



Multnomah County Oregon

Board of Commissioners & Agenda

connecting citizens with information and services

BOARD OF COMMISSIONERS

Ted Wheeler, Chair

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214
Phone: (503) 988-3308 FAX (503) 988-3093
Email: mult.chair@co.multnomah.or.us

Deborah Kafoury, Commission Dist. 1

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214
Phone: (503) 988-5220 FAX (503) 988-5440
Email: district1@co.multnomah.or.us

Jeff Cogen, Commission Dist. 2

501 SE Hawthorne Boulevard, Suite 600
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Judy Shiprack, Commission Dist. 3

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Diane McKeel, Commission Dist. 4

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REVISED JUNE 9, 2009

JUNE 9 & 11, 2009

BOARD MEETINGS

FASTLOOK AGENDA ITEMS OF INTEREST

Pg 2	9:00 a.m. Tuesday Executive Session
Pg 3	9:30 a.m. Thursday Public Comment
Pg 3	9:40 a.m. Thursday Multnomah County Auditor Steve March Oath of Office
Pg 3	9:45 a.m. Thursday Briefing on Audit of Inventory Management : Facilities May 2009
Pg 3	10:05 a.m. Thursday Mt. Hood Cable Regulatory Commission Budget
Pg 4	10:15 a.m. Thursday Service District Budgets
Pg 5	10:40 a.m. Thursday 1st Reading Ordinance Amending Ambulance Staffing Code 21.406
Pg 5	11:05 a.m. Thursday Briefing on 4 Cities Peer Court Program

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Thursday, June 11, 2009 - 9:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

CONSENT CALENDAR - 9:30 AM

DEPARTMENT OF COMMUNITY SERVICES

C-1 Amendment No. 1 to Intergovernmental Expenditure Agreement 4600006289 with Metro for Traffic Studies with the Sellwood Bridge Rehabilitation or Replacement Project

DEPARTMENT OF COUNTY HUMAN SERVICES

C-2 ORDER Authorizing Designees of the Mental Health Program Director to Direct a Peace Officer to Take an Allegedly Mentally Ill Person into Custody

C-3 BUDGET MODIFICATION DCHS-43 Reclassifying Several Positions in Aging and Disability Services Division Adult Protective Services from Case Manager Senior to Human Services Investigator, as Determined by the Class/Comp Unit of Central Human Resources

C-4 BUDGET MODIFICATION DCHS-45 Adding a Program Supervisor and Reclassifying a Program Development Technician to a Data Technician in the Developmental Disabilities Services Division, as Determined by Class/Comp Unit of Central Human Resources

REGULAR AGENDA

DEPARTMENT OF COMMUNITY JUSTICE

UC-1 NOTICE OF INTENT to Apply for a Department of Justice Office of Juvenile Justice and Delinquency Prevention Improving Community Response to the Commercial Sexual Exploitation of Children Grant

PUBLIC COMMENT - 9:30 AM

Opportunity for Public Comment on non-agenda matters. Testimony is limited to three minutes per person. Fill out a speaker form available in the Boardroom and turn it into the Board Clerk.

NON-DEPARTMENTAL - 9:30 AM

R-1 PROCLAMATION Proclaiming June 10th through June 18th, 2009 as ReUse Week in Multnomah County, Oregon

COUNTY ATTORNEY'S OFFICE – 9:40 AM

R-2 OATH OF OFFICE for Multnomah County Auditor Steve March. Administered by County Attorney Agnes Sowle

R-3 RESOLUTION Confirming the Interim Designation for Multnomah County Auditor, in the Event of a Vacancy

AUDITOR'S OFFICE – 9:45 AM

R-4 Briefing of Audit of Inventory Management: Facilities May 2009. Presented by Sarah Landis, Deputy Auditor, Fran Davison and Mark Ulanowicz. 15 MINUTES REQUESTED.

NON-DEPARTMENTAL - 10:00 AM

R-5 Reappointment of Andrea Cano to the MT. HOOD CABLE REGULATORY COMMISSION

R-6 RESOLUTION: Multnomah County Approval of the Mt. Hood Cable Regulatory Commission Budget for Fiscal Year 2009-2010

SERVICE DISTRICTS - 10:15 AM

(Recess as the Board of County Commissioners and convene as the governing body for **DUNTHORPE RIVERDALE SANITARY SERVICE DISTRICT NO. 1**)

R-7 PUBLIC HEARING and RESOLUTION Adopting the 2009-2010 Budget for Dunthorpe Riverdale Sanitary Service District No. 1 and Making Appropriations

(Adjourn as the governing body for Dunthorpe Riverdale Sanitary Service District No. 1 and convene as governing body for **MID-COUNTY STREET LIGHTING SERVICE DISTRICT NO. 14**)

R-8 PUBLIC HEARING and RESOLUTION Adopting the 2009-2010 Budget for Mid-County Street Lighting Service District No. 14 and Making Appropriations

(Adjourn as the governing body for Mid-County Street Lighting Service District No. 14 and reconvene as **BOARD OF COUNTY COMMISSIONERS**)

DEPARTMENT OF COUNTY MANAGEMENT – 10:25 AM

- R-9 RESOLUTION Authorizing Election to Receive National Forest Related Safety-Net Payments for Federal Fiscal Year 2009
- R-10 RESOLUTION Authorizing Election to Receive O&C Land Related Safety Net Payments for Federal Fiscal Year 2009
- R-11 BUDGET MODIFICATION DCM-13 Appropriating \$5,100 in Flood Mitigation Assistance Grant Funds to Support the Flood Mitigation Planning Project

DEPARTMENT OF HEALTH – 10:30 AM

- R-12 BUDGET MODIFICATION HD-21 Appropriating \$177,650 in Revenue from the State of Oregon, Department of Human Services, Office of Family Health, Family Planning Services
- R-13 BUDGET MODIFICATION HD-22 Appropriating \$162,000 in Revenue from the Department of Health and Human Services, Health Resources and Services Administration, American Recovery and Reinvestment Act, Increased Demand for Health Services Initiative
- R-14 BUDGET MODIFICATION HD-23 Appropriating \$200,000 in Revenue from CareOregon, Building Better Care Project
- R-15 BUDGET MODIFICATION HD-24 Appropriating \$90,000 in Revenue from CareOregon, Primary Care Renewal Project
- R-16 NOTICE OF INTENT to Submit a Proposal to the Robert Wood Johnson Foundation Healthy Eating Research: Building Evidence to Prevent Childhood Obesity Grant Competition
- R-17 First Reading of a Proposed ORDINANCE Amending Multnomah County Code Section 21.406, Ambulance Staffing

DEPARTMENT OF COMMUNITY SERVICES – 10:50 AM

- R-18 Reappointment of Joe Barcott, Andrew Holtz and Greg Olson for One Year Terms, and Appointment of Roger Averbeck, Carolyn Briggs, David Cary,

Susan Dean, Nancy Keates, Bob Kellett and Stephanie Routh for Two Year Terms to the BICYCLE AND PEDESTRIAN CITIZEN ADVISORY COMMITTEE

- R-19 First Reading of a Proposed ORDINANCE Amending Multnomah County Code Chapters 37, Administration and Procedures, and 38, Columbia River Gorge National Scenic Area; and Re-adopting Certain Ordinances, Relating to Notice Requirements for Legislative Items Provided in ORS 203.045(5), 215.060 and 215.503
- R-20 First Reading and Possible Adoption of an ORDINANCE Amending County Land Use Code, Plans and Maps to Adopt Portland's Recent Land Use Code, Plan and Map Revisions Related to Extend for a Limited Period the Expiration Date for Approved Land Use Decisions and Related Land Use Actions in Compliance with Metro's Functional Plan and Declaring an Emergency

NON-DEPARTMENTAL - 11:05 AM

- R-21 Four Cities Peer Court Program Briefing. Presented by Four Cities Peer Court Participants. 10 MINUTES REQUESTED.

BOARD COMMENT

Opportunity (as time allows) for Commissioners to provide informational comments to Board and public on non-agenda items of interest or to discuss legislative issues.



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Tuesday, June 9, 2009 - 9:00 AM
Multnomah Building, Sixth Floor Commissioners Conference Room 635
501 SE Hawthorne Boulevard, Portland

EXECUTIVE SESSION

- E-1 The Multnomah County Board of Commissioners will meet in Executive Session Pursuant to ORS 192.660(2)(d),(e) and/or (h). Only Representatives of the News Media and Designated Staff are allowed to attend. News Media and All Other Attendees are Specifically Directed Not to Disclose Information that is the Subject of the Session. No Final Decision will be made in the Session. Presented by County Attorney Agnes Sowle. 15-55 MINUTES REQUESTED.
-

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Commissioner Judy Shiprack

Multnomah County Oregon

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Portland, Oregon 97214

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MEMORANDUM

TO: Chair Ted Wheeler
Commissioner Deborah Kafoury
Commissioner Jeff Cogen
Commissioner Diane McKeel
Clerk of the Board Deb Bogstad

FROM: Keith Falkenberg
Staff to Commissioner Judy Shiprack

DATE: May, 20, 2009

RE: Commissioner Shiprack will be out of town June 5-12, 2009

Commissioner Shiprack will be out of town June 5th through 12th therefore she will not be attending the if needed executive session and/or Board briefing on June 9th and the Board meeting on June 11th.



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (revised 09/22/08)

Board Clerk Use Only

Meeting Date: 06/09/09
 Agenda Item #: E-1
 Est. Start Time: 9:00 AM
 Date Submitted: 06/03/09

Agenda Title: Executive Session Pursuant to ORS 192.660(2)(d),(e)and/or(h)

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: June 9, 2009 **Amount of Time Needed:** 1 hour
Department: Non-Departmental **Division:** County Attorney
Contact(s): Agnes Sowle
Phone: 503 988-3138 **Ext.** 83138 **I/O Address:** 503/500
Presenter(s): Agnes Sowle and Invited Others

General Information

1. **What action are you requesting from the Board?**
 No final decision will be made in the Executive Session.
2. **Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.**
 Only representatives of the news media and designated staff are allowed to attend. Representatives of the news media and all other attendees are specifically directed not to disclose information that is the subject of the Executive Session.
3. **Explain the fiscal impact (current year and ongoing).**
4. **Explain any legal and/or policy issues involved.**
 ORS 192.660(2)(d),(e)and/or(h)
5. **Explain any citizen and/or other government participation that has or will take place.**

Required Signature

Elected Official or
 Department/
 Agency Director:

Date: 06/03/09

BOGSTAD Deborah L

From: SOWLE Agnes
Sent: Monday, June 08, 2009 1:59 PM
To: GRAVES Travis R; BOGSTAD Deborah L
Cc: WHEELER Ted; MCLELLAN Jana E; RINEHART Tom; FARVER Bill; 'SKIPPER Bob'; HEIDENRICH Jay A; AAB Larry A; 'SLYTER Tom'; BISHOP Ronald J; CARTER Sally
Subject: RE: Cancel Tomorrows Labor Relations Executive Session Agenda Item

That was the only agenda item, so the exec session should be cancelled entirely.

