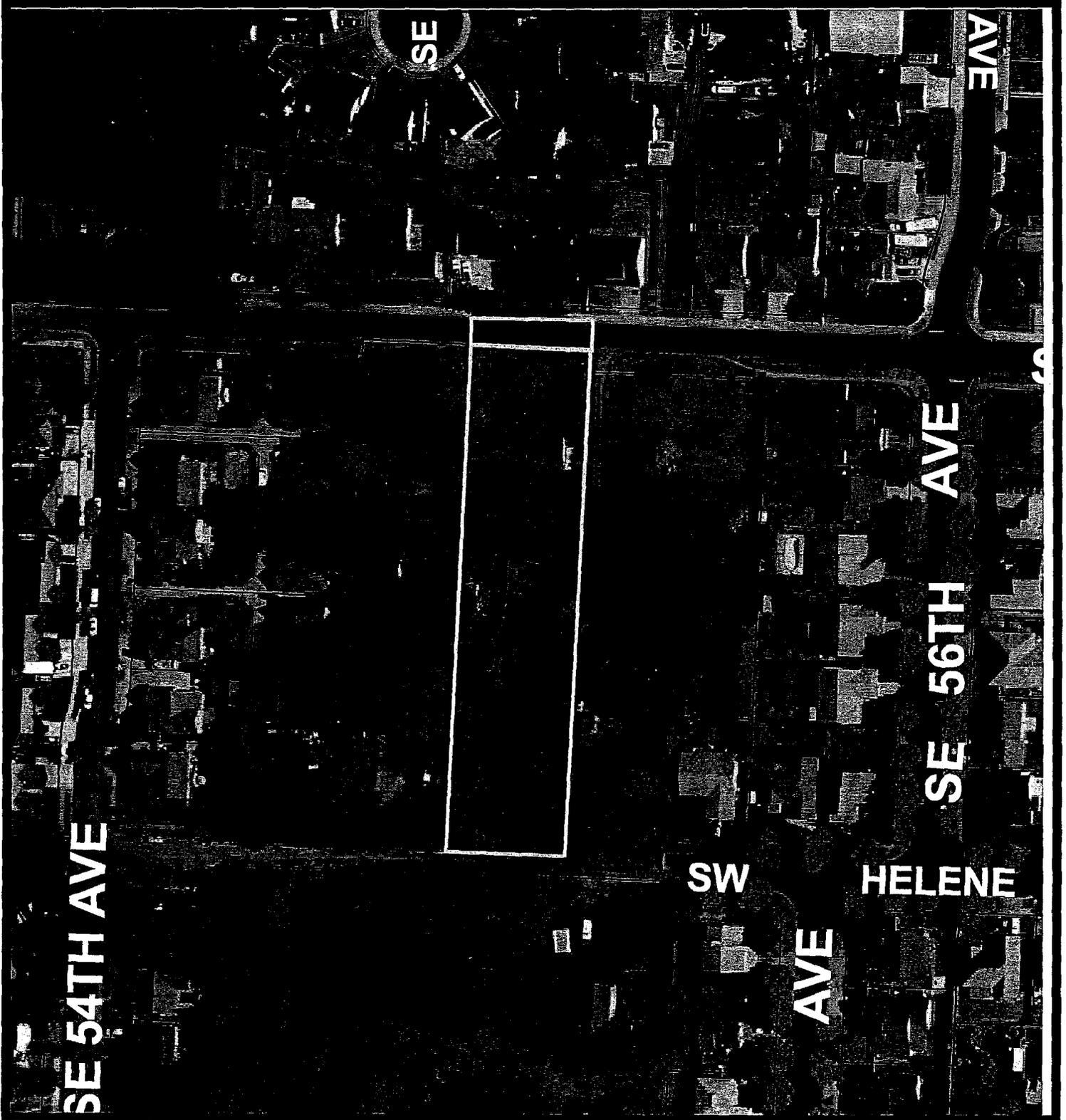




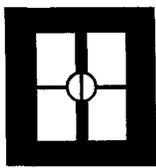
AN 11-07 & ZC 18-07: BAHR



2006 AERIAL PHOTOGRAPHY



CITY OF HILLSBORO



February 12, 2008

STAFF REPORT

TO: City Council
FROM: Planning Department

RE: Request for Preliminary Development Plan Approval to Modify an Existing Planned Unit Development – File No. PUD 5-06 (MOD 1): Parkside Estates

Attached are materials relating to a modification to the preliminary development plan for the Parkside Estates Planned Unit Development (PUD), a 96-lot single family residential development on property approximately 11.04 acres in size. The requested modification would reduce the side yard setback from five feet to four feet for Lots 38 to 69, which are the units internal to the Parkside Estates PUD. The requested modification would apply to the houses and to the detached alley loaded garages.

The proposed PUD is located generally north and east of SW River Road, south of SE Witch Hazel Road, and west of SE Alexander Street. The property can be specifically identified as Tax Lot 100 on Washington County Tax Assessor's Map 1S2-09CA. The site is zoned A-1 Duplex Residential and designated RM – Medium Density Residential and OS – Open Space on the Comprehensive Plan Land Use map.

On November 28, 2007, the Planning Commission opened the public hearing and received testimony in support of, and none in opposition to, the modification to the preliminary development plan for Parkside Estates. At the December 12th hearing, the Commission further discussed the project and continued the hearing for discussion of conditions only. On January 23, 2008, the Commission adopted Resolution No. 1651-P, including 3 conditions with supporting findings, recommending that the City Council approve the modification to the preliminary development plan for Parkside Estates. A draft Council ordinance, with the same conditions of approval adopted by the Planning Commission, is included for the Council's consideration. Also included are an aerial vicinity map, a reduced-size tax map, comprehensive plan and zoning maps, a tentative plat, Planning Commission staff reports and the applicant's submittal. Please retain these materials until final action has been taken on this matter.

If you have questions, please contact the Planning Department at (503) 681-6153.

Respectfully submitted,

CITY OF HILLSBORO PLANNING DEPARTMENT

Ruth Klein
Urban Planner

Attachments: as noted above

ORDINANCE NO. _____

PUD 5-06 (MOD 1): PARKSIDE ESTATES

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, A PORTION OF HILLSBORO ZONING ORDINANCE NO 1945, AS AMENDED, BY APPROVING A MODIFICATION TO A PLANNED UNIT DEVELOPMENT OVERLAY ZONE ON A CERTAIN TRACT OF LAND THROUGH APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN FOR A 96-LOT DETACHED SINGLE FAMILY RESIDENTIAL DEVELOPMENT ON A SITE APPROXIMATELY 11.04 ACRES IN SIZE.

WHEREAS, the owner of a certain tract of land, described below, has filed a written application with the City of Hillsboro for approval of a modification to the Planned Unit Development (PUD) overlay to the existing A-1 Duplex Residential zone; and

WHEREAS, the Planning Commission held public hearings on November 28 and December 12, 2007 and January 23, 2008 and received testimony in support of, and no testimony in opposition to, the application; and

WHEREAS, based on the testimony and material received, the Planning Commission recommended approval of the modification to the preliminary development plan for the proposed Planned Unit Development, with the conditions listed herein, based on the findings attached hereto as Attachment "A" and the site plan attached hereto as Attachment "B".

WHEREAS, the City Council considered the Planning Commission's recommendation at the regular meeting of February 19, 2008, and adopted the findings and conditions of the Planning Commission as its own in regard to this matter; and

WHEREAS, based on those findings and conditions, the City Council hereby determines that the proposal conforms with the Hillsboro Comprehensive Plan and the Zoning Ordinance, and that the Planned Unit Development overlay zone is best suited for the subject site.

NOW, THEREFORE, THE CITY OF HILLSBORO DOES ORDAIN AS FOLLOWS:

Section 1. The Planned Unit Development overlay zone on the following described tract of land is hereby modified, as described in Planning Department Casefile No. PUD 5-06 (MOD 1):

Tax Lot 100 on Washington County Tax Assessor's Map 1S2-09CA; Section 9, Township 1 South, Range 2 West, Willamette Meridian, on record as of June 27, 2005, and a copy of which is attached hereto and thereby made a part of this Ordinance.

Section 2. Approval of the modification to the PUD overlay zone is conditioned upon satisfaction of the following conditions:

- 1) Modifications to the minimum development standards of the A-1 Duplex Residential zone for Lots 38 to 69 shall include a reduction of the side yard setback from 5 feet to 4 feet.

- 2) On Lots 38 to 69 no more than two consecutive houses shall occupy the same front building plane. The minimum adjustment between consecutive occurrences shall be five feet and be in reasonable conformance with the attached Attachment "B".
- 3) All prior conditions of approval, adopted by the City Council in Ordinance No. 5750 and relating to the preliminary development plan of this Planned Unit Development, remain binding.

Section 3. The City Planning Director is hereby instructed to cause the official zoning map, a portion of Ordinance No. 1945, to be amended to include the zone change set forth in Section 1 hereof.

Section 4. Pursuant to Zoning Ordinance No. 1945, Section 127 (IV) (I.) and (V), preliminary approval of the Planned Unit Development overlay zone will expire two years from the date of approval of Ordinance No. 5750, unless the final development plan has been approved or unless the preliminary approval is extended or modified.

Section 5. Except as herein amended, Zoning Ordinance No. 1945, as amended, shall remain in full force and effect.

Passed by the Council this 19th day of February, 2008.

Approved by the Mayor this 19th day of February, 2008.

Mayor

ATTEST: _____
City Recorder

ATTACHMENT "A"
BEFORE THE PLANNING COMMISSION
OF THE CITY OF HILLSBORO

**IN THE MATTER OF AN APPLICATION
FOR A MODIFICATION TO A
96 LOT SINGLE-FAMILY
RESIDENTIAL PLANNED UNIT
DEVELOPMENT KNOWN AS
PARKSIDE ESTATES ON 11.04 ACRES**

**CITY OF HILLSBORO
CASE FILE NO. PUD 5-06(MOD 1)
FINDINGS OF FACT
CONCLUSIONS OF LAW**

I. INTRODUCTION

The applicant, Riverside Homes, Inc., has requested Planning Commission approval of a modification to the side yard setbacks for the alley loaded units (lots 38-69) on an approved 96-lot single-family residential planned unit development (PUD) on one parcel encompassing approximately 11.04 acres. The existing parcel is currently half developed with the first phase construction almost completed.

The existing parcel is part of the larger 318-acre Witch Hazel Village Community Plan area as defined by the Witch Hazel Village Community Plan. The Witch Hazel Village Community Plan is incorporated into the Hillsboro Comprehensive Plan and serves as the master plan to guide all development within the 318-acre area.

The modification will permit 4-foot side yard setbacks for lots 38 through 69 of the preliminarily approved development plan.

The site is located immediately to the north/northeast of the SW River Rd., generally south of SE Witch Hazel Rd., and northwest of Witch Hazel Creek. The site does not include any areas within the City of Hillsboro Significant Natural Resource Overlay District or other natural resource areas as delineated by the project biologist.

II. PROCEDURAL STATUS AND PUBLIC TESTIMONY RECEIVED

The original staff report dated November 20, 2007, included such items as the description of the site and surrounding area, project description, department comments, and draft conditions of approval (#1 & #2).

The city received no letters of comment on the proposed project modification prior to the completion of the original staff report.

Following notice of the public hearing as required by applicable Hillsboro Zoning Ordinance and ORS 197 provision, the Planning Commission opened the first public hearing on November 28, 2007. During testimony by the applicant's representative, Mr. Sprague, the Planning Commission directed several questions and comments to him regarding various elements of the units related to the setbacks. The Planning Commission requested to see an exhibit that demonstrated alternating front façade setbacks of no more than two units occupying the same building plan and a minimum of five feet of separation of those building planes. No testimony in opposition of the modification was received from adjacent property owners. No rebuttal was necessary by Mr. Sprague.

Opposition: There was no testimony in opposition.

The supplemental staff report was completed on December 6, 2007 and contained planning staff's revisions to the conditions adding a condition per the discussion at the hearing on November 28, 2007 to require ("...no more than two consecutive houses shall occupy the same front building plane. The minimum adjustment between consecutive occurrences shall be five feet...").

The city received no letters of comment on the proposed modification prior to the completion of the supplemental staff report.

The second Planning Commission hearing was opened on December 12, 2007. During testimony by the applicant's representative, Mr. Sprague, the Planning Commission again directed a few questions and comments to him regarding various elements of the modification. Again, testimony in opposition of the project was not received from adjacent property owners.

Opposition: There was no testimony in opposition.

III. INCORPORATION OF THE APPLICATION AND STAFF REPORT

The Planning Commission hereby adopts and incorporates by reference the application and supplemental submittal materials, the staff report dated November 20, 2007, and the supplemental staff reports dated December 6, 2007, and January 16, 2008, including the final conditions of approval, for the purposes of documenting the factual content of this modification application and the basic findings of compliance with the applicable standards.

IV. APPLICABLE APPROVAL CRITERIA

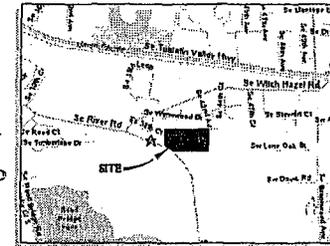
For the reasons contained in the incorporated documents, the Planning Commission finds that the applicant has satisfied the following applicable approval criteria for approval of the modification of the 96-lot residential PUD. The record contains no contrary evidence. The applicable approval criteria are contained in Sections 127 (V) C of the Hillsboro Zoning Ordinance No. 1945.