Agnes Sowle
Multnomah County Attorney
501 SE Hawthorne Blvd., Ste. 500
Portland, OR 97214
(503)988-3138

From: GRAVES Travis R
Sent: Monday, June 08, 2009 1:07 PM
To: SOWLE Agnes; BOGSTAD Deborah L
Cc: WHEELER Ted; MCLELLAN Jana E; RINEHART Tom; FARVER Bill; 'SKIPPER Bob'; HEIDENRICH Jay A; AAB Larry A; 'SLYTER Tom'; BISHOP Ronald J; CARTER Sally
Subject: Cancel Tomorrows Labor Relations Executive Session Agenda Item

Agnes / Deb:

We would like to cancel our agenda item at tomorrow's executive session. We are going to continue our conversations with MCCDA in the hopes that we can settle this with an MOA rather than needing a decision from the Board. If we cannot get to agreement, we may need to schedule another executive session. Thank you.

Travis Graves, IPMA-CP and SPHR
Human Resources Director
Multnomah County
501 SE Hawthorne Blvd., Suite 400
Portland, Oregon 97214
503.988.6134
Fax 503.988.3009



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 06/11/09
Agenda Item #: C-1
Est. Start Time: 9:30 AM
Date Submitted: 05/29/09

Agenda Title: **Amendment No. 1 to Intergovernmental Expenditure Agreement 4600006289 with Metro for Traffic Studies with the Sellwood Bridge Rehabilitation or Replacement Project**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: June 11, 2009 **Amount of Time Needed:** Consent
Department: Community Services **Division:** Bridges
Contact(s): Michael Eaton
Phone: (503) 988-3757 **Ext.** 247 **I/O Address:** 446
Presenter(s): Consent

General Information

1. What action are you requesting from the Board?

Approval of Amendment No. 1 to the Intergovernmental Agreement with Metro to extend its participation in support of the Sellwood Bridge Replacement or Rehabilitation Project through June, 2012.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

The Sellwood Bridge is deteriorated after approximately 80 years of service, and the bridge has a vehicle weight limit of 10 tons maximum. TriMet buses and most trucks are excluded from using the bridge. Approximately 30,000 vehicles cross the narrow two-lane bridge each day.

Multnomah County has initiated a planning and design process for either a major rehabilitation or replacement of the bridge. The Intergovernmental Agreement between Metro and the County established Metro as a project partner and arranged for Metro to provide technical expertise in traffic modeling as part of the environmental process.

The scope of work in Amendment No. 1 to the IGA extends the term of the IGA through June 30, 2012, to continue its participation in public policy, regulatory oversight, and technical expertise.

3. Explain the fiscal impact (current year and ongoing).

The existing Intergovernmental Agreement Not-To-Exceed (NTE) amount is currently \$100,000.00. These funds are 100% reimbursable from state and federal funds dedicated to the Sellwood Bridge Replacement or Rehabilitation Project. This amendment does not alter the NTE.

4. Explain any legal and/or policy issues involved.

N/A

5. Explain any citizen and/or other government participation that has or will take place.

The project has an extensive public involvement process which will extend over the next 18 months. It began with an outreach program that contacted 100 civic organizations: neighborhood associations, business associations; bike, pedestrian, and transit interest groups; freight and commuter advocacy groups, and environmental groups. Representatives from the various stakeholder groups were selected to participate on a Community Task Force to provide input to the planning process.

The County authorized the Community Task Force which has met nearly 20 times over the past 2 years. Open houses were held at every major decision point where the public has provided valued input. There has been extensive cooperation with the City of Portland, Oregon Department of Transportation, FHWA, TriMet, Clackamas County, and Metro. In addition, numerous regulatory agencies have been involved with the project, including National Marine Fisheries Service, Army Corps of Engineers, U. S. Fish and Wildlife, United States Coast Guard, Oregon Department of Fish and Wildlife, Oregon Department of Environmental Quality, and Oregon Department of State Lands.

Required Signature

**Elected Official or
Department/
Agency Director:**



Date: 05/28/09

-----Original Message-----

From: RYAN Matthew O
Sent: Friday, May 22, 2009 7:59 AM
To: EATON Michael J; KRAMER Cathey M
Subject: FW: Amendment #1 - Metro IGA/Sellwood
Importance: High

Michael & Cathey,

The attached contract amendment has been reviewed and is approved for submission to the BCC or routing for signatures as the case may be. Thanks.

Matthew O. Ryan
Assistant County Attorney
Office of Multnomah County Attorney
501 SE Hawthorne, Suite 500
Portland, Oregon 97214
Tel: 503-988-3138; Fax: 503-988-3377
matthew.o.ryan@co.multnomah.or.us

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From: EATON Michael J
Sent: Wednesday, May 20, 2009 1:21 PM
To: RYAN Matthew O
Cc: KRAMER Cathey M
Subject: FW: Amendment #1 - Metro IGA/Sellwood
Importance: High

Matt,

Multnomah County's Sellwood Bridge IGA with Metro is due to expire on June 30, 2009. They have not spent down their \$100K budget (they have \$40K left) and are not asking for anymore. They continue to provide invaluable assistance on the Project Management Team at a very low burn rate. Could you please take a look at the attached amendment to the IGA and approve it for further processing?

Many thanks,

--Michael

MULTNOMAH COUNTY CONTRACT APPROVAL FORM (CAF)

Pre-approved Contract Boilerplate (with County Attorney signature) Attached Not Attached Contract #: 4600006289
 Amendment #: 1

CLASS I Based on Informal / Intermediate Procurement	CLASS II Based on Formal Procurement	CLASS III Intergovernmental Contract (IGA)
<input type="checkbox"/> Personal Services Contract	<input type="checkbox"/> Personal Services Contract	<input checked="" type="checkbox"/> Expenditure Contract
PCRB Contract <input type="checkbox"/> Goods or Services <input type="checkbox"/> Maintenance or Licensing Agreement <input type="checkbox"/> Public Works / Construction Contract <input type="checkbox"/> Architectural & Engineering Contract	PCRB Contract <input type="checkbox"/> Goods or Services <input type="checkbox"/> Maintenance or Licensing Agreement <input type="checkbox"/> Public Works / Construction Contract <input type="checkbox"/> Architectural & Engineering Contract	<input type="checkbox"/> Revenue Contract <input type="checkbox"/> Grant Contract <input type="checkbox"/> Non-Financial Agreement
<input type="checkbox"/> Revenue Contract <input type="checkbox"/> Grant Contract <input type="checkbox"/> Non-Financial Agreement	<input type="checkbox"/> Revenue Contract <input type="checkbox"/> Grant Contract <input type="checkbox"/> Non-Financial Agreement	<input type="checkbox"/> INTER-DEPARTMENTAL AGREEMENT (IDA)

Department: Community Services Division/ Program: Land Use and Trans Program Date: 5/21/09
 Originator: Michael Eaton Phone: (504) 988-3757 x247 Bldg/Room: 446/Bridge Shop
 Contact: Cathy Kramer Phone: (503) 988-5050 x22589 Bldg/Room: 455/Annex

Description of Contract: Amendment No. 1 to Intergovernmental Agreement (IGA) with the Metro Planning Department to establish and accomplish tasks required to meet National Environmental Policy Act (NEPA) requirements in the planning and public involvement process of the Sellwood Bridge Rehab/Replacement Project. Amendment No. 1 extends the termination date only. There is no additional expenditure.

RENEWAL: PREVIOUS CONTRACT #(S) _____ EEO CERTIFICATION EXPIRES _____

PROCUREMENT, EXEMPTION OR CITATION # _____ ISSUE DATE: _____ EFFECTIVE DATE: _____ END DATE: _____

CONTRACTOR IS: MBE WBE ESB QRF State Cert# _____ or Self Cert Non-Profit N/A (Check all boxes that apply)

Contractor	Metro Planning Department			Remittance address (if different)	
Address	600 NE Grand Avenue				
City/State	Portland OR				
ZIP Code	97232				
Phone	(503) 797-1730/Fax: (503) 797- 1797 (John Gray)				
Employer ID# or SS#	N/A				
Contract Effective Date	07/01/2006	Term Date	08/30/2009		
Amendment Effect Date	07/01/2009	New Term Date	06/30/2012		
Original Contract Amount	Not to exceed \$100,000.00			Original PA/Requirements Amount	\$
Total Amt of Previous Amendments	\$ 0			Total Amt of Previous Amendments	\$
Amount of Amendment	\$ 0			Amount of Amendment	\$
Total Amount of Agreement \$	Not to exceed \$100,000.00			Total PA/Requirements Amount	\$

REQUIRED SIGNATURES:

Department Manager ABC [Signature] DATE 5/28/2009
 County Attorney /s/ Matthew O. Ryan DATE May 22, 2009
 CPCA Manager _____ DATE _____
 County Chair [Signature] DATE June 11, 2009
 Sheriff _____ DATE _____
 Contract Administration _____ DATE _____

COMMENTS: (WBS: 6700RT1015P600)

APPROVED: MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # C-1 DATE 06/11/09
 DEBORAH L. BOGSTAD, BOARD CLERK

MULTNOMAH COUNTY
INTERGOVERNMENTAL AGREEMENT AMENDMENT NO. 1
(Amendment to Change Contract Provisions During Contract Term)

CONTRACT NO. 4600006289

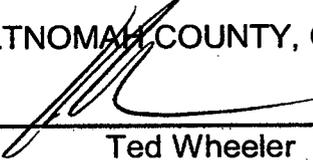
This is an amendment to the Multnomah County Intergovernmental Agreement referenced above effective July 1, 2006, between Multnomah County, Oregon, and the Metro.

1. The present text of the clause captioned: "A. TERM," shall be deleted and the following shall be substituted:

The term of this agreement shall be from July 1, 2006, to June 30, 2012.

2. Except as provided herein, all other terms and conditions of the contract shall remain in full force and effect.

MULTNOMAH COUNTY, OREGON

By 
Ted Wheeler

Title Chair
Board of County Commissioners

Date June 11, 2009

Reviewed:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY

By /s/ Matthew O. Ryan
Assistant County Attorney

Date May 22, 2009

Agency Contact Address:

Multnomah County
Department of Community Services
Land Use & Transportation Program
1620 SE 190th Avenue
Portland OR 97233

METRO

By _____

Title _____

Date _____

Approved as to Legal Sufficiency:

By _____
Metro Attorney

Date _____

Agency Contact Address:

Metro Planning Department
600 NE Grand Avenue
Portland OR 97232



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (revised 09/22/08)

Board Clerk Use Only

Meeting Date: 06/11/09
Agenda Item #: C-2
Est. Start Time: 9:30 AM
Date Submitted: 06/01/09

Agenda Title: **ORDER Authorizing Designees of the Mental Health Program Director to Direct a Peace Officer to Take an Allegedly Mentally Ill Person into Custody**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date: June 11, 2009 **Amount of Time Needed:** N/A
Department: DCHS **Division:** MHASD
Contact(s): Jean Dentinger/Karen Zarosinski (x 26468)
Phone: 503-988-5464 **Ext.** 27297 **I/O Address:** 167/1/520
Presenter(s): Consent Calendar

General Information

1. What action are you requesting from the Board?

Requesting adoption of order and approval of designees. The Mental Health and Addiction Services Division is recommending approval of the designees in the accordance with ORS 426.215.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

Outpatient mental health agencies depend upon certain staff having the ability to assess clients for "Director Designee Custody". This certification allows the designee to direct a police officer or secure transportation provider to take into custody any individual with mental health issues who is found to be dangerous to self or to others. Police then transport the individual to a hospital or other approved treatment facility for further evaluation. As agencies experience staffing turnover or increases, new staff needs to be trained and certified as designees.

3. Explain the fiscal impact (current year and ongoing).

None.

4. Explain any legal and/or policy issues involved.

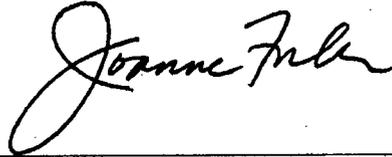
In accordance with ORS 426.215

5. Explain any citizen and/or other government participation that has or will take place.

None.

Required Signature

**Elected Official or
Department/
Agency Director:**



A handwritten signature in cursive script, appearing to read "Joanne Miller". The signature is written in black ink and is positioned above a horizontal line.

Date: 05/30/09

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDER NO. _____

Authorizing a Designee of the Mental Health Program Director to Direct a Peace Officer to Take an Allegedly Mentally Ill Person into Custody

The Multnomah County Board of Commissioners Finds:

- a) If authorized by a county governing body, a designee of a mental health program director may direct a peace officer to take into custody a person whom the designee has probable cause to believe is dangerous to self or others and whom the designee has probable cause to believe is in need of immediate care, custody, and treatment of mental illness.
- b) There is a current need for specified designees of the Multnomah County Mental Health Program Director to have the authority to direct a peace officer to take an allegedly mentally ill person into custody.
- c) The designee listed below has been specifically recommended by the Mental Health Program Director and meets the standards established by the Mental Health Division.

The Multnomah County Board of Commissioners Orders:

1. The individual listed below is authorized as a designee of the Mental Health Program Director for Multnomah County to direct any peace officer to take into custody a person whom the designee has probable cause to believe is dangerous to self or others and whom the designee has probable cause to believe is in need of immediate care, custody or treatment for mental illness.
2. Added to the list of designees are:

Lawrence Betcher
James Mol

Jennifer Ferguson
Liz Condos

Mary Bower
Kevin Mahon

Lelia Winnie
Amy Baker

ADOPTED this 11th day of June, 2009.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLES, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

BY _____
Patrick Henry, Assistant County Attorney

SUBMITTED BY:
Joanne Fuller, Director, Dept. of County Human Services

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDER NO. 09-074

Authorizing a Designee of the Mental Health Program Director to Direct a Peace Officer to Take an Allegedly Mentally Ill Person into Custody

The Multnomah County Board of Commissioners Finds:

- a) If authorized by a county governing body, a designee of a mental health program director may direct a peace officer to take into custody a person whom the designee has probable cause to believe is dangerous to self or others and whom the designee has probable cause to believe is in need of immediate care, custody, and treatment of mental illness.
- b) There is a current need for specified designees of the Multnomah County Mental Health Program Director to have the authority to direct a peace officer to take an allegedly mentally ill person into custody.
- c) The designee listed below has been specifically recommended by the Mental Health Program Director and meets the standards established by the Mental Health Division.

The Multnomah County Board of Commissioners Orders:

1. The individual listed below is authorized as a designee of the Mental Health Program Director for Multnomah County to direct any peace officer to take into custody a person whom the designee has probable cause to believe is dangerous to self or others and whom the designee has probable cause to believe is in need of immediate care, custody or treatment for mental illness.
2. Added to the list of designees are:

Lawrence Betcher
James Mol

Jennifer Ferguson
Liz Condos

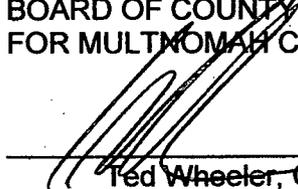
Mary Bower
Kevin Mahon

Lelia Winnie
Amy Baker

ADOPTED this 11th day of June, 2009.

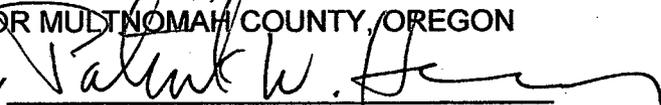


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLES, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

BY 

Patrick Henry, Assistant County Attorney

SUBMITTED BY:

Joanne Fuller, Director, Dept. of County Human Services



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (revised 09/22/08)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # C-3 DATE 06-11-09
 DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only	
Meeting Date:	<u>06/11/09</u>
Agenda Item #:	<u>C-3</u>
Est. Start Time:	<u>9:30 AM</u>
Date Submitted:	<u>06/01/09</u>

BUDGET MODIFICATION: DCHS – 43

Agenda Title:	BUDGET MODIFICATION DCHS-43 Reclassifying Several Positions in Aging and Disability Services Division Adult Protective Services from Case Manager Senior to Human Services Investigator, as Determined by the Class/Comp Unit of Central Human Resources
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Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date:	<u>June 11, 2009</u>	Amount of Time Needed:	<u>N/A</u>
Department:	<u>County Human Services</u>	Division:	<u>Aging & Disability Services</u>
Contact(s):	<u>Kathy Tinkle</u>		
Phone:	<u>503-988-3691</u>	Ext.	<u>26858</u>
		I/O Address:	<u>167/1/620</u>
Presenter(s):	<u>Consent Agenda</u>		

General Information

1. What action are you requesting from the Board?

The Department of County Human Services recommends approval of budget modification DCHS-43 reclassifying 22 positions in the Aging and Disability Services Division (ADSD) from Case Manager Senior to Human Services Investigator, as determined by the Class/Comp unit of Central Human Resources.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

This budget modification implements the reclassification of 22 Case Manager Senior positions in the Adult Protective Services program in ADSD Program Offer 25024; based on a Class/Comp reclassification decision. This reclassification request was initiated by staff and supported by management following a recent reclassification decision for all Developmental Disabilities Services Division Protective Service Workers, formerly Case Manager Seniors. Class/Comp reviewed the submitted job duties and descriptions and determined that a Human Services Investigator was the

best fit for these positions.

The reasons for the classification decision by the Central HR Class/Comp Unit were as follows:

- The Case Manager Senior positions, in Adult Protective Services, conduct complex abuse investigations and provide education about its prevention. Following referral, these positions review assignments and ultimately determine the final risk level. By recommending interventions, a Human Services Investigator provides protection against abuse and neglect which includes physical, verbal, and sexual abuse, financial exploitation, self-neglect, and neglect to seniors and persons with disabilities. These positions spend a substantial portion of their time performing complex field investigations and research. These responsibilities and work setting best fit the Human Services Investigator classification.
- This reclassification also ensures that the ADSD Protective Service workers are in parity with the DDS D Protective Service workers who were recently reclassified. This will open doors for cross training and efficiency between two similar Multnomah County programs. Using similar terminology and processes will allow Multnomah County to have a clearly defined system that helps seniors and persons with disabilities. The result will be less confusing to other professionals, the public, police, courts, etc. The title investigator will allow the staff certain protections and abilities to be exempt from certain liabilities related to Health Insurance Portability Act (HIPAA). Case managers are bound by confidentiality; however, investigators are able to exchange information in order to protect reported victims. The term investigator will also better help staff when dealing with police and the court systems.

3. Explain the fiscal impact (current year and ongoing).

The pay scale for a Case Manager Senior on an annual basis is, \$46,896 - \$57,671; and for a Human Services Investigator is, \$48,358 - \$59,445. Although this reclassification is retroactive to November 20, 2008, and it involves incumbents qualifying for a merit step increase, it will result in an increase in overall personnel costs of \$12,423 for FY 2009. A decrease in Department supplies will offset the increase in personnel for the current budget year. Personnel costs will continue to increase over time, as the pay scale for the Human Services Investigator position is higher than a Case Manager Senior.

Service reimbursement from the General fund to the Risk Management fund increases by \$534.

4. Explain any legal and/or policy issues involved.

Separation of duties will be clearer in this system as the investigator's primary goal is to investigate abuse and protect victims of abuse and not to provide case management. In the DDS D system for example, the State of Oregon required that APS investigators do not do case management. ADSD is trying to follow a similar system where roles are clearly defined. This will help ensure that ADSD Human Services Investigators practice within their scope. ADSD Human Services Investigators are able to provide Risk Management, which was in the past confused with the term case management. The APS rules changed in July 1, 2005 and this will bring us up to date with the change where the focus will be on Risk Management based on abuse investigation and risk for serious harm. (OAR 411-020-0130)

5. Explain any citizen and/or other government participation that has or will take place.

N/A

ATTACHMENT A

Budget Modification

If the request is a Budget Modification, please answer all of the following in detail:

- **What revenue is being changed and why?**

No revenue is being changed for ADSD, as there is no increased revenue being received. Increased salary cost will come from supply cost savings.

Service reimbursement from the General fund to the Risk Management fund increases by \$534.

- **What budgets are increased/decreased?**

ADSD budget for personnel expenses will increase by \$12,423 and Department supply cost will decrease by an equivalent amount.

Risk Management's budget will increase by \$534.

- **What do the changes accomplish?**

Approves the classification decision from Human Resources Class/Comp, and uses a new classification that better reflects the functions and duties of the positions involved.

- **Do any personnel actions result from this budget modification? Explain.**

Yes. The approval of this budget modification will result in reclassifying 22 positions in ADSD from Case Manager Senior to Human Services Investigator, as determined by the Class/Comp unit of Central Human Resources.

- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**

N/A

- **Is the revenue one-time-only in nature? Will the function be ongoing? What plans are in place to identify a sufficient ongoing funding stream?**

N/A

- **If a grant, what period does the grant cover?**

N/A

- **If a grant, when the grant expires, what are funding plans?**

N/A

NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.

ATTACHMENT B

BUDGET MODIFICATION: DCHS - 43

Required Signatures

**Elected Official
or Department/
Agency Director:**

Handwritten signature: Larry Linker for Joanne Fuller

Date: 06/01/09

Budget Analyst:

Handwritten signature: [unclear]

Date: 06/01/09

Department HR:

Handwritten signature: Carolyn L. Edgett

Date: 06/01/09

Countywide HR:

Handwritten signature: Elizabeth H. Nunez

Date: 03/19/09

EXPENDITURES & REVENUES

Please show an increase in revenue as a negative value and a decrease as a positive value for consistency with SAP.