V. CONCLUSION

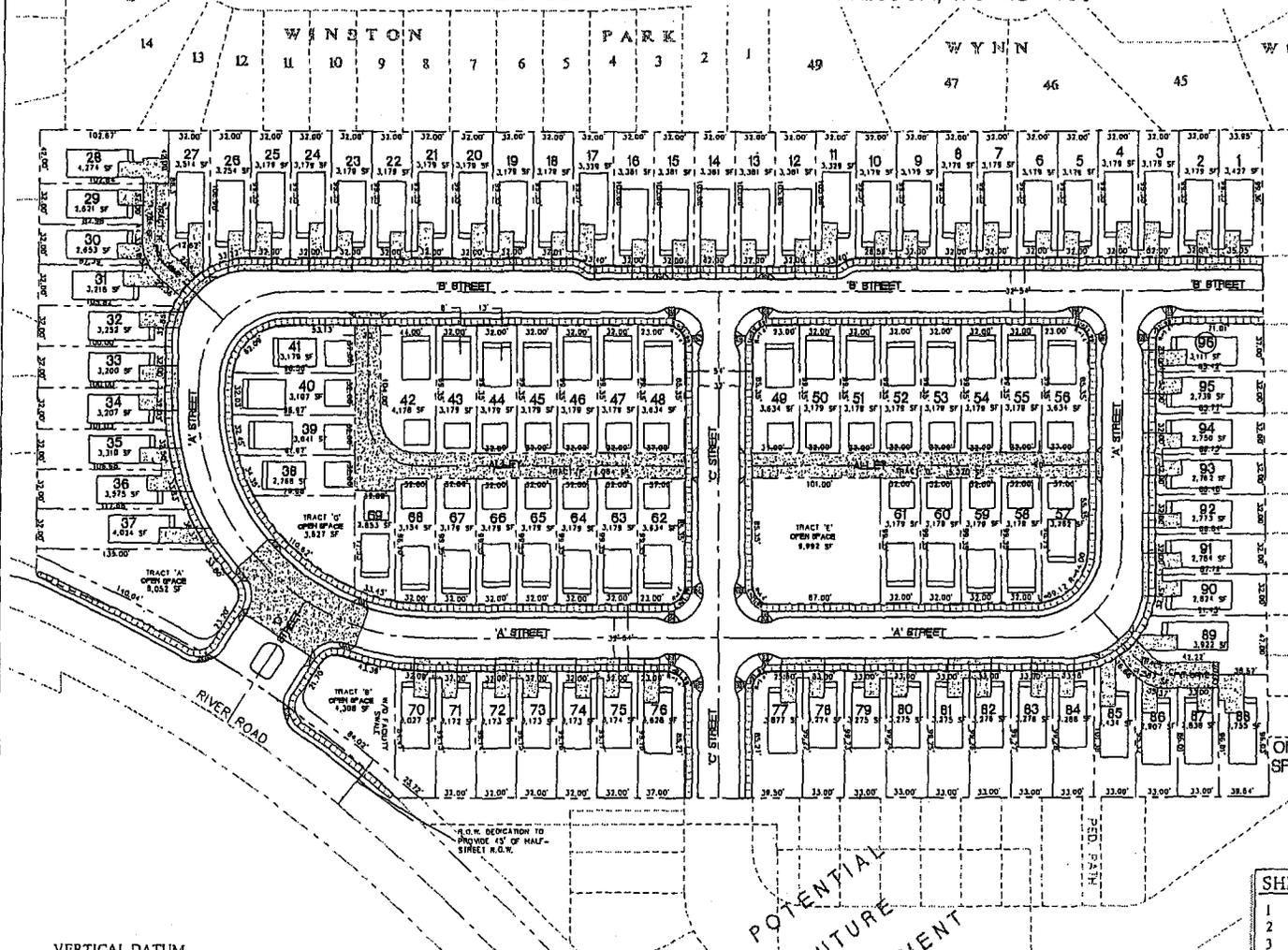
Based upon this documentation and the submittal of testimony during the public hearing process as identified above, the Planning Commission finds that the applicant has sufficiently met all of the relevant subsections of the Zoning and PUD Ordinances, and complies with the Witch Hazel Village Community Plan and Goals and Policies of the Comprehensive Plan. Therefore, the Planning Commission recommends **APPROVAL** of this application for the Side Yard Setback Modification for Parkside Estates PUD lots 38 through 69. This approval incorporates the conditions of approval as listed in the Resolution to which these findings are attached.

PARKSIDE ESTATES

A 96-LOT PLANNED UNIT DEVELOPMENT ON TAX MAP 1S209CA, TAX LOT 100



VICINITY MAP
N.T.S.

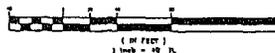


- APPLICANT:**
RIVERSIDE HOMES, INC.
1925 NW AMBERGLEN PKWY, SUITE 200
BEAVERTON, OR 97006
PHONE (503)645-0986 / FAX (503)690-2942
CONTACT: MATT SEIDEL
- OWNER:**
DOUGLAS AND DEBORAH NYMAN
3280 SW RIVER ROAD
HILLSBORO, OR 97123
- PLANNING/ENGINEERING:**
SPA DESIGN GROUP, LLC
9020 WASHINGTON SQ DR, SUITE 350
PORTLAND, OR 97223
PHONE (503)641-8311 / FAX (503)643-7905
CONTACT: MATT SPRAGUE
- SURVEYOR:**
HARPER HOUF PETERSON RIGHELLIS, INC.
5200 SW MACADAM AVE., SUITE 580
PORTLAND, OR 97239
PHONE (503)221-1131 / FAX (503)221-1171
CONTACT: PAUL PERRY
- BIOLOGIST:**
SWCA ENVIRONMENTAL CONSULTANTS
434 NW 6TH AVE, SUITE 304
PORTLAND, OR 97209
PHONE (503)224-0333 / FAX (503)224-1851
CONTACT: MIRTH WALKER

VERTICAL DATUM

BENCHMARK: No. 9286
DATUM: WASHINGTON COUNTY
DESCRIPTION: 5/8" IRON ROD WITH A PLASTIC CAP WORN DOWN WORN DOWN TO THE IRON ROD. LOCATED AT THE SOUTHWEST CORNER OF THE EXIT DRIVEWAY FROM THE ROCK CREEK SEWAGE TREATMENT PLANT. FROM THE STATION THE CENTERLINE OF A CATCH BASIN IS SOUTH 11.6'.
ELEVATION: 158.95'

GRAPHIC SCALE



LOCATION

T1S 209CA
TAX LOT 100
WASHINGTON COUNTY
SITE SIZE = 11.84 ACRES

SHEET INDEX

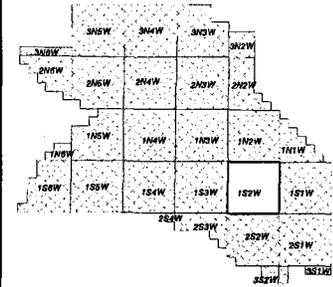
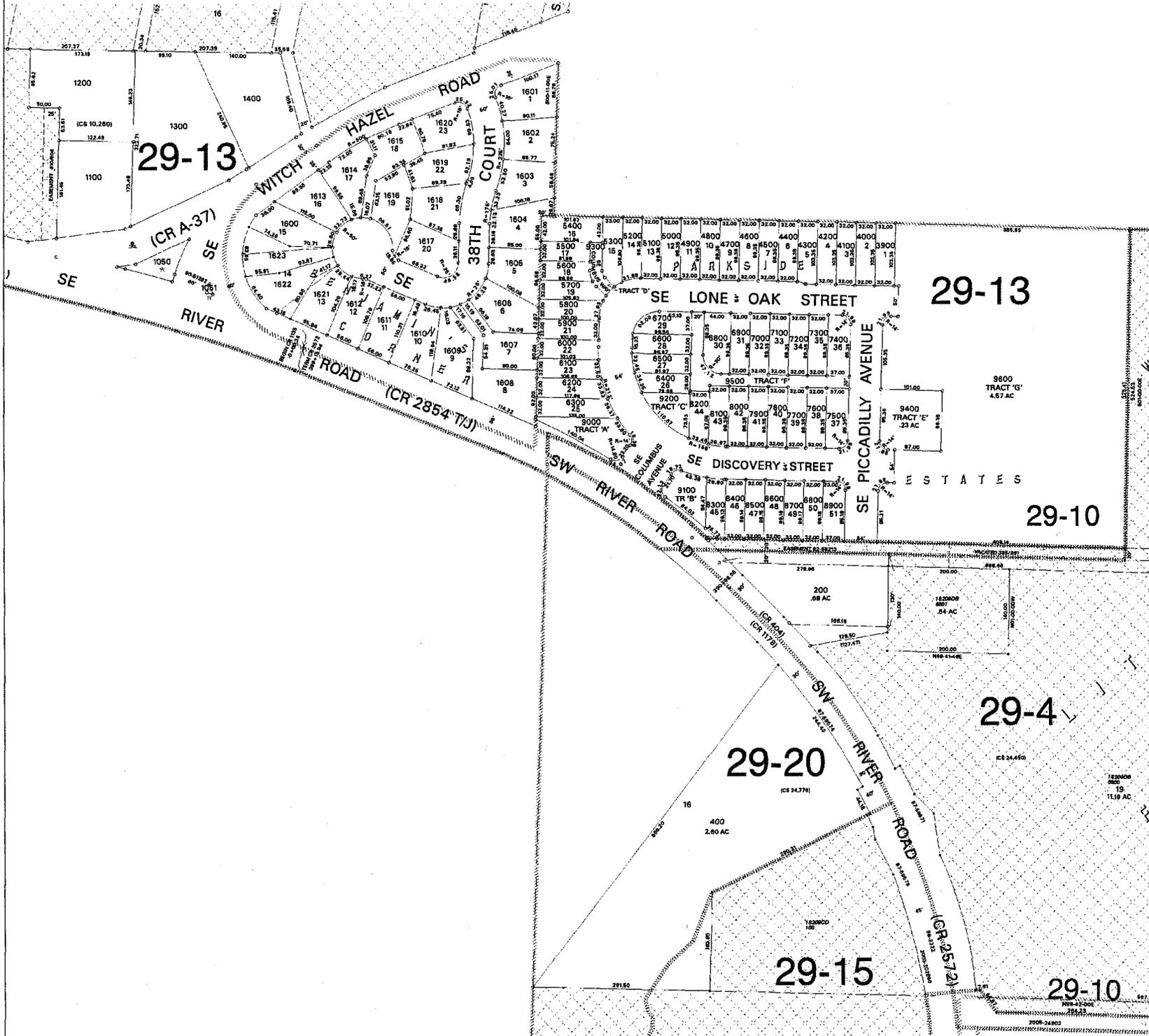
- 1 PRELIMINARY PLAT
- 2 EXISTING CONDITIONS
- 3 PRELIMINARY GRADING / EROSION CONTROL PLAN
- 4 PRELIMINARY STREET / UTILITY PLAN
- 5 AERIAL / CIRCULATION PLAN
- L1 PRELIMINARY LANDSCAPE PLAN
- L2 PRELIMINARY LANDSCAPE PLAN

PRELIMINARY PLAT
MODIFICATIONS
PARKSIDE ESTATES

ALACHMENI D

DESIGNED BY	DATE	SCALE
DRAWN BY	DATE	SCALE
REVIEWED BY	DATE	SCALE
PROJECT NO.	DATE	SCALE
SHEET NO.	TOTAL SHEETS	
PROJECT	PAPER	
NO.	DATE	
TYPE	PLANNING	

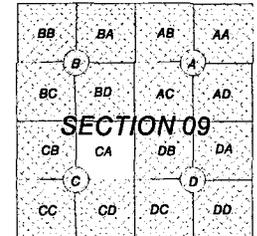




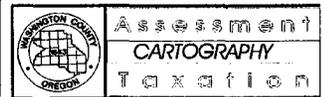
WASHINGTON COUNTY OREGON
 NE1/4 SW1/4 SECTION 09 T1S R2W W.M.
 SCALE 1" = 100'

35	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6
12	7	8	9	10	11	12	7
13	18	17	16	15	14	13	18
24	19	20	21	22	23	24	19
25	30	29	28	27	26	25	30
36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.co.washington.or.us



Cancelled Taxlots For: 1S209CA
 1500,300,500,600,700,800,900,1700,1800,1900,2000,2100,2200,
 2300,2400,2500,2600,2700,2800,2900,3000,3100,3200,3300,3400,
 3500,3600,3700,3800,1600-A1,1600



PLOT DATE: January 07, 2008
 FOR ASSESSMENT PURPOSES
 ONLY - DO NOT RELY ON
 FOR OTHER USE

Map areas delineated by either gray shading or a cross-hatched pattern are for reference only and may not indicate the most current property boundaries. Please consult the appropriate map for the most current information.

CITY OF HILLSBORO



November 20, 2007

STAFF REPORT

TO: Planning Commission
FROM: Planning Department

RE: Request for Preliminary Development Plan Approval to Modify an Existing Planned Unit Development – File No. PUD 5-06 (MOD 1): Parkside Estates

REQUEST

The applicant and property owner, Riverside Homes, Inc., requests Planning Commission approval for a modification to the preliminary development plan for Parkside Estates, a 96-lot single family residential Planned Unit Development (PUD), on approximately 11.04 acres of property. The site is designated RM – Medium Density Residential and OS – Open Space on the Comprehensive Plan Land Use map and zoned A-1 Duplex Residential. The applicant's representative is SFA Design Group, LLC.

The project received preliminary Planned Unit Development (PUD) approval on April 3, 2007 as Ordinance No. 5750, which is attached for the Commission's review. The approved preliminary development plan includes 68 front loaded and 28 alley loaded residential lots to be developed with detached residences, the dedication and construction of a public streets, private street tracts and private alleys, three open space tracts and a water quality facility.

The requested modification would reduce the side yard setback from five feet to four feet for Lots 38 to 69, which are the units internal to the Parkside Estates PUD. The requested modification includes both the houses and the detached alley loaded garages.

SITE DESCRIPTION

The proposed PUD is located generally north and east of SW River Road, south of SE Witch Hazel Road, and west of SE Alexander Street. The property can be specifically identified as Tax Lot 100 on Washington County Tax Assessor's Map 1S2-09CA.

The property slopes gradually towards the northeast corner of the site with agricultural fields on the northern and eastern portions of the site and a cluster of trees on the southern portion of the site.

SW River Road is identified as a three lane Arterial in the Transportation System Plan (TSP).

The City of Hillsboro Goal 5 Natural Resource Inventory does not identify any Significant Natural Resources and associated impact areas on the site, as shown on the attached Goal 5

Planning Department • 150 East Main Street, Fourth Floor, Hillsboro, Oregon 97123-4028 • 503/681-6153 • FAX 503/681-6245

AN EQUAL OPPORTUNITY EMPLOYER PRINTED ON RECYCLED PAPER

Resources Map. Portions of the site are within the 250-foot area of potential impact on the Clean Water Services Sensitive Areas Pre-Screen Map.

DESCRIPTION OF SURROUNDING AREA

<u>Area</u>	<u>Plan</u>	<u>Zoning</u>	<u>Land Uses</u>
North	RL – Low Density Residential	R-7 and PUD A-1	Single Family Detached
East	RM – Medium Density Residential	County	Single Family – Undeveloped Large Lots
South	RL – Low Density Residential RM – Medium Density Residential	County	Single Family – Undeveloped Large Lots
West	RL – Low Density Residential RM – Medium Density Residential	A-1	Single Family Detached

PUBLIC UTILITIES

<u>Service</u>	<u>Provider</u>	<u>Size</u>	<u>Location</u>	<u>Distance from site</u>
Water	City	10"	SW River Road	Adjacent
Sanitary Sewer	City	8"	SW River Road	West 725 Feet
Storm Drain	City	18"	SW River Road	Adjacent
	City	18"	East Side of Site	Adjacent
	City	15"	NE Corner of Lot	Adjacent

TRANSPORTATION

<u>Streets</u>	<u>Existing</u>		<u>Plan Designated</u>	
	<u>R-O-W</u>	<u>Improvement</u>	<u>R-O-W</u>	<u>Improvement</u>
SW River Road	75'	35'+/-	90' *	50' +/- *
<u>Sidewalk Improvements</u>	<u>Existing</u>		<u>Plan Designated</u>	
SW River Road	None		Five Feet	
<u>Mass Transit</u>	<u>Bus Route</u>		<u>Distance to Site</u>	
Bus	#57		1/2 Mile +/- North	
<u>Bicycle Lane</u>	<u>Existing</u>		<u>Plan Designated</u>	
SW River Road	None		Six Feet	

* Washington County right-of-way standard

APPROVAL CRITERIA

Zoning Ordinance No. 1945, Section 127, (V) C, Planned Unit Development, describes the process for modifying a PUD as follows:

C. Substantial modifications made to the approved Preliminary Plan will require a public hearing as provided by Section 116. The applicant must pay a fee as established by the City Council to defer costs to the City of a public hearing held for this purpose.

In response to the PUD criteria and in support of the proposed modification, the applicant has submitted the attached narrative and site plan.

NATURE OF PROPOSED MODIFICATION

The requested modification would reduce the side yard setback from five feet to four feet for Lots 38 to 69, which are the units internal to the Parkside Estates PUD. The requested modification includes both the houses and the detached alley loaded garages.

The nature of the proposed modification, as stated by the applicant, is as follows.

“The applicant has developed a unique alley loaded product for the interior lots. These buildings have a width of 24-feet. 24 feet is a more efficient building width than the 22-feet which the applicant originally believed would be sufficient. The new design is only 2 feet wider however it “lives better” than the narrower home and opens up more options for both the builder and owner. This width provides the opportunity to create wider hallways and more living area as well as providing flexibility in design for homeowners desiring more accessible units. The doors can be widened more effectively with the widened hallways. These benefits greatly outweigh the loss of 1 foot of yard on each side of the house.”

TESTIMONY RECEIVED

No written testimony was received from neighboring property owners or affected agencies. No comments were received from City departments.

RECOMMENDATION

Should the Planning Commission choose to approve the PUD modification application, staff recommends that the following conditions be attached to the approval:

- 1) Modifications to the minimum development standards of the A-1 Duplex Residential zone for Lots 38 to 69 shall include a reduction of the side yard and street side yard setback from 5 feet to 4 feet.
- 2) All prior conditions of approval, adopted by the City Council in Ordinance No. 5750 and relating to the preliminary development plan of this Planned Unit Development, remain binding.

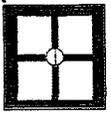
Respectfully submitted,

CITY OF HILLSBORO PLANNING DEPARTMENT



Ruth Klein
Urban Planner

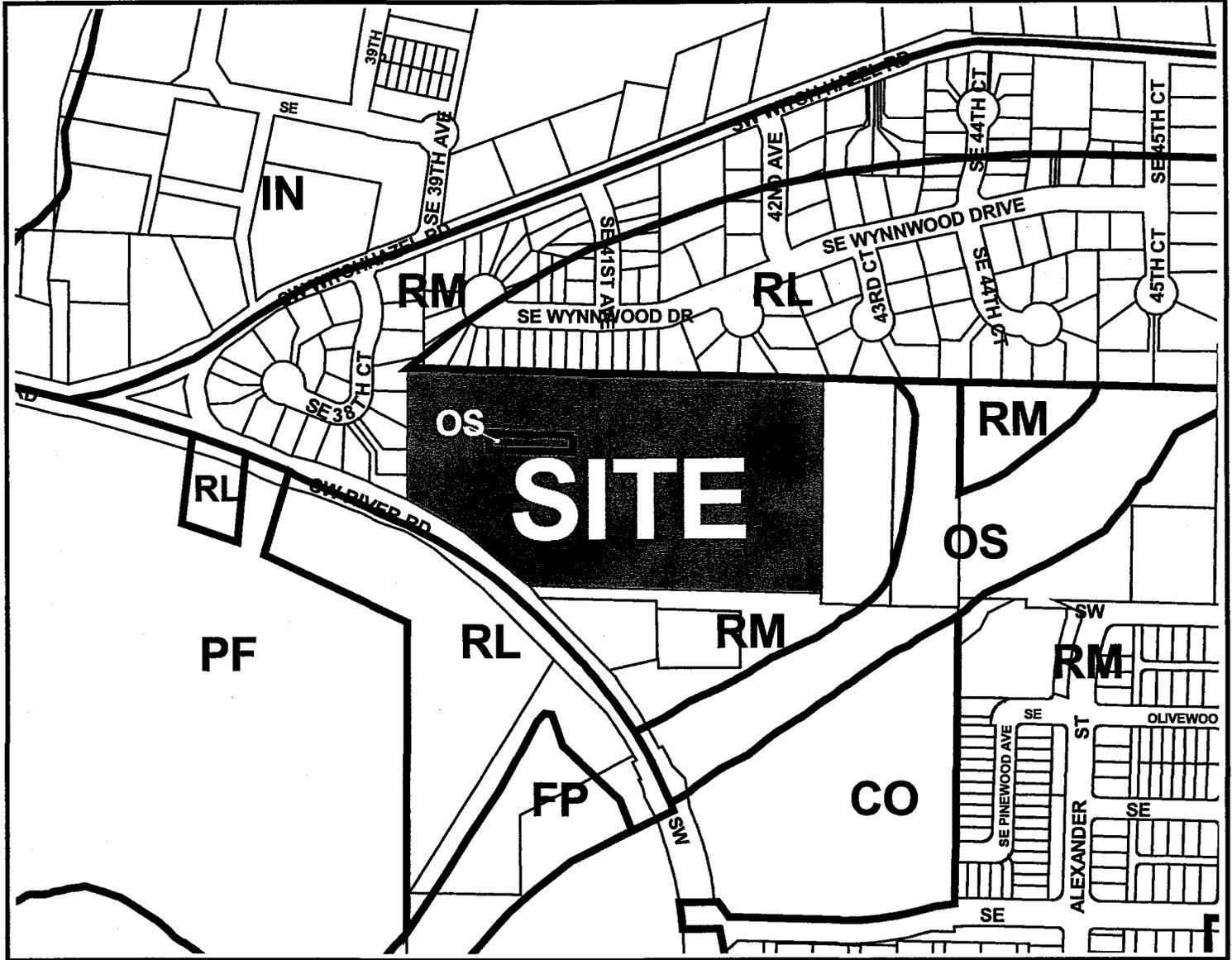
Attachments: Comp and Zoning Maps (from PUD approval)
 Ordinance No. 5750
 Aerial Vicinity Map
 Applicant's Submittal Materials



PUD 5-06: PARKSIDE ESTATES



REQUEST FOR PRELIMINARY DEVELOPMENT PLAN APPROVAL FOR A 96-LOT SINGLE FAMILY DETACHED RESIDENTIAL COMMUNITY ON ONE PROPERTY APPROXIMATELY 11.04 ACRES IN SIZE IN THE A-1 DUPLEX RESIDENTIAL ZONE.



0 300 600 900 1200 1500 1800 2100 2400 Feet

Comprehensive Plan Designations

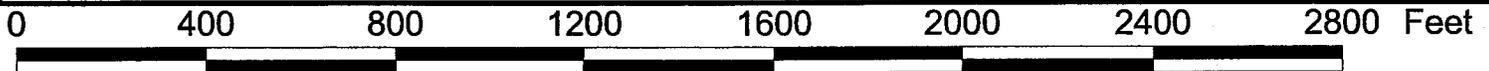
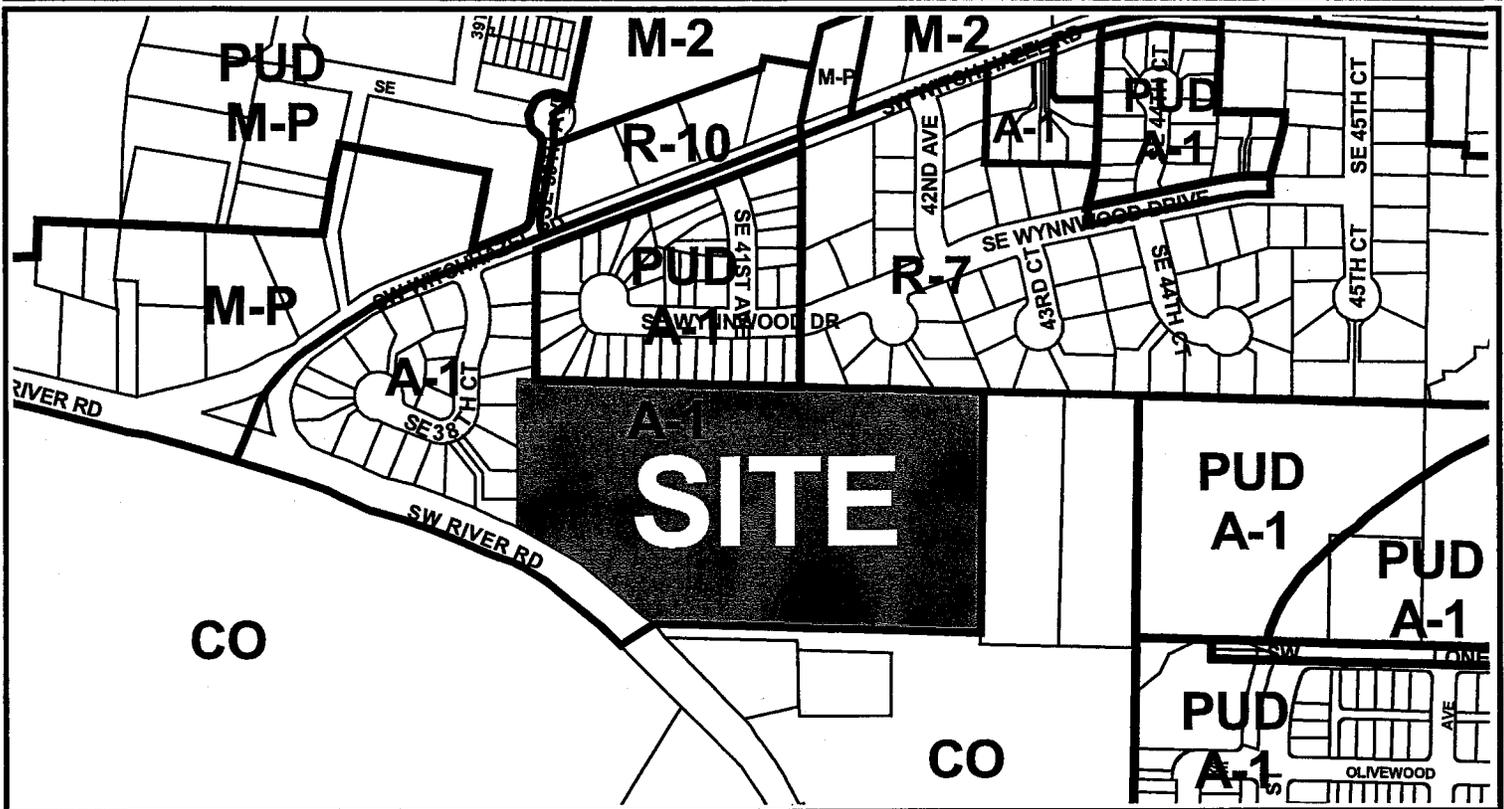
RL - Low Density Residential (3-7 units per acre)	C - Commercial	MU - Mixed Use
RM - Medium Density Residential (8-16 units per acre)	IN - Industrial	
RH - High Density Residential (17-23 units per acre)	PF - Public Facility	
RMR - Mid-Rise Residential (24 - 30 units per acre)	OS - Open Space	
SCPA - Station Community Planning Area	FP - Floodplain	



PUD 5-06: PARKSIDE ESTATES



REQUEST FOR PRELIMINARY DEVELOPMENT PLAN APPROVAL FOR A 96-LOT SINGLE FAMILY DETACHED RESIDENTIAL COMMUNITY ON ONE PROPERTY APPROXIMATELY 11.04 ACRES IN SIZE IN THE A-1 DUPLEX RESIDENTIAL ZONE.



City of Hillsboro Zoning Designations

R-6	Single Family Residential	R-8.5	Single Family Residential	A-1	Duplex Residential
R-7	Single Family Residential	R-10	Single Family Residential	A-2	Multi-Family Residential
SCC-SC	Station Community Commercial - Station Commercial			A-3	Multi-Family Residential
SCC-MM	Station Community Commercial - Multi-Modal			A-4	Multi-Family Residential
SCC-CBD	Station Community Commercial - Central Business District			C-1	General Commercial
SCC-HOD	Station Community Commercial - Highway Oriented District			C-4	Neighborhood Commercial
SCBP	Station Community Business Park			PUD	Planned Unit Development
SCR-P	Station Community Research Park			M-2	Industrial
SCI	Station Community Industrial			M-P	Industrial Park
SCR-HD	Station Community Residential - High Density			SID	Special Industrial District
SCR-MD	Station Community Residential - Medium Density			SSID	Shute Special Industrial District
SCR-LD	Station Community Residential - Low Density			CO	Unincorporated County
SCR-V	Station Community Residential - Village			ANX	Recent Annexation
SCFI	Station Community Fair Complex Institutional				
SCR-OTC	Station Community Residential - Orenco Townsite Conservation Overlay				
SCR-DNC	Station Community Residential - Downtown Neighborhood Conservation				

ORDINANCE NO. 5750

PUD 5-06: PARKSIDE ESTATES

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, A PORTION OF HILLSBORO ZONING ORDINANCE NO 1945, AS AMENDED, BY APPROVING A PLANNED UNIT DEVELOPMENT OVERLAY ZONE ON A CERTAIN TRACT OF LAND THROUGH APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN FOR A 96-LOT DETACHED SINGLE FAMILY RESIDENTIAL DEVELOPMENT ON A SITE APPROXIMATELY 11.04 ACRES IN SIZE.

WHEREAS, the owner of a certain tract of land, described below, has filed a written application with the City of Hillsboro for approval of a Planned Unit Development (PUD) overlay to the existing A-1 Duplex Residential zone; and

WHEREAS, the Planning Commission held public hearings on January 24, February 14, and February 28, 2007 and received testimony in support of, and in opposition to, the application; and

WHEREAS, following receipt of testimony and discussion of the proposal, the Planning Commission recommended approval of the preliminary development plan for the proposed PUD, with the conditions listed herein, based on the findings attached hereto as Attachment "A."

WHEREAS, the City Council considered the Planning Commission's recommendation at the regular meeting of April 3, 2007, and adopted the findings and conditions of the Planning Commission as its own in regard to this matter; and

WHEREAS, based on those findings and conditions, the City Council hereby determines that the proposal conforms with the Hillsboro Comprehensive Plan and the Zoning Ordinance, and that the Planned Unit Development overlay zone is best suited for the subject site.

NOW, THEREFORE, THE CITY OF HILLSBORO DOES ORDAIN AS FOLLOWS:

Section 1. The following described tract of land is hereby rezoned with the addition of a Planned Unit Development overlay zone, as described in Planning Department Casefile No. PUD 5-06:

Tax Lot 100 on Washington County Tax Assessor's Map 1S2-09CA; Section 9, Township 1 South, Range 2 West, Willamette Meridian, on record as of June 27, 2005, and a copy of which is attached hereto and thereby made a part of this Ordinance.