Budget/Fiscal Year: 2009

Line No.	Fund Center	Fund Code	Program #	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
					Internal Order	Cost Center	WBS Element						
1	30-80	26090	25024	40			ADSDIVAPSXIX	60000	2,187,328	2,196,210	8,882		Permanent
2	30-80	26090	25024	40			ADSDIVAPSXIX	60130	641,086	644,093	3,007		Salary Related Expns
3	30-80	26090	25024	40			ADSDIVAPSXIX	60140	547,263	547,797	534		Insurance
4	30-80	26090	25024	40			ADSDIVAPSXIX	60240	61,701	49,278	(12,423)		Supplies
5										0			
6	72-10	3500		20		705210		50316		(534)	(534)		Svc. Reimb to Risk
7	72-10	3500		20		705210		60330		534	534		Claims Paid
8										0			
9										0			
10										0			
11										0			
12										0			
13										0			
14										0			
15										0			
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22										0			
23										0			
24										0			
25										0			
26										0			
27										0			
28										0			
29										0			
										0	0		Total - Page 1
										0	0		GRAND TOTAL

						ANNUALIZED			
Job #	HR Org	CC/WBS/IO	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	700066	(1.00)	(55,219)	(15,997)	(14,261)	(85,477)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	700066	1.00	56,000	17,607	14,308	87,915
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	700077	(1.00)	(57,232)	(16,580)	(14,382)	(88,194)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	700077	1.00	57,671	16,707	14,408	88,786
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	700517	(1.00)	(57,232)	(16,580)	(14,382)	(88,194)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	700517	1.00	59,445	17,221	14,515	91,181
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	700702	(1.00)	(57,232)	(16,580)	(14,382)	(88,194)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	700702	1.00	59,445	17,221	14,515	91,181
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	700755	(1.00)	(57,232)	(16,580)	(14,382)	(88,194)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	700755	1.00	57,671	16,707	14,408	88,786
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	700950	(1.00)	(56,120)	(16,258)	(14,315)	(86,693)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	700950	1.00	57,671	16,707	14,408	88,786
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	701012	(1.00)	(57,232)	(16,580)	(14,382)	(88,194)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	701012	1.00	59,445	17,221	14,515	91,181
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	701218	(1.00)	(57,232)	(16,580)	(14,382)	(88,194)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	701218	1.00	57,671	16,707	14,408	88,786
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	701258	(1.00)	(56,802)	(16,456)	(14,356)	(87,614)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	701258	1.00	57,671	16,707	14,408	88,786
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	701642	(1.00)	(57,232)	(16,580)	(14,382)	(88,194)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	701642	1.00	49,715	15,630	13,932	79,277
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	702382	(1.00)	(56,745)	(16,439)	(14,353)	(87,537)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	702382	1.00	57,671	16,707	14,408	88,786
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	703041	(1.00)	(57,232)	(16,580)	(14,382)	(88,194)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	703041	1.00	59,445	17,221	14,515	91,181
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	703104	(1.00)	(57,232)	(16,580)	(14,382)	(88,194)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	703104	1.00	59,445	17,221	14,515	91,181
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	703309	(1.00)	(51,069)	(16,056)	(14,012)	(81,137)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	703309	1.00	57,671	16,707	14,408	88,786
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	704527	(1.00)	(57,232)	(16,580)	(14,382)	(88,194)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	704527	1.00	57,671	16,707	14,408	88,786
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	704745	(1.00)	(57,232)	(16,580)	(14,382)	(88,194)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	704745	1.00	57,671	16,707	14,408	88,786
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	705127	(1.00)	(57,232)	(16,580)	(14,382)	(88,194)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	705127	1.00	57,671	16,707	14,408	88,786
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	705736	(1.00)	(57,232)	(16,580)	(14,382)	(88,194)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	705736	1.00	57,671	16,707	14,408	88,786
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	701012	(1.00)	(57,232)	(16,580)	(14,382)	(88,194)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	701012	1.00	59,445	17,221	14,515	91,181
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	711962	(1.00)	(57,232)	(16,580)	(14,382)	(88,194)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	711962	1.00	59,445	17,221	14,515	91,181
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	713345	(1.00)	(47,586)	(14,961)	(13,803)	(76,350)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	713345	1.00	57,671	18,132	14,407	90,210
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	713677	(1.00)	(47,586)	(14,961)	(13,803)	(76,350)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	713677	1.00	56,000	17,607	14,308	87,915
TOTAL ANNUALIZED CHANGES					0.00	40,275	13,472	2,415	56,162

Calculate costs/savings that will take place in this FY; these should explain the actual dollar amounts being changed by this Bud Mod.

						CURRENT YEAR			
Job #	HR Org	CC/WBS/IO	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	700066	(0.62)	(34,236)	(9,918)	(8,842)	(52,996)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	700066	0.62	34,236	9,918	8,842	52,996
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	700077	(0.62)	(35,484)	(10,280)	(8,917)	(54,681)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	700077	0.62	35,484	10,280	8,917	54,681
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	700517	(0.62)	(35,484)	(10,280)	(8,917)	(54,681)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	700517	0.62	36,413	10,550	8,973	55,936
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	700702	(0.62)	(35,484)	(10,280)	(8,917)	(54,681)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	700702	0.62	36,479	10,569	8,977	56,025
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	700755	(0.62)	(35,484)	(10,280)	(8,917)	(54,681)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	700755	0.62	35,484	10,280	8,917	54,681
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	700950	(0.62)	(34,794)	(10,080)	(8,875)	(53,749)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	700950	0.62	34,794	10,080	8,875	53,749
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	701012	(0.62)	(35,484)	(10,280)	(8,917)	(54,681)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	701012	0.62	36,767	10,653	8,994	56,414
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	701218	(0.62)	(35,484)	(10,280)	(8,917)	(54,681)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	701218	0.62	35,484	10,280	8,917	54,681
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	701258	(0.62)	(35,217)	(10,203)	(8,901)	(54,321)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	701258	0.62	35,217	10,203	8,901	54,321
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	701642	(0.62)	(35,484)	(10,280)	(8,917)	(54,681)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	701642	0.62	30,661	9,640	8,627	48,928
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	702382	(0.62)	(35,182)	(10,192)	(8,899)	(54,273)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	702382	0.62	35,182	10,192	8,899	54,273
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	703041	(0.62)	(35,484)	(10,280)	(8,917)	(54,681)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	703041	0.62	36,679	10,626	8,989	56,294
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	703104	(0.62)	(35,484)	(10,280)	(8,917)	(54,681)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	703104	0.62	36,016	10,433	8,949	55,398
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	703309	(0.62)	(31,663)	(9,955)	(8,687)	(50,305)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	703309	0.62	33,842	10,169	8,818	52,829
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	704527	(0.62)	(35,484)	(10,280)	(8,917)	(54,681)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	704527	0.62	35,721	10,348	8,931	55,000
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	704745	(0.62)	(35,484)	(10,280)	(8,917)	(54,681)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	704745	0.62	35,484	10,280	8,917	54,681
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	705127	(0.62)	(35,484)	(10,280)	(8,917)	(54,681)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	705127	0.62	35,484	10,280	8,917	54,681
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	705736	(0.62)	(35,484)	(10,280)	(8,917)	(54,681)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	705736	0.62	35,484	10,280	8,917	54,681
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	701012	(0.62)	(35,484)	(10,280)	(8,917)	(54,681)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	701012	0.62	36,768	10,652	8,994	56,414
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	711962	(0.62)	(35,484)	(10,280)	(8,917)	(54,681)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	711962	0.62	36,768	10,652	8,994	56,414
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	713345	(0.62)	(29,503)	(9,276)	(8,558)	(47,337)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	713345	0.62	29,503	9,276	8,558	47,337
6296	65173	ADSDIVAPXSIX	Case Mgr. Sr.	713677	(0.62)	(29,503)	(9,276)	(8,558)	(47,337)
6301	65173	ADSDIVAPXSIX	Hum. Svcs. Investigator	713677	0.62	33,290	10,466	8,786	52,542
TOTAL CURRENT FY CHANGES					0.00	8,882	3,007	534	12,423



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (revised 09/22/08)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # C-4 DATE 06-11-09
 DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 06/11/09
Agenda Item #: C-4
Est. Start Time: 9:30 AM
Date Submitted: 06/03/09

BUDGET MODIFICATION: DCHS – 45

Agenda Title: **BUDGET MODIFICATION DCHS-45 Adding a Program Supervisor and Reclassifying a Program Development Technician to a Data Technician in the Developmental Disabilities Services Division, as Determined by Class/Comp Unit of Central Human Resources**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date: June 11, 2009 **Amount of Time Needed:** 5 minutes
Department: County Human Services **Division:** Developmental Disabilities Services
Contact(s): Kathy Tinkle
Phone: 503 988-3691 **Ext.** 26858 **I/O Address:** 167/620
Presenter(s): Patrice Botsford

General Information

1. What action are you requesting from the Board?

The Department of County Human Services recommends approval of budget modification DCHS-45 adding a new 0.06 FTE (1.00 on an annualized basis) Program Supervisor position to the Developmental Disabilities Services Division (DDSD) effective June 8, 2009; and reclassifying a Program Development Technician 0.24 FTE (1.00 on an annualized basis) to a Data Technician effective April 1, 2009 as determined by the Class/Comp unit of Central Human Resources.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

This budget modification adds one 0.06 FTE Program Supervisor position to program offer 25013, DDSD Services for Children. Central Human Resources Class/Comp reviewed the request and determined that, "due to changes mandated by the State of Oregon to reduce case loads and increase oversight over case management programs, a new position has been added to supervise activity and

professional level staff within the Birth-21 program. Essential functions of this new position include: general program management, quality management and personnel management.”

Also, a vacant Program Development Technician position (713686) is being reclassified to a Data Technician based on Class/Comp’s analysis that, “due to changes in State billing requirement and the need for a central point of contact for the new State billing system eXPRS, a new position has been added. Essential functions of this new position include: Collecting, evaluating, and entering data in several information and payment systems including eXPRS and other in-house systems; providing training and technical assistance to eXPRS system users; providing and creating regular reports; and monitoring all spreadsheets and entries to ensure accuracy and completeness. The duties and responsibilities are best aligned with the class specifications for Data Technician (6074).”

3. Explain the fiscal impact (current year and ongoing).

There will be a net zero budget impact in FY 2009 associated with the new Program Supervisor position:

- The new Program Supervisor position will involve an increase in permanent personnel by \$5,162 offset by a reduction of the same amount in supplies.
- Risk fund increases of \$907 will be offset by the same amount added to the balancing Claims Paid.

The annual personnel cost for the Program Supervisor is \$79,250; which includes the base rate (\$49,696), Salary Related Expenses (\$15,624), and Insurance (\$13,930) will be ongoing and as a result, personnel costs will increase accordingly.

The annual personnel cost for the Data Technician is \$63,379; which includes the base rate (\$38,148), Salary Related Expenses (\$11,994), and Insurance (\$13,237). On an annual basis this equates to an increase of \$3,043. Considering this position is currently vacant, the personnel cost savings will offset the increase in personnel costs for the current budget year.

Personnel costs will continue to increase over time, as the pay scale for the Data Technician is higher than the Program Development Technician.

4. Explain any legal and/or policy issues involved.

N/A

5. Explain any citizen and/or other government participation that has or will take place.

N/A

ATTACHMENT A

Budget Modification

If the request is a Budget Modification, please answer all of the following in detail:

- **What revenue is being changed and why?**

No revenue is being changed. The financial impact is neutral, as the cost savings and the increases in personnel costs derive from the same funding sources.

- **What budgets are increased/decreased?**

Developmental Disabilities Services Division budget has a net zero budget change.

The new Program Supervisor results in:

- Increase of Permanent Personnel – \$5,162.
- Decrease of Supplies – 5,162.

Internal Services budgets:

- Insurance (risk) increases by \$907 offset by an equal amount in the balancing Claims Paid account.