Section 2. Approval of the PUD overlay zone is conditioned upon satisfaction of the following conditions:

1. Development and construction on the site shall conform substantially to the preliminary development plans and conditions approved by the Planning Commission, as contained in Case File PUD 5-06, and specifically to the construction plans approved by the City Engineer and the Planning Director.

2. The developer shall assure the construction of all public streets and utilities within and adjacent to the plat as required by these conditions of approval, to the plans, standards, and specifications of the City of Hillsboro, except as otherwise approved by the Street Committee and the Planning Commission. The developer shall also provide to the City financial guarantees for construction of all public streets and utilities within and adjacent to the plat, as required by the conditions of approval, prior to the approval of the final plat. All construction plans shall be approved by the City Engineer prior to the issuance of construction permits within the planned unit development.
3. Prior to final plat approval, the applicant shall provide documentation of compliance with the Washington County letter, dated January 10, 2007.
4. The developer shall obtain permits to work within the SW River Road right-of-way and construct a half-street improvement on the east side of SW River Road, adjacent to Parkside Estates, to County standards as specified in the Washington County letter dated January 10, 2007.
5. The developer shall dedicate and construct a full-street improvement on Street "D" to the widths listed below. Street improvements shall include paving, curb and gutter, acorn style street lights, property-line sidewalks, a landscape strips with street trees and a center median. Sidewalks shall be constructed during initial site improvements. The street improvements shall be installed at the developer's expense along with the infrastructure. All improvements shall be subject to approval by the City Engineer.
 - a. 82-foot right-of-width
 - b. 60-foot wide improvement with 20-foot wide median
 - c. 5-foot wide property line sidewalk on both sides
 - d. 5-foot wide landscape strip on both sides
6. As per the proposed landscaped median within Street "D", private irrigation crossings in public right-of-way shall be kept to a minimum. However, if it is necessary to place such crossings in public right-of-way, the developer shall submit and show the location(s) of the private irrigation crossing(s) on the water plans as a part of the engineering construction plan set for review and approval by the Engineering Division. As a part of the submittal the following provisions shall be met:
 1. Private crossings of the irrigation lines in the paved public street section shall be placed in a standard American Water Works Association (AWWA) four inch ductile iron pipe and buried a minimum of two feet deep.
 2. Standard four inch AWWA gate valves shall be provided at the edge of the right-of-way on both sides of the public street crossing.

The CC&R's for the project shall specify that the Home Owners' Association provide adequate insurance for the portions of the private irrigation system located in public right-of-way. The CC&R's shall specify the Homeowner's Association will be responsible for any repairs for damage to the street or sidewalk that is associated with the repair, replacement, or maintenance of the

private irrigation system. The CC&R's shall also include language stating that these provisions cannot be modified without consent by the City of Hillsboro Engineering Division. The CC&R language shall be reviewed and approved by the Engineering Division prior to approval of the final plat.

The as-built drawings associated with the initial site infrastructure installation shall include the location(s) of the private irrigation system(s) located in public right-of-way. If the private irrigation crossings are relocated after acceptance of the initial as-built drawings, the Home Owners' Association shall submit for and receive approval for a right-of-way permit prior to commencing work. Prior to final inspection of the right-of-way permit, the Home Owners' Association shall update the as-built drawings showing the location of the relocated private irrigation crossings. The cost of updating the as-built drawings shall be borne by the Home Owners' Association.

If any of these provisions cannot be met, the developer will be required to obtain Street Committee approval to place private irrigation crossings in the public right-of-way.

7. The developer shall dedicate and construct full-street improvements on Streets "A", "B" and "C" to the widths listed below. Street improvements shall include paving, curb and gutter, acorn style street lights, property-line sidewalks, a landscape strips with street trees and a center median. Sidewalks shall be constructed along tract frontages during initial site improvements. An off-site emergency access shall be provided on the southern terminus of Street "C", reviewed and approved by the City Engineer and Fire Marshal. The off-site easement shall be recorded prior to final plat approval and the associated improvement shall be constructed prior to acceptance of public infrastructure. An alternate scenario to an off-site access easement may be approved by the Fire Marshal and City Engineer. Prior to final plat approval, should the Fire Marshall accept an alternate scenario (such as sprinklering the houses) the off-site easement and improvement shall not be required. The street improvements shall be installed at the developer's expense along with the infrastructure. All improvements shall be subject to approval by the City Engineer.
 - a. 54-foot right-of-width
 - b. 32-foot wide improvement
 - c. 5-foot wide property line sidewalk on both sides
 - d. 5-foot wide landscape strip on both sides

8. The developer shall place in tracts and construct street improvements on Tracts "D" and "H" to the widths listed below. Street improvements shall include paving, curb and gutter, and "No Parking" signs per the Uniform Fire Code. Street light, if required, shall be acorn style lights. Sidewalks shall be constructed along tract frontages during initial site improvements. The street improvements shall be installed at the developer's expense along with the infrastructure. All improvements shall be subject to approval by the City Engineer. Tracts "D" and "H" shall be owned and maintained by the Home Owners' Association.
 - a. 20-foot tract width
 - b. 18-foot wide improvement

- c. 1-foot curb on both sides
9. The final plat shall provide for a 20-foot wide easement east of Tract D between Lots 88 and 89 for possible utility extensions to the undeveloped parcels to the east.
10. The developer shall place in tracts and construct street improvements on Tracts "F" and "G" to the widths listed below. Street improvements shall include paving, curb and gutter, and "No Parking" signs per the Uniform Fire Code. Street light if required shall be acorn style lights. The street improvements shall be installed at the developer's expense along with the infrastructure. All improvements shall be subject to approval by the City Engineer. Tracts "F" and "G" shall be owned and maintained by the Home Owners' Association.
 - a. 20-foot tract width
 - b. 18-foot wide improvement
 - c. 1-foot curb on both sides
11. Stop signs shall be required at points where a lower classification of street intersects with a higher classification of street.
12. The final plat shall show eight foot wide utility easements along the public rights-of-way within the plat. The public utility easements shall be approved by the City Engineer prior to approval of the final plat. In order to modify the eight foot wide utility easement width the developer must obtain approval for the reduced width from all applicable public and private entities.
13. The final plat shall provide for utility easements, emergency vehicle access, private storm drainage and private access easements, as required, over the full width and length of the private street tracts and private alley improvements.
14. The final plat shall show utility easements to the City of Hillsboro at any location in which water, sanitary sewer, or storm drainage lines are proposed for location outside public right-of-way. The minimum width for such easements shall be 15 feet for a single utility and 25 feet for two utilities placed within the same easement. Any utility easement to the City shall be reviewed and approved by the City Engineer prior to approval of the final plat.
15. The utility plans, including line sizes for water lines, sanitary sewer lines, and storm drainage lines within the planned unit development, shall be subject to review and approval by the City Engineering, Building, and the Water Departments prior to approval of construction plans for the development. Utilities shall be placed within easements, as approved by the City, when located outside public rights-of-way or when crossing property lines.
16. Fire hydrants shall be installed within the planned unit development, at the expense of the developer, in conformance with the requirements of the Fire Marshal and City Engineer. The final utility plans shall show the placement of hydrants located within 300 feet of all exterior building walls as measured along an accessible route of travel.

17. Sanitary sewer lines shall be built to City and Clean Water Services standards and utilized as part of the public system.
18. Any lot adjacent to a City-installed water line and/or sanitary sewer line shall be subject to the City-installed rate at the time of building permit issuance.
19. All rain, storm, and other surface water runoff from roofs, exposed stairways, light wells, courts, courtyards, and exterior paved areas shall be disposed of in compliance with local ordinances and state rules and regulations which will not cause flooding to adjacent properties. The approved points of disposal include but are not limited to: a) storm sewer, b) street gutter through curb, and c) engineered storm sewerage system.
20. The developer shall provide a water quality facility, designed and constructed per Clean Water Services and City of Hillsboro standards, to be publicly owned and maintained. A 12 foot wide access gate and driveway to the water quality facility shall be provided on Street "A". The landscaping shall be maintained by the Home Owners Association. The design shall include landscaping and a powder coated chain link fence. The landscaping and fencing plan shall be reviewed and approved prior to approval of construction plans. The water quality facility shall be owned by the City of Hillsboro.
21. Final construction drawings for the project shall include grading plans confirming that site grading within the planned unit development will not impede or impound existing storm drainage from surrounding properties. If deemed necessary by the City Engineer, the grading plans and construction drawings shall include drainage tiles, private storm drainage lines or catch basins, or other alternative means to adequately convey the storm runoff away from adjacent properties to the new storm drainage lines in the development. Any drainage tiles, private storm drainage lines, catch basins, or other alternative improvements considered necessary by the City Engineer shall be included in the planned unit development construction. The detailed grading plans shall also accurately depict the finished grades for the subject property. Particular attention shall be paid to the lots abutting the northern planned unit development boundary, north of the private street tract.
22. Prior to issuance of construction permits, construction plans shall be submitted to the Engineering Department and shall show the location of any existing wells and septic tank drainfields. Plans shall indicate the method and schedule for abandonment. Disposition of the well and septic system shall be reviewed and approved by the City Engineer.
23. Prior to approval of the final plat, a landscaping plan shall be submitted for the rear yards of Lots 1-12, open space tracts and water quality facility. Such plan shall illustrate the location, species and size of the plantings, common area improvements, and details of any in-ground sprinkler systems. Any proposed irrigation system within the PUD should include water conserving sprinkler heads. Final landscaping plans shall be reviewed and approved by the Planning Director prior to approval of the construction plans. Approved landscaping in all tracts shall be installed prior to acceptance of public infrastructure. Approved

landscaping for the rear yards of Lots 1-12 shall be installed prior to final inspection of the applicable house.

24. Prior to approval of the final plat, the developer shall provide to the City financial guarantees for the provision of street trees. Street trees shall be a minimum of 2.5 inch caliper in size when measured four feet from the ground, and shall be planted within root barriers approved by the City Engineer. A minimum of, but not limited to, one evergreen tree, at a minimum of 2.5 caliper in size when measured four feet from the ground, shall be planted in the rear yards of Lots 1-12 and shall ultimately provide a continuous screen along the rear yards. All improvements shall be subject to approval by the City Engineer and Planning Director prior to approval of the final plat. Street trees to be installed on public and private streets within and adjacent to the project.
25. Prior to approval of the final plat, a master fencing plan shall be provided to the Planning Department for review and approval by the Planning Director. The fencing plan shall address the perimeter of the site, the SW River Road frontage and internal fencing. A six foot tall wood fence with masonry columns shall be installed along the northern property line of Tax Lot 6800 on Tax Map 1S2-09DB adjacent to Lots 70-76 in the subject development. A six foot tall wood fence shall be installed along the remainder of the site's frontage with Tax Lot 6800 on Tax Map 1S2-09DB. Internal fencing on individual lots shall be uniform and installed at the time of home construction. Fencing along the SW River Road frontage and the perimeter of the site, as applicable, shall be installed prior to recordation of the final plat. Fences shall be constructed in accordance with the City of Hillsboro Zoning Ordinance standards. Prior to final plat approval, a master fencing plan shall be provided to the Planning Department for review and approval. Such plan shall be substantially followed during infrastructure improvements and home construction.
26. Covenants, Conditions, and Restrictions for the planned unit development shall be recorded with the final plat to allow for the collection and distribution of funds for the maintenance and repair of such elements as the storm drainage system, private street and alley improvements, pedestrian and bicycle paths, "No Parking" signs, fencing, open space tracts and landscaping. The Covenants, Conditions, and Restrictions shall provide for the perpetual maintenance of the evergreen trees in the rear yards of Lots 1-12 and if the trees become hazardous they shall be replaced with a similar evergreen tree. The Covenants, Conditions, and Restrictions shall provide for access easements between opposing homes for maintenance purposes. The Covenants, Conditions, and Restrictions shall include the creation of a Home Owners' Association (HOA).
27. The Covenants, Conditions, and Restrictions and/or other property encumbrances shall include authorization for the City to assess individual property owners within the planned unit development for necessary maintenance of the landscaping within the public right-of-way, if not adequately maintained. This portion of the property encumbrances shall be written to prohibit subsequent revision without consent by the City.
28. The Covenants, Conditions and Restrictions and/or other property encumbrances that are filed with the final plat for the planned unit development shall include

references to the street improvements on which parking is prohibited as identified by the Fire Marshal.

29. The Covenants, Conditions, and Restrictions and/or other property encumbrances shall be reviewed and approved by the Planning Director prior to approval of the final planned unit development plat.
30. Dust suppression measures, as approved by the City Engineer, shall be provided during the course of construction within the development.
31. Erosion control measures in compliance with the City standards shall be provided during the course of construction within the development.
32. The developer shall coordinate the location of mailboxes with the City Engineer and the Hillsboro Post Office.
33. Crime Prevention Through Environmental Design (CPTED) concepts shall be incorporated throughout the development, addressing lighting, signage, entryways, and landscaping.
34. The submittal by the applicant for final plat review and approval shall include but not be limited to the following; a narrative identifying how the required conditions of approval have or will be met; the final plat; the final plat review fee; and any other materials required to display compliance with the conditions of approval. These items and the financial guarantees required in Condition No. 2 shall be provided prior to transmittal of a "plat release letter" to Washington County Survey Department. The applicant may develop the Parkside Estates planned unit development in two phases. The applicable conditions of approval, and corresponding improvements, shall be addressed for each phase of development.
35. Modifications to the minimum standards of the A-1 Duplex Residential zone for lots in the PUD shall be as follows:
 - Reduction of the required minimum lot size from 4,500 square feet to a minimum of 2,600 square feet.
 - Reduction of the required minimum lot width from 50 feet to 29 feet.
 - Reduction of the required minimum lot depth from 85 feet to 82 feet.
 - Reduction of the required minimum front yard setback from 15 feet to 12 feet for the building wall and to 8 feet for the front porch, including posts and eaves. The houses located on Lots 12-16 shall not exceed the minimum front yard setback of 8 feet for the front porch, included porch and eaves, and 12 feet for the building wall.
 - On Lots 1-11 and 17-27 no more than three consecutive houses shall occupy the same front building plane. The minimum adjustment between consecutive occurrences shall be seven feet.
 - Reduction of the required minimum garage setback for alley loaded homes from 20 feet to a maximum of 4 feet and a minimum of three feet. No reduction requested for front loaded residences.

- Reduction of the required minimum rear yard setback for alley loaded homes from 15 feet to a minimum of 4 feet. No reduction requested for front loaded residences.
- Reduction of the minimum street side yard setback from 15 feet to 7 feet for Lot 27 and to 8 feet for all other corner lots.
- Increase of the maximum height from 35 feet or 2.5 stories to 3 stories.
- Increase in the eastern side yard setback for Lot 88 from 5 feet to 20 feet. The house located on Lot 88 shall have frosted glass windows installed on the second and third stories of the eastern side.

Section 3. The City Planning Director is hereby instructed to cause the official zoning map, a portion of Ordinance No. 1945, to be amended to include the zone change set forth in Section 1 hereof.

Section 4. Pursuant to Zoning Ordinance No. 1945, Section 127 (IV) (I.) and (V), preliminary approval of the Planned Unit Development overlay zone will expire two years from the date of approval of this Ordinance, unless the final development plan has been approved or unless the preliminary approval is extended or modified by the Planning Commission upon request.

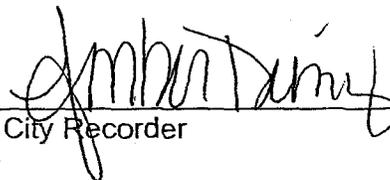
Section 5. Except as herein amended, Zoning Ordinance No. 1945, as amended, shall remain in full force and effect.

Passed by the Council this 3rd day of April, 2007.

Approved by the Mayor this 3rd day of April, 2007.



 Mayor

ATTEST: 

 City Recorder

ATTACHMENT "A"

**BEFORE THE PLANNING COMMISSION
OF THE CITY OF HILLSBORO**

**IN THE MATTER OF AN
APPLICATION FOR A 96 LOT
SINGLE-FAMILY RESIDENTIAL
PLANNED UNIT DEVELOPMENT
KNOWN AS PARKSIDE ESTATES
ON 11.04 ACRES**

**CITY OF HILLSBORO
CASE FILE NO. PUD 5-06**

**FINDINGS OF FACT
CONCLUSIONS OF LAW**

I. INTRODUCTION

The applicant, Riverside Homes, Inc., has requested Planning Commission approval of the preliminary plat for a 96-lot single-family residential planned unit development (PUD) on one parcel encompassing approximately 11.04 acres. The existing parcel is currently developed with one single family home, detached garage, barn, and three outbuildings.

The existing parcel is part of the larger 318-acre Witch Hazel Village Community Plan area as defined by the Witch Hazel Village Community Plan. The Witch Hazel Village Community Plan is incorporated into the Hillsboro Comprehensive Plan and serves as the master plan to guide all development within the 318-acre area.

Development of the proposed PUD would include 96-lots that will contain single-family detached residences, addition of a fully improved internal public street system, two private alleys (Tracts D & F), two private street tracts (Tracts C and H), half-street improvement of SW River Road, improvement of four open space tracts including a park for active uses (Tracts A, B, E, & G), and a water quality facility (Tract B).

The site is located immediately to the north/northeast of the SW River Road, generally south of SE Witch Hazel Road and northwest of Witch Hazel Creek. The site does not include any areas within the City of Hillsboro Significant Natural Resource Overlay District or other natural resource areas as delineated by the project biologist.

II. PROCEDURAL STATUS AND PUBLIC TESTIMONY RECEIVED

The original staff report dated January 19, 2007, included such items as the description of the site and surrounding area, project description, department comments, and draft conditions of approval (#1-35).

The city received two letters of comment on the proposed project prior to the completion of the original staff report. One letter was from Washington County (dated January 10, 2007) regarding access to SW River Road and the other from Clean Water Services (dated January 19, 2007) pertaining to compliance with sanitary sewer, storm drainage, and water quality. The applicant's representative, Mr. Matt Sprague of SFA Design Group, acknowledged an understanding of the requirements described in the comment letter.

Following notice of the public hearing as required by applicable Hillsboro Zoning Ordinance and ORS 197 provision, the Planning Commission opened the first public hearing on January 24, 2007. During testimony by the applicant's representative, Mr. Sprague, the Planning Commission directed several questions and comments to him regarding various elements of the project. In addition, testimony in opposition of the project was received from adjacent property owners. This testimony from adjacent property owners and the rebuttal provided by Mr. Sprague were as follows:

Opposition:

Testimony in opposition was provided by Danielle Crosley who questioned what the setback would be from her property line to the new houses. Ms. Ruth Klein, City Planner, stated that the minimum rear yard setback would be 15 feet and that the minimum setback would remain 15 feet even if the units were staggered. Ms. Crosley asked if a sound wall would be installed between this development and the existing development. President Coulter responded that none had been proposed. Lastly Ms. Crosley stated that she concurred with the Commission that the location of the park should be located away from River Road.

Testimony in opposition was provided by Robert Warnick who stated that he commended the Commission on doing a good job and had nothing further to add.

Testimony in opposition was provided by Tim Wright who raised two concerns. The first was the amount of traffic at the intersection of River Road and Witch Hazel Road and the second a request for the installation of a fence at the end of the northern street to prevent trespass on to his property. Don Odermott, the City Transportation Engineer, said that traffic reports are showing that the left turn demand on River Road should diminish once the realignment of Brookwood Avenue and Witch Hazel Road is completed and that traffic

demand would be further balanced with the connection of the northern street within Parkside Estates into SE Lone Oak Street located on the other side of the creek.

Testimony in opposition was provided by Susan Wright who felt that traffic down Davis Street in front of the Witch Hazel School should be slowed down and that the Brookwood Avenue and Witch Hazel Road realignment will increase the amount of traffic. She was also concerned with the height of the houses and their imposing presence.

Rebuttal:

Mr. Sprague provided rebuttal stating that anywhere there is not a boundary fence one will be installed, however, because it is residential land next to residential land they were not expecting to install a sound wall. In addition, the stub street will be fenced off to prevent trespass and a fencing plan would be submitted to the city as a part of final plat approval process. Mr. Sprague pointed out again that they were not requesting an exception to the height requirements only to the number of stories. Lastly, Mr. Sprague stated that they would address the remainder of the items at the subsequent hearing. The hearing was continued to February 14, 2007.

Prior to the second Planning Commission hearing held on February 14, 2007, city staff met with the applicant to discuss concerns raised at the hearing and opportunities for modifying the project in response. The applicant's representative, Mr. Sprague, then submitted a narrative, revised preliminary plat, and revised landscape plan in response to the issues raised by the Commission and adjacent property owners.

The supplemental staff report was completed on February 9, 2007 and contains planning staff's revisions to condition nos. 7, 8 and 35 per the discussion at the hearing on January 24, 2007.

The city received one letter of comment on the proposed project prior to the completion of the supplemental staff report. The letter was again from Washington County (dated January 25, 2007) regarding access and traffic impacts to SW River Road. The city also received one email (dated February 14, 2007) from an adjacent property owner, Ms. Susan Wright, lending support to a number of critiques raised by the Commission at the hearing on January 24, 2007. Mr. Sprague acknowledged an understanding of the requirements in Washington County's letter and provided the revised preliminary plat design in response to the critiques supported by Ms. Wright.

The second Planning Commission hearing was opened on February 14, 2007. During testimony by the applicant's representative, Mr. Sprague, the Planning Commission again directed several questions and comments to him regarding various elements of the project. In addition, testimony in opposition of the

project was received from adjacent property owners. This testimony from adjacent property owners and the rebuttal provided by Mr. Sprague were as follows:

Opposition:

Testimony in opposition was provided by Danielle Crosley who questioned whether police and fire could serve the site and requested that the applicant reduce the density of the site. President Coulter responded that the application had been reviewed by the Police and Fire Departments. Testimony in opposition was provided by Susan Wright who asked for additional information regarding the rear yard setbacks. Testimony in opposition was provided by Sam Boileau who stated that he was in opposition to the height of the houses and the number of houses that would be backing his property.

Rebuttal:

Mr. Sprague provided rebuttal stating that anywhere there is not a boundary fence one will be installed. Mr. Sprague also pointed out that they were not requesting an exception to the height requirements only to the number of stories. Additionally, the rear yard setback has been increased from the standard of 15 feet to approximately 30 feet. A discussion between Mr. Sprague and the Commission resulted in the decision to install evergreen trees in the rear yards of Lots 1-12 and privacy windows on the house located on Lot 88.

Based on the record before it, the Planning Commission moved to tentatively approve the application subject to presentation of final conditions of approval and preparation of findings by the applicant. The Planning Commission passed the motion unanimously. Consideration of the conditions and findings were continued to February 28, 2007.

Prior to the third Planning Commission hearing on February 28, 2007, city staff again met with the applicant to discuss and revise the conditions of approval in response to the Commission comments at the previous hearing. The supplemental staff report was completed on February 23, 2007 and contains revisions to conditions nos. 7, 23-26, and 35 in response to the Commission's comments and concerns. The city did not receive and other letters of comment prior to the hearing on February 28, 2007.

At the third Planning Commission hearing on February 28, 2007, a supplemental staff report dated February 28, 2007 was submitted to the Commission. The staff report contained information regarding the revision of condition no. 34 in response to the applicant's request to construct the development in two phases.

III. INCORPORATION OF THE APPLICATION AND STAFF REPORT

The Planning Commission hereby adopts and incorporates by reference the application and supplemental submittal materials, the staff report dated January 19, 2007, and supplemental staff reports dated February 9, 23, and 28, 2007, including the final conditions of approval, for the purposes of documenting the factual content of this application and the basic findings of compliance with the applicable standards.

IV. APPLICABLE APPROVAL CRITERIA

For the reasons contained in the incorporated documents, the Planning Commission finds that the applicant has satisfied the following applicable approval criteria for approval of the 96-lot residential PUD. The record contains no contrary evidence. The applicable approval criteria are contained in Sections 7, 21-27, 95, 127, and 131A in Volume I of the Hillsboro Zoning Ordinance No. 1945 and Section 2. Urbanization, IV. Implementation Measures (A, B, D, H-J), Section 22. Witch Hazel Village Community Plan, II. General Development Policies (A-I), III. Implementation Measures (A-D), and Section 23. City of Hillsboro, Witch Hazel Village Community Plan in the Hillsboro Comprehensive Plan, Ordinance No. 2793-4-77.

V. CONCLUSION

Based upon this documentation and the submittal of testimony during the public hearing process as identified above, the Planning Commission finds that the applicant has sufficiently met all of the relevant subsections of the Zoning and PUD Ordinances, and complies with the Witch Hazel Village Community Plan and Goals and Policies of the Comprehensive Plan. Therefore, the Planning Commission recommends **APPROVAL** of this application for the Parkside Estates PUD. This approval incorporates the conditions of approval as listed in the Resolution to which these findings are attached.



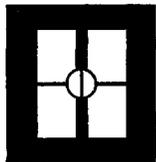
PUD 5-06 MOD 1: PARKSIDE ESTATES



2006 AERIAL PHOTOGRAPHY



CITY OF HILLSBORO



December 6, 2007

SUPPLEMENTAL STAFF REPORT

TO: Planning Commission
FROM: Planning Department

RE: Request for Preliminary Development Plan Approval to Modify an Existing Planned Unit Development – File No. PUD 5-06 (MOD 1): Parkside Estates

REQUEST

The applicant and property owner, Riverside Homes, Inc., requests Planning Commission approval for a modification to the preliminary development plan for Parkside Estates, a 96-lot single family residential Planned Unit Development (PUD), on approximately 11.04 acres of property. The site is designated RM – Medium Density Residential and OS – Open Space on the Comprehensive Plan Land Use map and zoned A-1 Duplex Residential. The applicant's representative is SFA Design Group, LLC.

BACKGROUND

The Planning Commission has previously received a staff report dated November 20, 2007 regarding this matter.

At the November 28, 2007 meeting, the Commission heard the presentation of the November 20th staff report by Ruth Klein. President Coulter then opened the hearing. The applicant's representative Matt Sprague, of SFA Design Group, gave an overview of the requested modification and the reasons for the request. President Coulter then opened the discussion for questions of the applicant. The Commissioners discussed with the applicant the impacts associated with a reduced setback and alternate design options. No public testimony was provided. President Coulter closed the hearing except for discussion of conditions and directed the staff and applicant to return with revised conditions and an updated site plan, respectively.

RECOMMENDATION

The following are conditions of approval revised per direction from the Planning Commissioners. If the Commissioners believe that the applicant has sufficiently met the PUD Modification criteria and choose to approve the proposed modification to the preliminary development plan, the staff recommends that the following conditions be placed on the approval and that the staff and the applicant be directed to prepare a draft resolution and findings, respectively.

- 1) Modifications to the minimum development standards of the A-1 Duplex Residential zone for Lots 38 to 69 shall include a reduction of the side yard setback from 5 feet to 4 feet.
- 2) On Lots 38 to 69 no more than two consecutive houses shall occupy the same front building plane. The minimum adjustment between consecutive occurrences shall be five feet and be in reasonable conformance with the attached Exhibit A.
- 3) All prior conditions of approval, adopted by the City Council in Ordinance No. 5750 and relating to the preliminary development plan of this Planned Unit Development, remain binding.

Respectfully submitted,

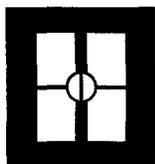
CITY OF HILLSBORO PLANNING DEPARTMENT



Ruth Klein
Urban Planner

Attachments: Applicant's Revised Site Plan

CITY OF HILLSBORO



February 13, 2008

STAFF REPORT

TO: City Council
FROM: Planning Department

RE: Request to Create the Historic Landmarks Advisory Committee

REQUEST

Attached is a draft Resolution creating the Historic Landmarks Advisory Committee, as directed by City Council in September 2006.

BACKGROUND

In 1999, as a part of the Hillsboro 2020 Vision process, a citizen task force guided by extensive community input prepared a Vision Statement. The Statement provides a picture of Hillsboro in the year 2020 through the eyes of citizens from a variety of backgrounds. The Vision Statement is divided into six focus areas intended to guide future community planning efforts. One focus area, Enhancing Neighborhoods and Districts, specifically referenced preserving the City's landmarks.

In 2000, the Vision Task Force prepared an Action Plan with Strategies and Actions to implement the Hillsboro 2020 Vision Statement. The Vision Action Plan (VAP) was updated in 2005. Both the 2000 and the 2005 VAPs included, within the Enhancing Neighborhoods and Districts focus area, Strategies which call for the protection and enhancement of landmarks. Strategy 15, and its associated Actions, read as follows:

15. Historical and Cultural Sites

Protect and enhance historical and cultural sites and other resources.

- *Establish a Hillsboro Landmarks Commission.*
- *Create a volunteer membership Historical Society for Hillsboro*
- *Provide educational materials for property owners on protection of historic and cultural sites, including qualifications, resources, how to establish and other information; build connections with other regional and state historical societies.*
- *Identify Hillsboro's historic sites and obtain grants for designation.*
- *Develop tax and other incentives to restore and update historic structures*

The Planning Department's work on these Strategies is referred to as the Landmarks Commission Project. The scope of work for this Project is attached, and identifies the two phases of the Project. The first phase culminated in September 2006, with the City Council giving direction to Planning staff to pursue the alternative of an advisory landmarks committee, and to pursue certification as a Certified Local Government, thereby allowing access to state and federal grants for historic preservation.