The reclassification from a Program Development Technician to a Data Technician also has a neutral impact. The \$758 expense increase is offset by cost savings during the seven month position vacancy.

- **What do the changes accomplish?**

Approves the classification decisions from Human Resources Class/Comp, allowing for both a necessary new position and a classification that better reflects the functions and duties of the position involved.

- **Do any personnel actions result from this budget modification? Explain.**

Yes. The approval of this budget modification will result in adding a new 0.06 FTE (1.00 FTE on an annual basis) Program Supervisor position to the Developmental Disabilities Services Division (DDSD), effective June 8, 2009 as determined by the Class/Comp unit of Central Human Resources.

The approval of this budget modification will also result in reclassifying 0.24 FTE (1.00 on an annualized basis) in DDSD from Program Development Technician to Data Technician, effective April 1, 2009, as determined by the Class/Comp unit of Central Human Resources.

- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**

N/A

- **Is the revenue one-time-only in nature? Will the function be ongoing? What plans are in place to identify a sufficient ongoing funding stream?**

There is no revenue change. The new position will support ongoing functions within DDSD. The new position will be funded with the State Mental Health Grant, which is an ongoing funding stream for DDSD.

- **If a grant, what period does the grant cover?**

N/A

- **If a grant, when the grant expires, what are funding plans?**

N/A

ATTACHMENT B

BUDGET MODIFICATION: DCHS- 45

Required Signatures

**Elected Official
or Department/
Agency Director:**

Carly Linker for Joanne Fuller

Date: 06/03/09

Budget Analyst:

[Signature]

Date: 06/03/09

Department HR:

Carolyn L. Edgett

Date: 06/03/09

Countywide HR:

/s/ Melanie Stagnitti

Date: 05/14/09

Budget Modification ID: **DCHS-45**

EXPENDITURES & REVENUES

Please show an increase in revenue as a negative value and a decrease as a positive value for consistency with SAP.

Budget/Fiscal Year: 2009

Line No.	Fund Center	Fund Code	Program #	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
					Internal Order	Cost Center	WBS Element						
1	20-50	81048	25013	40			DD KIDS 48	60000	1,365,743	1,368,980	3,237		Permanent (NEW)
2	20-50	81048	25013	40			DD KIDS 48	60130	414,276	415,294	1,018		Salary Related Expense
3	20-50	81048	25013	40			DD KIDS 48	60140	390,402	391,309	907		Insurance Benefits
4	20-50	81048	25013	40			DD KIDS 48	60240	42,401	37,239	(5,162)		Supplies
5													
6	72-10	3500		20		705210		50316		(907)	(907)		Svc. Reimb to Risk
7	72-10	3500		20		705210		60330		907	907		Claims Paid
8													
11													
12													
13													
14													
15													
16													
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19													
20													
21													
22													
23													
24													
25													
26													
27													
28													
29													
											0	0	Total - Page 1
											0	0	GRAND TOTAL

ANNUALIZED PERSONNEL CHANGE

Change on a full year basis even though this action affects only a part of the fiscal year (FY).

							ANNUALIZED			
Fund	Job #	HR Org	CC/WBS/IO	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
81048	9361	65353	DD KIDS 48	Program Supervisor	NEW	1.00	49,696	15,624	13,930	79,250
80001	6020	61127	DD PIP LA	Prg Dev Tech	713686	(1.00)	(35,934)	(11,298)	(13,104)	(60,336)
80001	6074	61127	DD PIP LA	Data Technician	713686	1.00	38,148	11,994	13,237	63,379
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
TOTAL ANNUALIZED CHANGES						1.00	51,910	16,320	14,063	82,293

CURRENT YEAR PERSONNEL DOLLAR CHANGE

Calculate costs/savings that will take place in this FY; these should explain the actual dollar amounts being changed by this Bud Mod.

							CURRENT YEAR			
Fund	Job #	HR Org	CC/WBS/IO	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
81048	9361	65353	DD KIDS 48	Program Supervisor	NEW	0.065	3,237	1,018	907	5,162
80001	6020	61127	DD PIP LA	Prg Dev Tech	713686	(0.249)	(8,949)	(2,814)	(3,263)	(15,026)
80001	6074	61127	DD PIP LA	Data Technician	713686	0.249	9,500	2,987	3,297	15,784
										0
										0
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										0
TOTAL CURRENT FY CHANGES						0.065	3,788	1,191	941	5,920



Department of County Management
MULTNOMAH COUNTY OREGON
Human Resources

Multnomah Building
501 SE Hawthorne, Suite 400
Portland, Oregon 97214
(503) 988-5015 Phone
(503) 988-3009 Fax

To: Leslie Goodlow-Baldwin, DCHS - DDS, x86241
From: Melanie Stagnitti, Classification & Compensation Unit 503/4
Date: May 14, 2009
Subject: Reclassification Request #1211 (Data Technician)

We have completed our review of your request and the decision is outlined below.

Request Information:

Date Request Received: March 18, 2009
Current Classification: N/A
Job Class Number: N/A
Pay Grade: N/A

Position Number: 713686
Requested Classification: Data Technician
Job Class Number: 6074
Pay Grade: 15

Request is: Approved as Requested
 Approved - Revised
 Denied

Effective Date: April 1, 2009

Allocated Classification: Data Technician
Pay Range: \$38,147.76 - \$46,896.48

Job Class Number: 6074
Pay Grade: 15

Please note this classification decision is subject to all applicable requirements stated in MC Personnel Rule 5-50 and may require Board of County Commissioners' approval. This decision is considered preliminary until such approval is received.

Position Information:

Vacant - see New/Vacant Section
 Filled & incumbent reclassified - see Employee Information Section
 Filled & incumbent not reclassified with position - see New/Vacant Section

New/Vacant Position Information:

If the position is vacant or incumbent not reclassified with position, position must be filled in accordance with the normal appointment procedures. If position is reclassified due to re-organization, a limited recruitment process may be conducted. Please consult with the Department Human Resources Unit for assistance.

Reason for Classification Decision:

Due to changes in State billing requirement and the need for a central point of contact for the new State billing system eXPRS, a new position has been added. Essential functions of this new position include: Collecting, evaluating, and entering data in several information and payment systems including eXPRS and other in-house systems; continual evaluation of current systems and ongoing development of more inclusive and comprehensive systems that will track billing and rate data; investigating and resolving data inconsistencies and provider payment issues; coordinating changes/updates made by the State in the eXPRS system within the Division and provider community; providing training and technical assistance to eXPRS system users; providing and creating regular reports; and monitoring all spreadsheets and entries to ensure accuracy and completeness.

The tasks and responsibilities aligned to a Data Technician (6074) include: collecting, updating, entering and validating data in existing information systems; investigating and resolving data and reporting inconsistencies; developing and implementing work flow, data entry and data reporting and collection procedures; providing training and technical assistance to system users; manipulating data to produce output such as reports, spreadsheets, and mailing labels using a variety of software and persona computers.

The duties and responsibilities are best aligned with the class specifications for Data Technician.
(6074).

If you have any questions, please feel free to contact me at 503-988-3102 or ext. 83102.

cc: Paula Brunt, HR Manager
Kim Pasquinelli, HR Analyst
Pauline Reed, HR Maintainer
Bryan Lally, Local 88
Class Comp File Copy



Department of County Management
MULTNOMAH COUNTY OREGON
Human Resources

Multnomah Building
501 SE Hawthorne, Suite 400
Portland, Oregon 97214
(503) 988-5015 Phone
(503) 988-3009 Fax

To: Jeanne Wheaton, Development Disabilities Services, x86208
From: Melanie Stagnitti, Classification & Compensation Unit 503/4
Date: March 31, 2009
Subject: Reclassification Request #1223 (Program Supervisor)

We have completed our review of your request and the decision is outlined below.

Request Information:

Date Request Received: March 25, 2009
Current Classification: N/A
Job Class Number: N/A
Pay Grade: N/A

Position Number: TBD
Requested Classification: Program Supervisor
Job Class Number: 9361
Pay Grade: 124-126

Request is: Approved as Requested
 Approved - Revised
 Denied

Effective Date: March 31, 2009

Allocated Classification: Program Supervisor
Pay Range: \$49,696.23 - \$76,692.02

Job Class Number: 9361
Pay Grade: 124-126

Please note this classification decision is subject to all applicable requirements stated in MC Personnel Rule 5-50 and may require Board of County Commissioners' approval. This decision is considered preliminary until such approval is received.

Position Information:

Vacant - see New/Vacant Section
 Filled & incumbent reclassified - see Employee Information Section
 Filled & incumbent not reclassified with position - see New/Vacant Section

New/Vacant Position Information:

If the position is vacant or incumbent not reclassified with position, position must be filled in accordance with the normal appointment procedures. If position is reclassified due to re-organization, a limited recruitment process may be conducted. Please consult with the Department Human Resources Unit for assistance.

Reason for Classification Decision:

Due to changes mandated by the State of Oregon to reduce case loads and increase oversight over case management programs, a new position has been added to supervise activity and professional level staff within the Birth-21 program. Essential functions of this new position include: general program management, quality management and personnel management. These responsibilities are aligned with the class specifications for Program Supervisor.

If you have any questions, please feel free to contact me at 503-988-3102 or ext. 83102.

cc: Paula Brunt, HR Manager
Kim Pasquinelli, HR Analyst
Pauline Reed, HR Maintainer
Bryan Lally, Local 88
Class Comp File Copy



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (revised 09/22/08)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # UC-1 DATE 06.11.09
 DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 06/11/09
Agenda Item #: UC-1
Est. Start Time: _____
Date Submitted: 06/08/09

Agenda Title: **NOTICE OF INTENT to Apply for a Department of Justice Office of Juvenile Justice and Delinquency Prevention Improving Community Response to the Commercial Sexual Exploitation of Children Grant**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date: June 11, 2009 **Amount of Time Needed:** 5 minutes
Department: Community Justice **Division:** Juvenile Services
Contact(s): Kathleen Treb, Chiquita Rollins
Phone: 503 988-6131 **Ext.** 86131 **I/O Address:** 503/250
Presenter(s): Kathleen Treb, Chiquita Rollins

General Information

1. What action are you requesting from the Board?

The Department of Community Justice is requesting approval to submit an OJJDP Improving Community Response to the Commercial Sexual Exploitation of Children grant. This grant will allow us to provide coordination of several existing efforts to address commercial sexual exploitation of children (CSEC), support services to victims of CSEC, and provide needed assistance, such as emergency housing to this population. The purpose of this funding is to support communities in combating the commercial sexual exploitation of children by improving training and coordination activities within the community. Total funding is \$500,000 for a project period of 3 years.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

There are several efforts that are currently underway that provides intervention for CSEC population. For example, the Multnomah County Sheriff's Office has a grant to convene a human trafficking task force, which addresses primarily international trafficking of all workers (adults and children, domestic and international, and sexual exploitation and labor). The Portland Police has a significant project to intervene in prostitution and pimping that interacts with adults and children in

the sex trade. Catholic Charities receives funding to provide civil legal services to trafficked individuals, adults and children. The Department of Human Services Child Welfare has begun a process to identify and appropriately respond to sexually exploited youth. The Department of Community Justice (DCJ) Juvenile Justice Division interacts with a significant number of youth who have been or are at risk of being sexually exploited. The Adult Services Division sometimes has people on supervision who were the perpetrators of these crimes.

This grant opportunity provides us with three specific needs in addressing the CESC population:

1. Increasing competency and coordination of existing efforts through training, on-going communication about specific cases, and improvements in our policies and practices;
2. Call-out victim services that will be available to all County jurisdictions, to provide confidential, non-governmental services to victims at the initial time of identification/intervention by an agency.
3. Direct client assistance to provide emergency housing, transportation or other needs.

The goal of the OJJDP program is to enable participating communities to improve their capacity to:

- recognize exploited youth and youth at risk for exploitation.
- effectively investigate and prosecute cases against adults who exploit children and youth.
- intervene appropriately with and compassionately serve victims including providing essential services.

Services provided victims of CSEC should be grounded in respect for those affected by these crimes. While the term "victim" is used throughout this solicitation as the one used by the legal system for the wronged party, applicants should demonstrate their understanding of and respect for the resiliency and perseverance of youth affected by CSEC.

Expectations include detailing how a community will improve local capacity to address CSEC. Applications should include an assessment of local resources to identify and serve victimized youth and address service gaps (e.g. mental health services, physical health services, and appropriate temporary shelter) and implementation of measures to deliver essential services to victims. To assist in further refining the local assessment and build capacity, successful applicants will be required to receive training developed in cooperation with OJJDP, the Salvation Army, Girls Educational and Mentoring Services (GEMS) and other partners. Once successful applicants are identified, OJJDP will distribute information on how to coordinate training delivery and provide copies of the training curriculum.

3. Explain the fiscal impact (current year and ongoing).

The maximum funding awarded is \$500,000 for a three-year project. It is expected that DCJ will expend approximately \$167,000 annually over the three-year time period. It is unknown at this time if there will be additional federal funding available at the end of that time period.

4. Explain any legal and/or policy issues involved.

There are no legal or policy issues involved in this project.

5. Explain any citizen and/or other government participation that has or will take place.

The following agencies are involved in developing the grant application and in the project if funded: Federal Bureau of Investigation, Portland Police Bureau, Department of County Human Services, Multnomah County Sheriff's Office, Portland State University School of Social Work, Transition Global, Raphael House of Portland, Oregon Department of Human Services Child Welfare, Catholic Charities, Commissioner Saltzman's Office, CARES Northwest, and the District Attorney's Office.

ATTACHMENT A

Grant Application/Notice of Intent

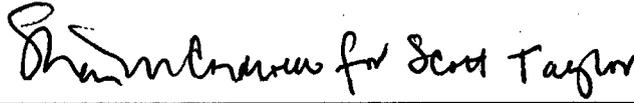
If the request is a Grant Application or Notice of Intent, please answer all of the following in detail:

- **Who is the granting agency?**
Department of Justice Office of Juvenile Justice and Delinquency Prevention (OJJDP)
- **Specify grant (matching, reporting and other) requirements and goals.**
No match is required. Semi-annual reports and a final report are required. The goal of the program is to enable participating communities to improve their capacity to:
 - recognize exploited youth and youth at risk for exploitation.
 - effectively investigate and prosecute cases against adults who exploit children and youth.
 - intervene appropriately with and compassionately serve victims including providing essential services.
- **Explain grant funding detail – is this a one time only or long term commitment?**
The grant will provide up to \$500,000 for a three-year period, and includes indirect costs. It is not known whether there will be an opportunity for renewal at the end of that time period.
- **What are the estimated filing timelines?**
The grant application is due June 15, 2009
- **If a grant, what period does the grant cover?**
It would cover October 1, 2009 through September 30, 2012
- **When the grant expires, what are funding plans?**
As indicated above, it is unknown if there will be an opportunity to re-apply for these funds. It is expected that over the three years of the project the jurisdictions involved will have developed a better understanding of the prevalence and impact of CESC, have an agreed-upon strategic plan for future activities, developed the needed relationships and practices that will allow for coordination across jurisdictions, and developed an on-going funding plan.
- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**
Covered by the grant funding and/or donated by the Department

ATTACHMENT B

Required Signatures

Elected Official or
Department/
Agency Director:

Handwritten signature of Scott Taylor

Date: 06/08/09

Budget Analyst:

Handwritten signature of Budget Analyst

Date: 06/08/09



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 06/11/09
Agenda Item #: R-1
Est. Start Time: 9:30 AM
Date Submitted: 06/03/09

Agenda Title: **PROCLAMATION Proclaiming June 10th through June 18th, 2009 as ReUse Week in Multnomah County, Oregon**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: June 11, 2009 **Amount of Time Needed:** 10 minutes
Department: Non-Dept **Division:** District 2
Contact(s): Marissa Madrigal
Phone: 503-988-5239 **Ext.** 85239 **I/O Address:** 503/600
Presenter(s): Commissioner Jeff Cogen

General Information

1. What action are you requesting from the Board?

Adoption of a Proclamation designating June 10th through June 18th, 2009 as ReUse Week in Multnomah County

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

ReUse conserves valuable natural resources, reduces the amount of water and air pollution and greenhouse gases and is a means for getting materials to disadvantaged people and organizations. ReUse Week will highlight the organizations in Multnomah County such as The Community Warehouse, SCRAP, The ReBuilding Center, Schoolhouse Supplies, and Free Geek & ReStore working to collect and reuse material.

3. Explain the fiscal impact (current year and ongoing).

None.

4. Explain any legal and/or policy issues involved.

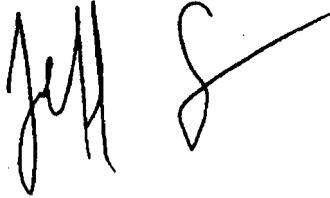
None.

5. Explain any citizen and/or other government participation that has or will take place.

Citizens will be able to drop off a variety of their items for re-use at locations in Multnomah County during ReUse week.

Required Signature

**Elected Official or
Department/
Agency Director:**

A handwritten signature in black ink, appearing to be 'JMS', written over a horizontal line.

Date: 06/03/09

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

PROCLAMATION NO. _____

Proclaiming June 10th through June 18th, 2009 as ReUse Week in Multnomah County, Oregon

The Multnomah County Board of Commissioners Finds:

- a. Multnomah County and the City of Portland encourage and support all programs and initiatives that serve members of our community by incorporating principles of sustainability and environmental responsibility.
- b. Reuse of materials conserves scarce and precious natural resources, diverts a wide variety of materials from the waste stream, and is an invaluable tool in helping some of our most vulnerable citizens improve their lives.
- c. These organizations annually divert thousands of pounds of waste from landfills and have provided \$10.5 million in supplies to local schools since 1998.
- d. The Community Warehouse, SCRAP, Schoolhouse Supplies, the ReBuilding Center, Free Geek and the Habitat ReStore share the common values of reuse, sustainability, and building community.
- e. These community partners, together with the Portland City Council and Multnomah County Board of Commissioners, will work to promote the value of reuse in our community and increase its understanding and practice in Portland and Multnomah County.

The Multnomah County Board of Commissioners Proclaims:

June 10th through June 18th, 2009 as ReUse Week in Multnomah County, Oregon.

ADOPTED this 11th day of June 2009.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

SUBMITTED BY:

Jeff Cogen, Commissioner, District 2

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

PROCLAMATION NO. 09-075

Proclaiming June 10th through June 18th, 2009 as ReUse Week in Multnomah County, Oregon

The Multnomah County Board of Commissioners Finds:

- a. Multnomah County and the City of Portland encourage and support all programs and initiatives that serve members of our community by incorporating principles of sustainability and environmental responsibility.
- b. Reuse of materials conserves scarce and precious natural resources, diverts a wide variety of materials from the waste stream, and is an invaluable tool in helping some of our most vulnerable citizens improve their lives.
- c. These organizations annually divert thousands of pounds of waste from landfills and have provided \$10.5 million in supplies to local schools since 1998.
- d. The Community Warehouse, SCRAP, Schoolhouse Supplies, the ReBuilding Center, Free Geek and the Habitat ReStore share the common values of reuse, sustainability, and building community.
- e. These community partners, together with the Portland City Council and Multnomah County Board of Commissioners, will work to promote the value of reuse in our community and increase its understanding and practice in Portland and Multnomah County.

The Multnomah County Board of Commissioners Proclaims:

June 10th through June 18th, 2009 as ReUse Week in Multnomah County, Oregon.

ADOPTED this 11th day of June 2009.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

A handwritten signature in black ink, appearing to read "Ted Wheeler", is written over a horizontal line.

Ted Wheeler, Chair

SUBMITTED BY
Jeff C. [Name], Commissioner, District 2



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 06/11/09
Agenda Item #: R-2 & R-3
Est. Start Time: 9:40 AM
Date Submitted: 06/03/09

OATH OF OFFICE for MULTNOMAH COUNTY AUDITOR STEVE MARCH

Agenda Title: **RESOLUTION Confirming the Interim Designation for Multnomah County Auditor, in the Event of a Vacancy**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date:	<u>June 11, 2009</u>	Amount of Time Needed:	<u>5 mins</u>
Department:	<u>Non-Departmental</u>	Division:	<u>County Attorney's Office</u>
Contact(s):	<u>Agnes Sowle</u>		
Phone:	<u>503 988-3138</u>	Ext.: <u>83138</u>	I/O Address: <u>503/500</u>
Presenter(s):	<u>Agnes Sowle</u>		

General Information

1. What action are you requesting from the Board?

Participation while County Attorney Agnes Sowle administers the Oath of Office to Steve March, recently elected Multnomah County Auditor.

Adopt resolution confirming interim designation for Multnomah County Auditor Steve March, in the event of a vacancy.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

Multnomah County Charter Section 4.50(3) and Multnomah County Code 5.005 require elected officials to designate a Charter qualified interim occupant to serve until a vacancy is filled by election or appointment. In addition, the interim designee of the Auditor must be a certified public accountant. Mr. Craig Stroud was the interim designee for the previous County Auditor and has acted in the capacity of interim Auditor from the time the previous Auditor vacated her position until Mr. Steve March was elected Auditor as a result of the May election. This resolution confirms the new interim designation of the Auditor as submitted and stated in the attached letter dated June 11, 2009.

3. Explain the fiscal impact (current year and ongoing).

Not applicable.

4. Explain any legal and/or policy issues involved.

Complies with requirements of the Multnomah County Charter, Multnomah County Code and Oregon Revised Statutes as cited in general information 2.

5. Explain any citizen and/or other government participation that has or will take place.

Not applicable.

Required Signatures

**Elected Official or
Department/
Agency Director:**



A handwritten signature in black ink, appearing to read "A. Jensen", is written over a horizontal line.