To accomplish these directives, changes in the City's Comprehensive Plan and Zoning Ordinance language regarding historic preservation were necessary. In July 2007, the Planning Commission opened public hearings on the Comprehensive Plan and Zoning Ordinance amendments. Following receipt of testimony and minor revisions as directed by the Planning Commission, the amendments were forwarded with a recommendation of approval to the City Council, which approved Ordinances No. 5801 and 5802 on October 2, 2007, thereby adopting the amendments. Copies of both the Comprehensive Plan language and the Zoning Ordinance language changes are attached for the Councilors' review.

PROPOSED RESOLUTION

The attached draft resolution sets forth the membership framework and responsibilities for the Historic Landmarks Advisory Committee (HLAC). At the Council's direction, recruitment for the HLAC began in December, and a total of eight applications were received for the seven available positions. If the Council approves the resolution on February 19th, Planning staff will forward to the Mayor a recommendation for appointments to the HLAC, for Council consideration on March 4th.

RECOMMENDATION

In order to continue with the policy direction established by Hillsboro Vision 2020 and reaffirmed by the City Council and the Planning Commission, Planning staff requests that the Council approve the attached draft resolution creating the City's Historic Landmarks Advisory Committee.

Respectfully submitted,

CITY OF HILLSBORO PLANNING DEPARTMENT



Deborah A. Raber AICP
Planning Project Manager

Attachments: draft resolution
Landmarks Commission Project scope of work
Comprehensive Plan and Zoning Ordinance Code language revisions

RESOLUTION NO. _____

A RESOLUTION CREATING A HISTORIC LANDMARKS ADVISORY COMMITTEE TO ADVISE THE HILLSBORO CITY COUNCIL AND PLANNING COMMISSION ON MATTERS RELATING TO HISTORIC PRESERVATION WITHIN THE CITY OF HILLSBORO.

WHEREAS, the City of Hillsboro 2020 Vision and Action Plan includes Strategy 15 Protect and Enhance Historical and Cultural Sites and Other Resources, and four action items related to establishment of a Landmarks Committee, education of historic property owners, identification of historic sites, and development of incentives to restore and update historic structures, and

WHEREAS, the City Council desires to create a Historic Landmarks Advisory Committee to advise the City on programs and policies relating to historic preservation within the City and to implement the strategies as listed in Action Items 15.1, 15.3, 15.4, and 15.5 of the Vision and Action Plan.

NOW, THEREFORE, BE IT RESOLVED, by the Hillsboro City Council,

Section 1. The City of Hillsboro Historic Landmarks Advisory Committee (Committee) is created for the purposes of advising the City Council and the Planning Commission on programs and policies relating to historic preservation within the City of Hillsboro.

Section 2. The Committee is composed of seven members who are appointed by the Mayor, and confirmed by City Council. When making appointments to the Committee, the Mayor and Council will consider the following:

- a. All members will have demonstrated a positive interest, competence, or knowledge of historic preservation.
- b. At least five members will be City residents, and non-resident Committee members will reside within a five-mile radius of the City boundaries.
- c. All members will have professional qualifications or experience in the fields of history, architecture, architectural history, archaeology, arts, culture, city planning, landscape architecture, business, real estate, law, government, engineering or construction.

Section 3. Original members of the Committee will serve staggered terms. One member will be appointed for four years, two members will be appointed for three years, two members will be appointed for two years, and two members will be appointed for one year. Thereafter all appointments will be made for four year terms. Members may be reappointed.

Section 4. The Committee is delegated the following duties:

- a. Develop an annual work plan based upon neighborhood outreach and present it to the City Council for approval along with a report of Committee activities;
- b. Complete projects and activities related to obtaining and maintaining City Certified Local Government (CLG) Status. The Committee will pursue and administer CLG grants for the benefit of the City.
- c. Maintain the City Cultural Resources Inventory (Inventory) by:
 - (1) Make recommendations to the Planning Commission and City Council regarding designating properties as historic or cultural landmarks that meet the criteria for designation Hillsboro Zoning Ordinance Section 132 (4);
 - (2) Make recommendations to the Planning Commission and City Council regarding the removal of a landmark from the Inventory, under Hillsboro Zoning Ordinance Section 132 (5).
 - (3) Periodically review and make recommendations for updating the Inventory;
 - (4) Maintain criteria for inventory and evaluation to implement the purposes of this Ordinance;
 - (5) Conduct public outreach and education to owners of historic properties, particularly those who propose alterations to their cultural resources.
- d. Regulate and protect landmarks through review and recommendations to the Planning Commission and City Council, for approval or disapproval of proposed changes in accordance with the criteria for alteration, relocation, or demolition of landmarks in Hillsboro Zoning Ordinance Sections 132 (6) and (7),
- e. Review proposed activities of the City and other agencies that may seriously affect designated landmarks, and advise the City Council and the Planning Commission regarding such activities,
- f. Perform other activities relating to historic and cultural landmarks preservation including:
 - (1) Public education on the history, scenic and cultural landmarks of the City;
 - (2) Advice to the City Council and other City bodies on preservation of historic and cultural landmarks;

- (3) Technical economic information on preservation of historic and cultural landmarks;
- (4) Recommendations to the City Council and the Planning Commission on historic and cultural landmark preservation programs such as tax incentives to preserve designated landmarks;
- (5) Public comment and views of landmark owners of landmarks regarding the community's cultural, historic, and scenic values; and
- (6) Secure alternative sources of funding and develop local grant or loan programs to encourage the preservation of historic resources in the City.

Introduced and passed by the Council this 19th day of February, 2008.

Approved by the Mayor this 19th day of February, 2008.

This resolution is effective immediately following adoption by the City Council and signature by the Mayor.

Mayor

ATTEST:

City Recorder

LANDMARKS COMMISSION PROJECT SCOPE OF WORK

The scope of the project is to create a Hillsboro Landmarks Commission, with duties tailored to the needs and desires of the Hillsboro community. In general, landmarks commissions function in one or more of the following roles:

- Educate property owners and the public on preservation issues;
- Inventory and designate local landmarks;
- Review requests for alterations to landmarks;
- Review nominations to the National Register of Historic Places;

In most of these roles a landmarks commission could function in a regulatory capacity, an advisory capacity, or a combination of both.

PHASE 1:

In mid-2006, the City retained Ms. Kimberli Fitzgerald, a qualified preservation planner and former Planning Commissioner, to work on the Landmarks Commission Project.

Step One: Evaluate Existing Conditions (June 2006):

- Consultant verified current number and type of historic resources within the City limits, previously inventoried to comply with Goal 5 requirements.
- Consultant compiled statistics regarding the number and type of applications related to these properties by year.
- Consultant prepared grant application for State Historic Preservation Office (SHPO) Certified Local Government (CLG) grant.
- Planning staff received Council approval for grant application.
The SHPO CLG grant application cited in Step One refers to the State Historic Preservation Office Certified Local Government program. Under this program, if the City's historic preservation program meets certain requirements, the City becomes eligible for state grants for projects to inventory resources, provide public education, and possibly administer grants or loans to resource owners for rehabilitation of historic structures.

Step Two: Determine Needs Assessment (July 2006):

- Consultant and Planning staff developed two questionnaires for stakeholders (City Council, Planning Commission, Hillsboro Historical Society, and identified neighborhood groups).
- Questionnaires were designed to identify two factors: "user" satisfaction with existing historic preservation programs; and stakeholder desires for specific preservation programs (i.e., education, funding etc.).
- City staff distributed questionnaires.
- Consultant compiled and analyzed results of questionnaires and presented results to Planning staff.

Step Three: Develop Alternatives (August 2006):

- Based upon the existing conditions and needs assessment, provide summaries of alternative preservation programs for the City of Hillsboro.
- Alternatives included estimated costs and benefits as well as proposed timelines for implementation.
- Consultant compiled statistics for preferred alternative and drafted a final recommendation.
- Final recommendation included a recommended list of members for the new Landmarks Commission.

Step Four: Recommendation (September 2006):

- Consultant and Planning staff presented questionnaire results and recommendations to the City Council at the September 19th work session.

City Council reviewed the alternative preservation programs and selected the option of an advisory Historic Landmarks Advisory Committee (HLAC). As directed by the Council, the functions, duties, and composition of the HLAC will be:

- *Advisory Review.* Conduct advisory review of all development proposals related to identified cultural resources. Visit sites when applications are submitted. Make recommendation to Planning Commission. Continue current practice of quasi-judicial review at Planning Commission with appeal to City Council.
- *Neighborhood Outreach.* Initiate contact with identified neighborhoods; coordinate with City and local historic non-profits to identify programs for annual work plan. Proactively educate the community regarding preservation.
- *Annual Work Plan.* Develop priorities for the community; pursue grant funding for identified projects such as walking tour brochures or historic plaques. Annually re-evaluate the need for traditional Landmarks Commission with quasi-judicial decision making powers.
- *Regular meetings.* Meet monthly
- *Composition.* Three members representing historic Orenco, Main Street, and Heart of Hillsboro neighborhoods; with remaining four members to be either preservation professionals; experienced in land use; or having a demonstrated interest in preservation in Hillsboro. All members to be appointed by the Mayor and confirmed by the Council.

In September 2006, the City Council also directed the Planning staff and the Consultant to pursue the possibility of Hillsboro becoming a Certified Local Government under the State Historic Preservation Office program, in order to qualify for technical and financial support to encourage historic preservation efforts.

PHASE 2

In January 2007, Ms. Fitzgerald (the Consultant) was again retained for the second phase of the Landmarks Commission Project. Work by the Consultant and Planning staff proceeded through the following four steps:

Step 1: Revising Current Land Use Codes concerning Historic Preservation:

- Review Comprehensive Plan policies, goals, and implementation measures and Zoning Ordinance requirements related to cultural resource inventories and historic preservation and recommending amendments
- Evaluate recommended amendments with City Administration, City Council, and Planning Commission, along with the Ordinance establishing the HLAC
- Initiate recommended amendments and hold public hearings before the Planning Commission
- Revise the amendments as directed by the Planning Commission
- Forward Planning Commission recommendations on the amendments to City Council for adoption.

Step 2: Creating the Historic Landmarks Advisory Committee (HLAC):

- Draft City Council Resolution to establish the Hillsboro HLAC
- Review prospective members to be appointed to the HLAC
- Forward enabling Resolution establishing the HLAC, to City Council for adoption
- Council appointment of HLAC members
- Begin HLAC membership training

Step 3: Preparing and Submitting the Certified Local Government (CLG) grant application:

- Prepare necessary documentation for Hillsboro to become a CLG, including enabling Resolution, HLAC members' resumes, and minutes of Planning Commission and Council meetings adopting the Code amendments and establishing the HLAC.
- Draft supporting findings addressing the five National Parks Service and SHPO criteria and demonstrating how Hillsboro will meet the criteria to become a CLG
- Coordinate final application review through City Administration and Planning staff
- Submit CLG application to SHPO and resolve outstanding issues with SHPO staff
- Draft the Intergovernmental Agreement (IGA) between the City and SHPO; revise as necessary, and provide to Mayor and City Council for approval and signature
- Submit the final CLG application and report to SHPO; monitor its progress through review at the National Park Service; and address issues as necessary.

Comprehensive Plan Amendments related to Historic Preservation and Historic Landmarks Advisory Committee

Amendments to Comprehensive Plan Section 6 Natural Resources, Open Space, Scenic and Historical Sites, adopted through Ordinance No. 5801, October 2, 2007 [new language in **bold italic** typeface, and deleted language in ~~everstrike~~ typeface]

Subsection (II) Definitions, amended with the addition of two new definitions (H) and (I) as follows:

- (H) ***Cultural Resource. Any building, structure, site, or object included in the Cultural Resource Inventory and therefore subject to the provisions of this Ordinance.***
- (I) ***Cultural Resource Inventory. A listing of sites within the City recognized by City Council resolution as being culturally significant.***

Subsection (III) Policies, section (C) amended to read as follows:

- (C) Cultural Resource(s) Identification and management of cultural resources promotes public awareness and appreciation of the community's history; advances community pride and identity; contributes to the community's economy; and enhances local property values, ***identifies conflicts that can arise between preservation of cultural resources and alternative land uses, and provides means through which such conflicts can be mitigated.***
 - (1) The City shall work closely with ***the State Historic Preservation Office, the Washington County Museum, Hillsboro Historical Society***, property owners and all interested parties to ~~identify~~ and encourage the preservation of cultural resources sites within the planning area ***by educating property owners and the public about the appropriate methods of restoration, rehabilitation and reuse of cultural resource sites.***
 - (2) Station Community Planning Areas shall include policies and design and development standards to preserve and enhance the character of historic neighborhoods such as downtown and the original Orenco community.
 - (3) ***The City shall maintain and update as appropriate its inventory of cultural resource sites and its zoning regulations regarding the management of such sites, including adding new sites deemed significant and revising data on existing sites.***
 - (4) ***The City shall establish a Landmarks Advisory Committee for the purposes of advising the City Council and the Planning Commission on policies and programs pertaining to historic preservation within the City of Hillsboro.***

- (5) ***The City shall endeavor to develop financial and other incentives to encourage property owners to restore, maintain, or adaptively reuse their cultural resource sites.***

Subsection (IV) Implementation Measures, subsections (4) and (5) amended to read as follows:

- ~~(4) The City shall adopt a Cultural Resource Management Ordinance which contains procedures to 1) establish a Cultural Resource Inventory and 2) review alterations to sites on the Cultural Resource Inventory.~~
- ~~(5) The City shall continue the cooperative work program with the Washington County Museum to complete the remainder of the necessary research on the sites listed in the Cultural Resources Survey. The program will be concluded no later than September 30, 1984. Following completion of research, the City shall propose for inclusion in the Cultural Resource Inventory such sites as are deemed culturally significant.~~
- (4) ***The City shall establish and maintain a Cultural Resource Inventory in order to identify the cultural resources within the planning area. This Inventory shall be updated as determined appropriate and as required, including adding new sites deemed significant and revising data on existing sites.***
- (5) ***As a section of the Zoning Ordinance, the City shall adopt a Cultural Resource Management Ordinance which contains procedures to: 1) maintain the Cultural Resource Inventory; through additions or removals as necessary; and 2) review applications for alteration, demolition, or relocation of a Cultural Resource.***

Subsection (IV) Implementation Measures, amended with the addition of two new subsections (6) and (7) as follows, renumbering existing subsections 6, 7, and 8 as subsections 8, 9, and 10:

- (6) ***The Landmarks Advisory Committee shall be authorized to initiate and review applications for nominations to or deletions from the Inventory; to review applications for alteration, demolition, or relocation of a cultural resource; and to make findings and recommendations to the Planning Commission.***
- (7) ***The Landmarks Advisory Committee may also formulate annual work plans, based on neighborhood outreach, to encourage on-going historic preservation efforts within Hillsboro. Such plans may include, but are not limited to: initiating and completing projects and activities related to obtaining and maintaining grants or creating other financial incentives for historic preservation; providing technical or economic information on preservation of historic and cultural landmarks; and performing public outreach and education to the public and to owners of cultural resource sites.***

Zoning Ordinance Amendments related to Historic Preservation and Historic Landmarks Advisory Committee

Amendments to Zoning Ordinance Section 132 Cultural Resource Management Ordinance adopted through Ordinance No. 5802, October 2, 2007 [new language in **bold italic** typeface, and deleted language in ~~everstrike~~ typeface]

Section 132. Cultural Resource Management Ordinance.