Date: 06/03/09



Office of Multnomah County Auditor

501 SE Hawthorne Room 601
Portland, Oregon 97214
Phone: (503) 988-3320

Steve March
County Auditor

Judith DeVilliers
Fran Davison
Joanna Hixson
Craig Hunt
Sarah Landis
Shea Marshman
Mark Ulanowicz

June 11, 2009

Deb Bogstad
Multnomah County Board Clerk
501 SE Hawthorne Blvd, Suite 600
Portland, OR 97214

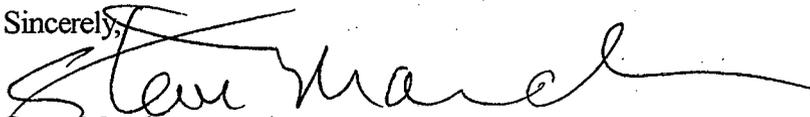
RE: County Auditor Interim Designee

In accordance with County Charter Section 4.50(3) and Multnomah County Code Chapter 5.005, I have designated Craig Stroud as Interim County Auditor should I leave office for any reason before the end of my term.

As authorized by the County Charter and Code sections noted above, Mr. Stroud would take over my position on an interim basis until a new Auditor is appointed or elected. Mr. Stroud lives in Multnomah County and is a Certified Public Accountant, and therefore meets all of the Charter qualifications required of the elected County Auditor.

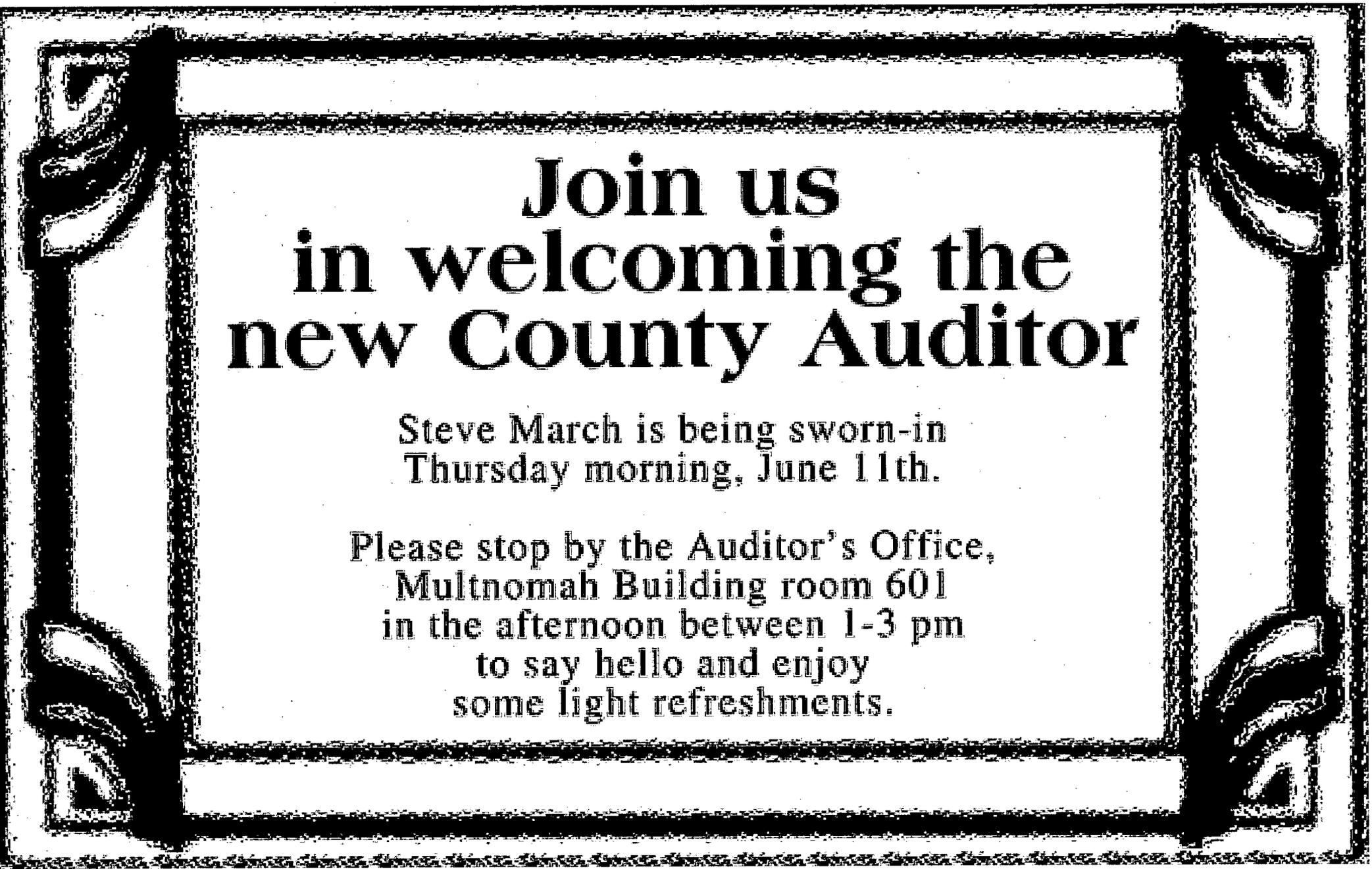
Mr. Stroud has previously served in this capacity and is highly qualified to serve Multnomah County constituents in the event of a vacancy. He has worked as an Audit Manager in the Oregon Secretary of State's Audits Division, as well the Chief Audit Executive and Benefits Payment Division Manager for the Oregon Public Employees Retirement System. Currently, Mr. Stroud is the Budget and Finance Manager at the Oregon Zoo, and he serves on the Oregon Statewide Audit Advisory Committee.

Sincerely,



Steve March

cc: Board of County Commissioners
Bob Skipper
Michael Schrunk



Join us in welcoming the new County Auditor

Steve March is being sworn-in
Thursday morning, June 11th.

Please stop by the Auditor's Office,
Multnomah Building room 601
in the afternoon between 1-3 pm
to say hello and enjoy
some light refreshments.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Confirming the Interim Designation for Multnomah County Auditor, in the Event of a
Vacancy

The Multnomah County Board of Commissioners Finds:

- a. Multnomah County Charter Section 4.50(3) and Multnomah County Code 5.005 require elected officials to designate an interim occupant to serve until a vacancy is filled by election or appointment. The designee must meet the Charter qualifications for appointees of such offices.
- b. In compliance with MCC 5.005(B)(1) and (4), Steve March, Multnomah County Auditor, designates Craig Stroud as interim occupant of that office. Per requirements for the office, Craig Stroud is a Certified Public Accountant.

The Multnomah County Board of Commissioners Resolves:

1. The Board confirms Craig Stroud to serve as interim occupant for Multnomah County Auditor in the event of a vacancy in that office.

ADOPTED this 11th day of June, 2009.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Agnes Sowle, County Attorney

SUBMITTED BY:
Agnes Sowle, County Attorney

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 09-076

Confirming the Interim Designation for Multnomah County Auditor, in the Event of a Vacancy

The Multnomah County Board of Commissioners Finds:

- a. Multnomah County Charter Section 4.50(3) and Multnomah County Code 5.005 require elected officials to designate an interim occupant to serve until a vacancy is filled by election or appointment. The designee must meet the Charter qualifications for appointees of such offices.
- b. In compliance with MCC 5.005(B)(1) and (4), Steve March, Multnomah County Auditor, designates Craig Stroud as interim occupant of that office. Per requirements for the office, Craig Stroud is a Certified Public Accountant.

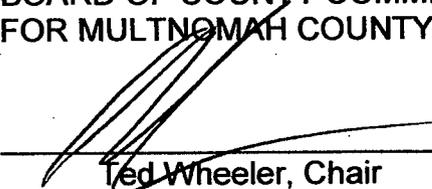
The Multnomah County Board of Commissioners Resolves:

1. The Board confirms Craig Stroud to serve as interim occupant for Multnomah County Auditor in the event of a vacancy in that office.

ADOPTED this 11th day of June, 2009.



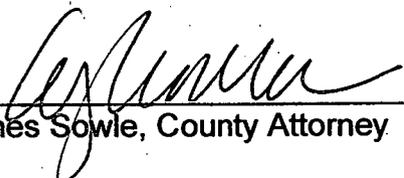
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 

Agnes Sowle, County Attorney

SUBMITTED BY:
Agnes Sowle, County Attorney



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 06/11/09
Agenda Item #: R-4
Est. Start Time: 9:45 AM
Date Submitted: 06/02/09

Agenda Title: **Briefing of Audit of Inventory Management: Facilities May 2009**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: June 11, 2009 **Amount of Time Needed:** 15 minutes
Department: Non Departmental **Division:** Auditors Office
Contact(s): Judy Rosenberger
Phone: 503/988-83320 **Ext.** 83320 **I/O Address:** 503/601
Presenter(s): Sarah Landis, Deputy Auditor, Fran Davison and Mark Ulanowicz

General Information

- 1. What action are you requesting from the Board?**
Board Briefing
- 2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.**
- 3. Explain the fiscal impact (current year and ongoing).**
- 4. Explain any legal and/or policy issues involved.**
- 5. Explain any citizen and/or other government participation that has or will take place.**

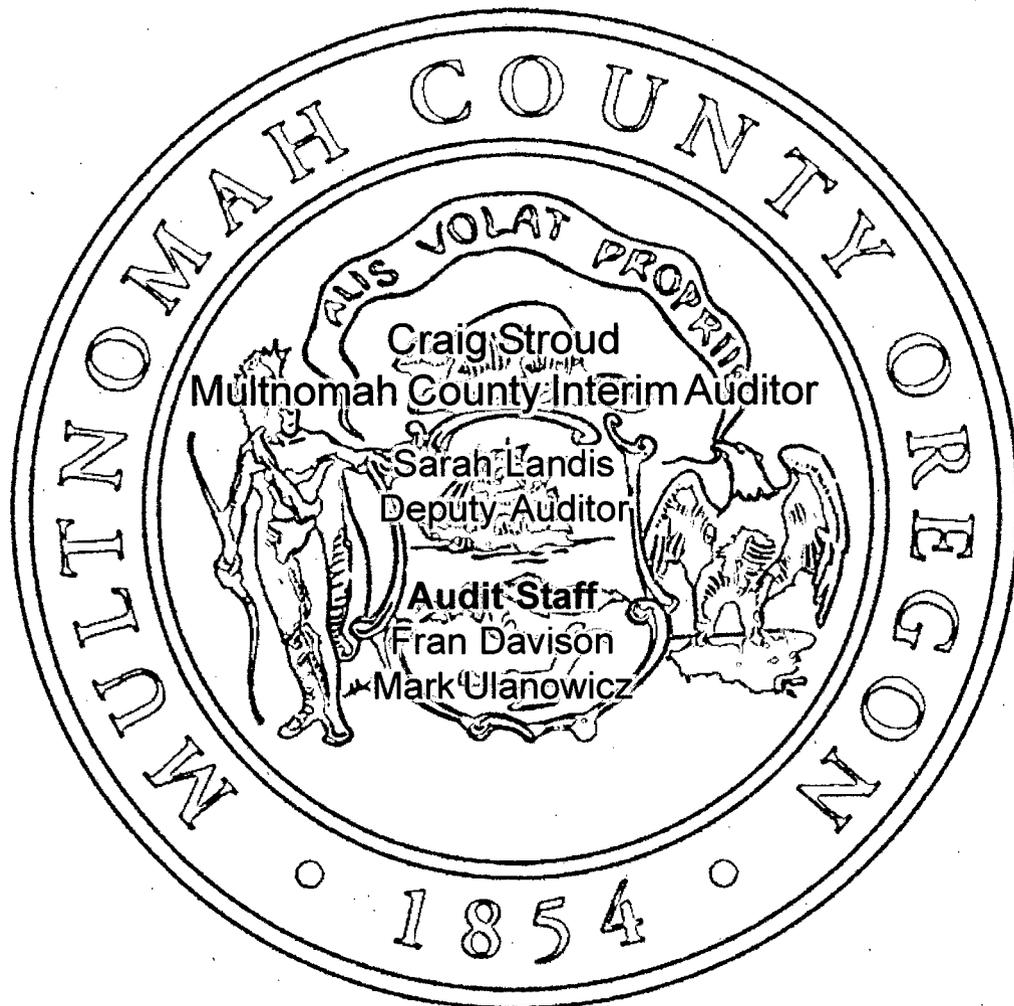
Required Signature

**Elected Official or
Department/
Agency Director:**

Date: 06/02/09

Audit of Inventory Management: Facilities

May 2009



We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.