- (1) Purpose: The purpose of the Cultural Resource Management Ordinance is to further the public welfare through identification and management of cultural ~~ly-significant~~ resources, in order to:
 - (a) promote public awareness and appreciation of the City's social, political, economic, architectural, and archaeological history;
 - (b) advance civic pride and identity;
 - (c) contribute to the City's economy;
 - (d) enhance local property values; and
 - (e) identify and resolve conflicts between preservation of cultural resources and alternative land uses.

- (2) Definitions. These definitions apply only to Section 132 of this Ordinance.
 - (a) Alteration - any addition to, removal from, and/or change in the external appearance of any portion of a cultural resource. ~~This definition includes changes in landscaping of structures when the age of the landscaping is comparable to the age of the resource structure.~~ **This definition include changes in site landscaping if the landscaping is comparable in age to the resource structure, but excludes changes in newer landscaping or the addition of landscaping if there was none originally.** This definition **also** excludes ordinary maintenance or repair of an exterior feature which does not affect the feature's appearance, if such repair has been certified by the City Building Official as necessary for safe occupancy.
 - (b) Cultural Resource - any building, structure, site, or object included in the Cultural Resource Inventory and therefore subject to the provisions of this Ordinance.
 - (c) Cultural Resource Inventory - a listing of sites within the City recognized by City Council resolution as being culturally significant.
 - (d) Demolition - any intentional defacement, destruction, and/or other action which would cause partial or total ruin of a cultural resource.

(3) Administering Boards

- (a) ~~The Planning Commission shall be the administrative body for the Cultural Resource Ordinance. All actions required for its implementation shall be conducted by the Planning Commission.~~

The Planning Commission shall be the administrative body for the Cultural Resource Ordinance. The Planning Commission shall make findings and recommendations to the City Council regarding any cultural resource applications, or policies and programs pertaining to historic preservation within the City of Hillsboro.

- (b) ***The Historic Landmarks Advisory Committee is authorized to initiate and review applications for nominations to or deletions from the Inventory; to review applications for alteration, demolition, or relocation of a cultural resource; and to make findings and recommendations to the Planning Commission.***

- (4) **Nomination to the Cultural Resource Inventory.** The City of Hillsboro shall establish and maintain a Cultural Resource Inventory which shall be updated ***as determined appropriate and*** as required.

- (a) ~~The Planning Commission shall authorize notice of nomination to be sent to the owners of sites within the City which they deem to have potential cultural significance. Notice of nomination shall include all pertinent information regarding the nomination process.~~

- (b) ~~The Planning Commission shall hold a public hearing and shall evaluate the cultural significance of each site nominated, based on the following criteria:~~

- (a) ***The Historic Landmarks Advisory Committee shall nominate to the Cultural Resource Inventory sites within the City which are determined to have potential cultural significance. The determination of potential cultural significance shall be based on the following criteria:***

1. capability to be categorized as a building, structure, site, or object, as defined by the National Park Service;
2. association with significant historical or cultural events or persons important on a city, county, state, or national level; the site must have as an identifiable theme one of the 10 themes recognized by the National Park Service;
3. demonstration of architectural integrity in workmanship, design, type of construction, regional style, or individual uniqueness;
4. potential to provide archaeological information;
5. inclusion in the National Register of Historic Places or the State Archaeological site file; and

6. ***age of the building, structure, site, or object of at least 50 years, unless determined to be of exceptional significance.***
- (b) ***Any property owner who wishes his or her property included in the Inventory shall apply to the Historic Landmarks Advisory Committee, and shall supply such information on the site as the Committee shall require. The Historic Landmarks Advisory Committee shall then review the application and adopt findings and a recommendation to the Planning Commission.***
- (c) ***Following the nomination and determination of potential cultural significance, or consideration of an owner-initiated application as described in subsection (b), the Historic Landmarks Advisory Committee shall forward its findings and recommendation to the Planning Commission. The Planning Commission shall consider the recommendation, and shall authorize notice of the nomination to be sent by registered mail to the owner or owners of the affected property. Notice of the nomination shall include the following:***
1. ***findings of potential cultural significance, as adopted by either the Historic Landmarks Advisory Committee or the Planning Commission;***
 2. ***the provisions of this Section which may become applicable to the property upon its possible inclusion in the Cultural Resource Inventory,***
 3. ***an explanation of the property owner's rights to refuse to consent to the listing of the property on the Inventory; and***
 4. ***the date, time and place of the Planning Commission public hearing as described in subsection (d).***
- (d) ***At least 30 days after the notice described in subsection (c) has been sent to the property owner, the Planning Commission shall hold a public hearing on the nomination. Notice of the hearing shall be mailed to owners of property within a 200-foot radius of the affected property, to recognized local and County historical societies, and to the State Historic Preservation Office. At the public hearing, the Planning Commission shall receive the findings and recommendation of the Historic Landmarks Advisory Committee, and shall review the nomination based on the criteria listed in subsection (a).***
- ~~(e) The Planning Commission shall not review for inclusion in the Inventory any site which is less than 50 years old, unless proven to be of exceptional importance.~~
- ~~(d) The Planning Commission shall make findings and recommendations to the City Council on a list of sites forming an initial Cultural Resource Inventory. The City Council shall adopt by resolution those sites it considers culturally significant.~~

- ~~(e) Any property owner who wishes his or her property included in the Inventory shall apply to the Planning Commission, and shall supply such information on the site as the Planning Commission shall require. The Planning Commission shall review the application and shall forward its recommendation to the City Council.~~
- ~~(f) Following adoption of the initial Inventory, the Planning Commission may nominate additional sites to the Inventory. The Planning Commission shall review each nomination based on the criteria listed in Section 132 (4)(b) and (4)(c) and conduct a public hearing on the nomination. The owner of any nominated site shall be provided notice of the public hearing and an explanation of rights to refuse to consent to the listing.~~
- (e) Following the public hearing, the Planning Commission shall then make findings and recommendations to the City Council on the nomination. The Council shall add, by resolution, those sites it considers culturally significant to the Inventory. At any time prior to Council action on the nomination, the affected property owner or owners of record may refuse to consent to the addition of the site to the Inventory. This refusal to consent shall be in writing and filed with the Planning Director. The receipt of a refusal to consent shall remove the property from any continued consideration for nomination or listing on the Cultural Resources Inventory. If the City Council approves a resolution placing a site on the Inventory, the Planning Department shall prepare and record a document in the Deed Records of Washington County indicating the placement of the site on the Cultural Resource Inventory.

(5) Removal from the Cultural Resource Inventory

- ~~(g)~~ (a) The property owner or owners of record of a site listed on the Cultural Resources Inventory prior to September 1, 2000, may request removal of the site from the Inventory by submitting a written request to the Planning Director. The request shall describe the site and its location with particularity, **and shall include evidence documenting the formal objection of the property owner of record at the time the property was listed on the Cultural Resource Inventory.** The Planning Director shall submit the request to the Planning Commission for adoption of a resolution acknowledging the request and forwarding the request to the City Council for approval. Upon receipt of the resolution of the Planning Commission, the City Council shall adopt a resolution removing the site from the Cultural Resources Inventory. The Planning Commission shall not conduct a public hearing on the request, but may recommend that the City Council conduct a hearing. The City Council may, but need not, conduct a public hearing on the request. The City Council may require that the site be documented in a manner consistent with accepted historic site documentation practices. The City shall not issue a permit for demolition or modification of a site subject to this subsection for at least 120 days from the date of the resolution removing the site from the Cultural Resources Inventory.
- (b) ***In the absence of an objection to the initial listing, the property owner or owners of record of a site listed on the Cultural Resources Inventory may also request removal of the site from the Inventory by submitting a written request to the Historic Landmarks Advisory Committee. The request shall cite the reasons why the property owner believes the site no longer***

qualifies as a designated cultural resource, based on the criteria listed in section 4 (a). The Committee shall consider the request, and shall forward its findings and recommendation to the Planning Commission.

- (c) *The Planning Commission shall hold a public hearing on the request. Notice of the hearing shall be mailed to owners of property within a 200-foot radius of the affected property, to recognized local and County historical societies, and to the State Historic Preservation Office. At the public hearing, the Planning Commission shall receive the findings and recommendation of the Historic Landmarks Advisory Committee, and shall receive any testimony submitted by interested parties.*

Following receipt of testimony, the Planning Commission shall deliberate and analyze the significance of the resource site and the environmental, social, economic and energy consequences of allowing, limiting, or prohibiting uses which would conflict with the Cultural Resource designation. Based on that analysis, the Planning Commission shall make a determination whether to approve or deny the request. A decision to approve the request shall be made as a recommendation to the City Council. A decision to deny the request shall be final unless appealed.

- (d) *The City Council shall receive and consider a recommendation from the Planning Commission to remove a site from the Cultural Resource Inventory, and may delete the site from the Inventory by resolution. The Council may also choose to conduct its own public hearing on the recommendation.*
- (e) *The City shall not issue a permit for demolition or modification of a site subject to this subsection for at least 120 days from the date of a resolution removing the site from the Cultural Resources Inventory.*

- ~~(f)~~ (f) *Following approval or issuance of an alteration, ~~moving,~~ relocation or demolition permit on a designated cultural resource, according to the requirements of Sections 6 and 7, the Historic Landmarks Advisory Committee the Planning Commission shall ~~may~~ re-evaluate the site's conformance with the criteria in Section 4(a) of this Ordinance, and may forward findings and a recommendation to the Planning Commission. If the Commission finds that the site no longer exhibits the characteristics which justified its inclusion in the Inventory, the Commission shall forward a resolution to the City Council recommending deletion of the site from the Inventory. City Council shall then consider the matter and may delete the site from the Inventory by resolution.*

~~(5)~~ (6) Application for Alteration, ~~Demolition or Moving~~ of a Designated Cultural Resource.

- (a) *No designated cultural resource shall be altered ~~demolished,~~ or moved without prior review by the Historic Landmarks Advisory Committee and approval of the Planning Commission.*
- (b) *Cultural resource owners desiring to alter, ~~demolish or move~~ a cultural resource shall apply for a permit ~~submit an application to the Historic Landmarks Advisory Committee.~~ to the Planning Commission and shall provide all*

~~information considered necessary by the Planning Commission as part of the application. The application shall include site plans, exterior building elevations, and materials specifications on any proposed alteration. **The Historic Landmarks Advisory Committee shall review the application with respect to the criteria listed in subsection (d) and shall make findings and a recommendation to the Planning Commission regarding the proposal.**~~

- (c) ~~The Planning Commission shall hold a public hearing and shall evaluate the application with reference to the following actions:~~

- ~~1. The economic or structural necessity of the proposed action.~~
- ~~2. The extent of visible modification to the resource.~~
- ~~3. the relationship of the proposed action to the resource's original character;~~
- ~~4. the possibility of any alternative action which would reduce negative impacts on the cultural resource; and~~
- ~~5. In the case of moving or demolition, the scheduling of redevelopment of the resource site.~~

~~**The Planning Commission shall hold a public hearing on the request. Notice of the hearing shall be mailed to owners of property within a 200-foot radius of the affected property, to recognized local and County historical societies, and to the State Historic Preservation Office. At the public hearing, the Planning Commission shall receive the findings and recommendation of the Historic Landmarks Advisory Committee, and shall receive any testimony submitted by interested parties.**~~

- (d) ~~**The Historic Landmarks Advisory Committee and the Planning Commission shall evaluate a proposed alteration based on the degree to which the alteration would meet the following standards:**~~

- ~~1. **The alteration would enable the resource to be used as it was historically or to be given a new use requiring the least practicable change to its distinctive materials, features, spaces, and spatial relationships.**~~
- ~~2. **The historic character of the resource property would be retained and preserved, and the relocation of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.**~~
- ~~3. **The alteration would recognize a physical record of the resource's time, place, and use, and changes that create a false sense of historical development (such as adding features from other historic properties) are not proposed.**~~
- ~~4. **The proposed alteration would retain and preserve changes to the resource that have attained historic significance in their own right.**~~

5. ***The alteration would preserve distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the resource.***
6. ***Deteriorated historic features would be repaired rather than replaced. If severe deterioration requires replacement of a distinctive feature, the new feature would match the old in design, color, texture, and, where possible, materials. Replacement of missing features would be documented by historical evidence. Replacement of original features, such as wooden window, doors, or siding, with features made from modern materials such as vinyl, metal, or fiberglass, would be discouraged.***
7. ***Any proposed chemical and physical treatments would be undertaken using the gentlest means possible. Treatments that cause damage to historic materials would be avoided.***
8. ***Any archeological resources would be protected and preserved in place. If archeological disturbance can not be avoided, appropriate mitigation measures would be included as part of the alteration.***
9. ***New additions, exterior alterations, or related new construction would not destroy historic materials, features, and spatial relationships that characterize the resource. To protect the integrity of the resource, new work would be differentiated from the old and would be compatible with the historic materials, features, size, scale and proportion, and massing***
10. ***Any new additions and adjacent or related new construction proposed in the alteration would be constructed in a manner to allow their removal in the future without impairing the essential form and integrity of the resource and its surroundings. .***

For the review of exterior alterations of historic resources, the Historic Landmarks Advisory Committee and the Planning Commission may use, as supplemental information for clarification, the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, published by the U.S. Department of the Interior, National Park Service and codified in 36 CFR 67 for use in the Federal Historic Preservation Tax Incentives Program.

- (e) ***The Planning Commission shall work with the applicant, interested citizens and technical staff to minimize the negative impact of the proposed action, wherever possible.***
- (f) ***Following receipt of testimony, the Planning Commission shall deliberate and analyze the proposed alteration. Based on that analysis, the Planning Commission shall make a determination whether to approve or deny the request. The Planning Commission's decision shall be final unless appealed.***

- (g) *No provision of this ordinance shall be construed to prevent the ordinary repair or maintenance of a designated Cultural Resource, where such action does not involve a change in design, materials, or appearance.*

~~(5)~~ (7) *Application for Demolition or Relocation of a Designated Cultural Resource.*

- (a) *No designated cultural resource shall be demolished or relocated without prior review by the Historic Landmarks Advisory Committee and approval of the Planning Commission.*

- (b) *Cultural resource owners desiring to demolish or relocate a cultural resource shall submit an application to the Historic Landmarks Advisory Committee. The Historic Landmarks Advisory Committee shall review the application with respect to the following standards:*

1. *The designated property has deteriorated beyond repair, and relocation or demolition is structurally necessary;*
2. *No prudent and feasible alternative exists to repair or use the structure in its present location; and*
3. *The relocation or demolition is economically necessary. To prove economic necessity, the applicant must demonstrate through presentation of at least one rehabilitation option that the resource cannot be reasonably rehabilitated in its present location, and that the condition of the cultural resource prevents any substantial beneficial use of the property; and*
4. *The proposed use of the property has been found to be in compliance with all applicable city, state and federal requirements including zoning and building codes; and*
5. *The value to the community of the proposed use of the property outweighs the value of retaining the designated Cultural Resource on its present site.*

The Committee shall consider shall consider the request, and shall forward its findings and recommendation to the Planning Commission.

- (c) *The Planning Commission shall hold a public hearing on the request. Notice of the hearing shall be mailed to owners of property within a 200-foot radius of the affected property, to recognized local and County historical societies, and to the State Historic Preservation Office. At the public hearing, the Planning Commission shall receive the findings and recommendation of the Historic Landmarks Advisory Committee, and shall receive any testimony submitted by interested parties.*

- (d) *Following receipt of testimony, the Planning Commission shall deliberate and analyze the proposed relocation or demolition, based on the standards in subsection (b). Based on that analysis, the Planning Commission shall make a determination whether to approve or deny the request.*

(e) Approval of an application for ~~alteration~~ **relocation** or demolition may be delayed up to 60 days by the Planning Commission. ~~if it deems additional information or consideration with the applicant necessary.~~ **The Planning Commission may place any of the following conditions on Approval of the a demolition application:**

- (1) ~~may be conditioned to secure interior and/or exterior documentation of the site prior to the proposed action,~~ **demolition;**
- (2) ~~preserve~~ **preservation of** selected architectural features and ~~to preserve~~ site landscaping; **and**
- (3) **a good faith effort by the applicant to sell the structure for relocation.**

The Planning Commission may, however, approve a ~~relocation or~~ demolition permit at any time within the 60 day period if it feels the applicant has made an effort in good faith to retain, document, and/or preserve the culturally significant characteristics of the resource.

(f) The City Council may extend a demolition delay by an additional 60 days at the request of **the Historic Landmarks Advisory Committee**, the Planning Commission or an interested party.

~~(g) Applications for alteration, demolition, or moving permits for a designated cultural resource which are complete and which are in compliance with all other City regulations and ordinances shall not be denied outright. If no action on an application has been taken by the Planning Commission within 60 days of submission of the completed application, the application shall be considered approved.~~

(6)(8) Annexation of County-designated Cultural Resources.

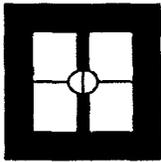
Any site designated a cultural resource by Washington County shall be placed on the Cultural Resource Inventory upon annexation and shall be subject to the provisions of this Ordinance.

(7) (9) Preservation of Cultural Resources in Additional Open Space.

Upon redevelopment of a Cultural Resource site, additional open space area around significant structures, set aside at the option of the developer, may be subtracted from the net residential area of the development for density calculation. Additional open space so set aside shall be identified on the final plat (or final development plan if no land division is involved) as a conservation easement or a separate permanent open space tract. Responsibility for maintenance and preservation of such tracts or easements shall be specified in covenants, conditions, and restrictions or other legal instrument subject to approval by the Planning Director and recorded prior to approval of a final development plan.

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CITY OF HILLSBORO



February 14, 2008

TO: Mayor Hughes & City Council
FROM: John Southgate, Economic Development Manager
SUBJECT: Financing of City System Development Charges

Staff requests Council approval of revisions to the City's policy on the financing of City-controlled System Development Charges (SDCs), which includes Traffic Impact Fees as well as SDCs for Water, Parks, Sanitary Sewer and Surface Water Management. The proposed revisions include a lower interest rate, along with several ancillary provisions.

Background

As part of its building permit process, the City requires that applicants pay a variety of SDCs to help fund the additional capital needs that new growth generates. State law requires that municipalities allow for the financing of SDCs, and the City incorporated an SDC financing provision in Section 11 of Ordinance No. 4000, adopted by Council on June 27, 1991. Currently City policy allows for applicants to finance 85% of their SDCs (i.e. they must pay 15% up front), at an interest rate of 9%, amortized over 10 years. Payments are semi-annual, in accordance with the aforementioned Ordinance No. 4000.

Local developers and businesses have expressed concerns as the fees for new development continue to rise (due to the escalating costs of providing adequate services for future growth). The attached chart indicates the total fees (City SDCs, plus the charges of other jurisdictions, plus other non-SDC City fees) for a broad range of project types and sizes, including calculations of the total fees as a percentage of project cost.

In an attempt to work proactively with the business/developer community on this issue, staff offered to propose a more competitive SDC financing policy. Local developers have indicated strong support for this proposal. It would not change the fees they pay, and therefore would not affect the revenues that the City takes

in to fund needed capital improvements. But being able to finance SDCs at a lower interest rate may significantly enhance the feasibility of projects, projects which create jobs and other benefits to the citizens of Hillsboro.

The following section outlines a specific proposal regarding financing of City SDCs. Please note that the City can only provide this financing mechanism for its own charges – we can not dictate the terms under which other service providers (e.g., Clean Water Services) might finance their fees.

Proposal

We propose that we maintain our current requirements regarding the percentage of SDCs that can be financed (85%), the term (10 years), and payment schedule (semi-annual). However, we propose to base the interest rate on the monthly average rate of 10 year Treasury Bonds (for the month at the time of application, using the prior month average if the application falls on the first business day of the month) *plus* 2%. The current monthly average for 10 year Treasury Bonds is about 4.6%, meaning that if one were to apply for City financing of City SDCs today, he or she would be charged an interest rate of 6.6%.

For administrative simplicity, staff proposes that the interest rate would be locked in for the duration of the ten year contract. However, this poses some risk to the City, if the rate of return on the City's funds were to exceed the rate that we are charging on our SDC financing contracts. To protect against this possibility, staff proposes that all SDC financing contracts include a provision that allows for the City to adjust the interest rate, at its sole discretion, if the 10 year Treasury Bonds were to average more than the rate of any given contract. Given the relative stability of 10 year Treasury Bonds, and given that many SDC financing contracts will be paid off before the term of the contract expires, we expect that we would rarely need to exercise this authority to amend the interest rate. The City would not be obligated to adjust the interest rate, but would have the prerogative to do so in the event that it determined that the City was losing money due to a significant turn in Treasury Bond rates.

In earlier discussions among staff and with the Finance Committee, staff considered the possibility of limiting these favorable terms to only projects of a certain size (i.e. where the SDCs were high enough to justify the administrative costs of financing), or where SDCs exceed a certain percentage of total project cost. We are recommending that no such limitation be imposed (beyond the very modest limitation already set forth in Section 11 of Ordinance No. 4000, stating that the City will only finance SDCs which exceed \$25).

All fees must be paid in full upon sale of a property. The City proposes to charge an administrative fee of \$100 for all SDC financing applications. We believe that these provisions would ease the administrative complexity of the program.

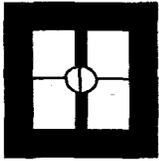
Conclusion

Staff requests City Council approval of the revised City SDC Financing policy as described herein. Staff briefed the Finance Committee on this matter on February 12, 2008, and received their favorable recommendation to bring this matter before Council. The Finance Committee delegated to staff the specifics set forth in this Report, including the benchmark interest rate (i.e. monthly average for 10 year Treasury Bonds at the time of application); the "trigger" whereby the City may unilaterally modify the interest rate; and the application fee.

Enclosure

6D

CITY OF HILLSBORO



MEMORANDUM

DATE: February 11th, 2008
TO: Mayor and City Council
FROM: Hillsboro Police Department
Amber Deming, City Recorder
SUBJECT: Request for liquor license endorsement

Please consider staff recommendations for the following liquor license application:

1. Jalapenos Mexican Restaurant, 2055 SE TV Hwy, Change of Ownership – Full on-premises sales

The Police Department has reviewed the applications and recommends Council endorsement. If you have any questions, please do not hesitate to call the Hillsboro Police Department (503-681-6174) or Amber Deming (503-681-6117).

Attachments:
OLCC Liquor License Applications

REQUEST FOR CITY COUNCIL ENDORSEMENT
Liquor License Application
City of Hillsboro, Oregon

No. 48-08

Indicate type of application:

License type:

- \$100.00 Original Application
- \$ 75.00 Change of Ownership
- \$ 75.00 Change of location
- \$ 75.00 Change in privilege
- \$ 35.00 Renewal or Temporary
- \$ 25.00 Off-premises sales

- Full on-premises sales
- Limited on-premises sales
- Off-premises sales
- Temporary sales license

BUSINESS NAME: Jalapenos Mexican Restaurant Inc

DBA NAME: ~~2055 SE T.V. Hwy Hillsboro OR 97123~~

Business Address: 2055 SE T.V. Hwy Hillsboro OR 97123

Applicant: Margarita Martinez
(Full Name)

Home Address: _____ Hillsboro _____
Street Home Phone

_____ OR _____ 97124 503 6405659
City State Zip Business Phone

Driver's License No.: _____ State: OR

Co-Applicant: _____
(Full Name)

If more than one co-applicant, provide complete information on each (attach page(s) as necessary).

Home Address: _____
Street Home Phone

_____ _____
City State Zip Business Phone

Driver's License No.: _____ State: _____

Note: If applicant is a corporation, list name and address of home offices: _____

I hereby attest that the information provided above is true and accurate to the best of my knowledge. It is understood that the City may request additional or supplemental information during the course of processing this application.

Date: 1/4/08

[Signature]
Signature(s) of Applicant(s) or Agent(s)

City Business License No.: _____ Receipt No. _____

Note: This page is to be filled out for new applications, change of ownership, change of location, change of class of license and temporary licenses.

Describe in detail the nature of the establishment you propose to operate. (For example, is your facility going to be a tavern, a family dining establishment, a neighborhood grocery store, part of a community shopping center, a special purpose retail outlet like a wine shop, etc.) If additional space is necessary, please use the back of this form, or attach additional page(s).

Family dining Restaurant

Days and hours of operation: Open From 11AM to 9PM Every day

Ratio of projected food sales to alcohol sales: _____

Service Capacity (i.e. maximum number of customers that can be accommodated at any give time): 65 Seats

Previous business names and addresses where you have ever been licensed. (Use reverse side of this application for additional space if necessary.)

NONE

Has the applicant ever been issued a liquor license? Yes No

If yes, describe below the nature and location of the outlet(s), the type of license, and the dates during which the license was held.

Has the applicant ever been cited or had a compliance plan in effect for a liquor license? Yes No

If yes, describe below the nature of the license sought, the location of the proposed outlet, the date of the citation, and reasons for the citation.

Is any building remodeling planned? If so, generally describe. _____

Police Department: Approved Denied

Signature [Signature] 16572
2/7/08

Comments: _____

OREGON LIQUOR CONTROL COMMISSION LIQUOR LICENSE APPLICATION

Key 90 day



PLEASE PRINT OR TYPE

Application is being made for:		FOR CITY AND COUNTY USE ONLY	
LICENSE TYPES <input checked="" type="checkbox"/> Full On-Premises Sales (\$402.60/yr) <input checked="" type="checkbox"/> Commercial Establishment <input type="checkbox"/> Caterer <input type="checkbox"/> Passenger Carrier <input type="checkbox"/> Other Public Location <input type="checkbox"/> Private Club <input type="checkbox"/> Limited On-Premises Sales (\$202.60/yr) <input type="checkbox"/> Off-Premises Sales (\$100/yr) <input type="checkbox"/> with Fuel Pumps <input type="checkbox"/> Brewery Public House (\$252.60) <input type="checkbox"/> Winery (\$250/yr) <input type="checkbox"/> Other: _____		ACTIONS <input checked="" type="checkbox"/> Change Ownership <input type="checkbox"/> New Outlet <input type="checkbox"/> Greater Privilege <input type="checkbox"/> Additional Privilege <input checked="" type="checkbox"/> Other <u>C-T-N</u>	
Applying as: <input type="checkbox"/> Individuals <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability Company		The city council or county commission: _____ (name of city or county) recommends that this license be: Granted <input type="checkbox"/> Denied <input type="checkbox"/> By: _____ (signature) (date) Name: _____ Title: _____	
		OLCC USE ONLY Application Rec'd by: <u>C. Ellis</u> Date: <u>1-16-08</u> 90-day authority: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

*P15074.
L90731*

- Applicant(s): [See SECTION 1 of the Guide]
 ① MMR RESTAURANT INC ③
 ② _____ ④
- Trade Name (dba): JALAPENOS
- Business Location: 2055 SE T.V. HWY. HILLSBORO OR 97123
 (number, street, rural route) (city) (county) (state) (ZIP code)
- Business Mailing Address: _____
 (PO box, number, street, rural route) (city) (state) (ZIP code)
- Business Numbers: 503-648-7640
 (phone) (fax)
- Is the business at this location currently licensed by OLCC? Yes No
- If yes to whom: SAN MARCOS MEXICAN RESTAURANT INC Type of License: FULL ON PREMISES
- Former Business Name: JALAPENOS Mexican Restaurant
- Will you have a manager? Yes No Name: _____
 (manager must fill out an individual history form)
- What is the local governing body where your business is located? HILLSBORO WASHINGTON
 (name of city or county)
- Contact person for this application: MARGARITA MORALES
 (name) (phone number(s))

 (address) (fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

① [Signature] Date 1/27/07 ③ _____ Date _____

② _____ Date _____ ④ _____ Date _____

Common Types of OLCC Licenses:

Full On-Premises Sales (F):

This type of license allows the sale and service of distilled spirits, malt beverages, and wine for consumption on the licensed premises. The OLCC issues Full On-Premises Sales (F) licenses to caterers (F-CAT), commercial establishments (F-COM), private clubs (F-CLU), public passenger carriers (F-PC), and other public locations (F-PL).

- ✚ Previously hard liquor dispenser license (DA, DB, DC)

Limited On-Premises Sales (L):

This license allows the sale of malt beverages, wine and cider for consumption on the licensed premises, and the sale of kegs of malt beverages for off premises consumption.

- ✚ Previously RMB (Tavern) license

Off Premises Sales (O):

This license allows the sale of malt beverages, wine, and cider in factory sealed containers for consumption off the licensed premises and allows sample tastings of malt beverages, wine, and cider.

- ✚ Previously called a package store license

Wholesale Malt Beverage and Wine (WMBW):

This license allows storage, import, export, and wholesale sale of wine (21% alcohol or less) to wholesale and retail licensees, allows wine tastings, and the sale of wine and malt beverages for customers to drink at the business and "to go" in sealed containers.

Brewery Public House (BP):

This license allows the manufacture, storage, sale, and exportation of malt beverages. Retail sales may be for on or off premises consumption. Also allows sales of wine and cider containing no more than 21% alcohol.