Craig Stroud
Interim Multnomah County Auditor

501 SE Hawthorne, Room 601
Portland, Oregon 97214-3587
Telephone: (503) 988-3320 FAX: (503) 988-3019
Web site: www.co.multnomah.or.us/auditor

Date: May 29, 2009

To: Ted Wheeler, County Chair
Carol Ford, Department of County Management Director

From: Sarah Landis, Deputy Auditor
Fran Davison, Senior Auditor
Mark Ulanowicz, Principal Auditor

Re: Inventory Management: Facilities Audit

The attached report covers our recent performance audit of *Inventory Management: Facilities*. Facilities Operation and Maintenance (FO&M) is responsible for maintaining a large portfolio of buildings in locations throughout the county. The diversity of the county's facilities and the need to maintain a broad array of materials and supplies to service the buildings contribute to a challenging inventory management environment. The objective of the audit was to determine if internal controls over FO&M inventories of materials and supplies were sufficient to protect the county and FO&M from the risk of loss, inefficient purchasing, and inaccuracies in financial reports.

We found that while FO&M has recently taken steps to better monitor its inventory of materials and supplies, management of inventory was not based on an assessment of the risk of loss and monitoring of controls was informal and limited. Further, we found that communication of expectations and procedures was inconsistent, reducing the effectiveness of controls.

FO&M has responded positively to our audit recommendations and appears to be on its way to making necessary improvements. We extend our thanks to the FO&M staff and department representatives for their cooperation and assistance throughout the audit and commend them for their attention to the important issue of inventory management.

cc: Jana McLellan
Bob Thomas
Jon Schrotzberger
Colleen Bowles

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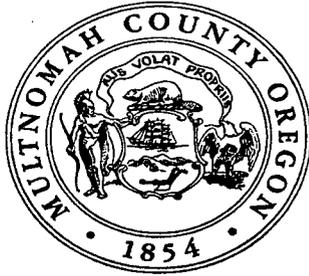
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Craig Stroud
Multnomah County Interim Auditor

501 SE Hawthorne, Room 601

Portland, Oregon 97214

Telephone (503) 988-3320

www.co.multnomah.or.us/auditor

Audit Staff:
Fran Davison
Mark Ulanowicz

Audit of Inventory Management: Facilities May 2009

Executive Summary

Facilities Operations and Maintenance (FO&M) is responsible for ensuring that 132 buildings across the county are well maintained and available for use by county programs. A variety of factors contribute to the challenging nature of inventory management at FO&M. The large number of buildings FO&M is responsible for maintaining, combined with the diversity of building type and age of the mechanical systems in place in these buildings, creates a need to maintain an inventory of a great variety of materials and supplies.

Our audit objective was to determine if internal controls over FO&M inventories of materials and supplies were sufficient to protect the county and FO&M. In summary, we found:

- FO&M had control activities in place, but these were not consistently applied;
- Management of inventory was not based on an assessment of the risk of loss;
- Communication of expectations and procedures was inconsistent, reducing the effectiveness of controls;
- Monitoring of controls was informal and limited; and
- Lack of consistent internal controls led to purchasing inefficiencies and potential over-purchasing.

Recommendations included at the end of this report are intended to reduce the risk of loss and improve internal controls and accountability.

Background

FO&M is a unit within the Facilities and Property Management Division in Multnomah County's Department of County Management. FO&M is responsible for providing ongoing building maintenance, ensuring that buildings meet safety and other regulatory requirements, responding to service requests with 24/7 availability, and engaging in remodeling and construction projects as needed.

Facilities Operations and Maintenance is responsible for 132 buildings spread throughout the county. FO&M:

- Owns and operates 35 vans stocked with tools and supplies for individual trades;
- Stores materials and supplies in several buildings throughout the county;
- Maintains workshops stocked with tools, materials, and supplies for each trade group including a welding station, carpentry workshops, and alarm and lock shops;
- Maintains inventories of materials and supplies ranging from those associated with low value such as nuts, bolts, and screws, to items of greater value such as power tools and equipment.

FO&M consists of six skilled trade groups, environmental and energy specialists, a dispatch/call center, and supervisory and support personnel. In Fiscal Year 2009 (FY09), the FO&M budget was \$15,666,152 with 52 FTE. Ninety percent of the budget comes from internal reimbursements.

Scope and Methodology

This audit originally began as a countywide review of inventory management. We identified a number of business units that maintain inventories, such as Central Stores, the Library Administration, Fleet Parts, Facilities Maintenance, Facilities Janitorial, Sheriff's Office Warehouse, and the Health Department Clinics and Pharmacies. We did a preliminary examination of control processes in place to provide accountability over the various county inventories as well as factors that might be associated with risk. We considered risk to be related to dollar value, nature of the material, and size of the inventory. For example, we assigned a higher level of risk to computers and pharmaceuticals and a lower level of risk to office and janitorial supplies. Ideally, as the level of risk increases, stronger controls would be in place to protect the inventory.

We concluded that the risk and controls associated with inventories held by FO&M may have been out of balance and warranted closer assessment. Our audit objective was to determine if internal controls over FO&M inventories of materials and supplies were sufficient to protect the county and FO&M. We examined FO&M's inventory management using the COSO¹ framework of internal controls, which includes a review of:

- the overall control environment;
- risk assessment;
- control activities;
- information and communication; and
- monitoring.

In performing this review, we interviewed Facilities Division managers and staff members, toured shops and storage areas, and analyzed purchasing, work order, and financial data. We also reviewed past audits, examined inventory audits from other jurisdictions, and interviewed officials from other jurisdictions' facilities units as well as private contractors for comparison

¹ In 1992, the Committee of Sponsoring Organizations (COSO) of the Treadway Commission developed an integrated control framework, which established a common definition of internal controls, standards, and criteria to use in assessing control systems.

purposes. We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Internal Controls

Internal controls are the first line of defense in safeguarding assets and preventing and detecting errors and fraud. They should provide reasonable assurance that the objectives of an organization are being met. For internal controls to be effective in an organization, management must take the lead in emphasizing the importance of controls and ensure that the organization's strategy and goals do not work at cross purposes with the controls. FO&M maintained some strong control activities associated with the purchase of materials and supplies. However, the focus on flexibility in its business model created a challenging internal control environment. Poor communication and inconsistent integration of FO&M processes further reduced the effectiveness of existing controls.

Control Environment

The control environment sets the tone for an organization and provides the foundation for an effective system of internal controls. An organization's operational philosophy should include elements of its internal controls. The FO&M philosophy, as described by unit managers, emphasized fast and effective customer service along with competitive rates for the work performed. The business model developed to implement this approach focused on providing its technicians with the resources and flexibility necessary to perform their jobs as quickly and efficiently as possible.

A customer service-oriented philosophy and strong internal controls are not mutually exclusive. However, the flexibility built into the FO&M business model added to the complexity of the inventory, making controls more difficult to implement. For example, rather than using a central warehouse to store materials and supplies, FO&M's trade technicians maintain separate storage areas in the county's largest buildings and in the 35 vans used by individual trades technicians. And, rather than purchasing materials and supplies centrally from a relatively small number of vendors, FO&M staff members used purchasing cards to make over 1,500 transactions at more than 200 different vendors. FO&M does this to reduce the time it takes to respond to customer requests and to complete work orders.

Reducing overhead – time spent by technicians performing duties other than those associated with their trades – in order to reduce the rate FO&M charges its customers for the trade technicians' services is an extension of the customer service philosophy. Based on discussions with trades technicians, we found that this approach was interpreted by some as meaning that doing paperwork, such as accurately accounting for the location and movement of supplies, was overly complicated and a low priority.

Control Activities

Control activities exist throughout an organization to mitigate risk. Examples include segregation of duties and physical safeguards, among others. FO&M has control activities in place that could be used to provide an estimate of what material should be on hand. It also has controls to help ensure that purchases made by trade technicians are appropriate for their work. However, only some of these activities are consistently applied, reducing the effectiveness of the internal control system.

FO&M has a process in place by which materials and supplies are assigned to a specific work order or cost center at the time of purchase. The process calls for materials and supplies that are not immediately used on a work order to be assigned to either a building – if the material is intended to be used in a specific building – or to an individual van or shop. When technicians use materials on a work order that have been stored in a building, shop, or van, they use the process to reallocate the materials from storage to the associated work order.

If done correctly and combined with a physical inventory to serve as a starting point, FO&M could use a periodic inventory system² to estimate the dollar value of their inventory. Last summer, FO&M conducted a physical inventory of all its vans and storage areas to provide this starting point. However, when we tested the processes in place for recording material use and valuing inventory, we found they were not consistent. Additionally, the inventory activity was not designed with a periodic inventory system in mind, making it difficult to establish what material the FO&M should have on hand. Specifically:

- Not all trade technicians understood how materials used should be billed on work orders, resulting in an undetermined number of work orders being billed for more materials than were actually used, while others are billed for less.
- The process for recording the transfer of materials from van or shop stock to work orders was inconsistently used. Some technicians were not even aware that the process existed.
- There was no consistent methodology for accounting for the purchase of tools. Some tools were billed at least partially to work orders while others were not.
- There was no methodology for billing bulk, consumable items, such as small parts like screws, to work orders.
- The valuation of stock on hand during the physical inventory was largely based on the memories of trade technicians in that unit, rather than on a consistent methodology.
- The physical inventory itself was not conducted consistently: many of the counts and valuations were done by a single person, but other technicians inventoried their own vans.

FO&M trades technicians have authority to make purchases as needed to complete work order assignments and to stock their trucks with tools and supplies, although pre-approval is required for certain types of purchases in some work groups. All purchasing card transactions follow the

² A periodic inventory system generally involves four components: 1) a physical count and valuation at the start of a period; 2) accurate data on materials purchased during the period; 3) information on what material was used during the period; and 4) a physical count of materials at the end of the period. In most periodic inventory systems, the first, second, and fourth components are used to calculate the third – the amount of material used during the period. Conceptually, any of the four components could be calculated if the other three were known.

same process after the purchase has been made to ensure that they are appropriate and assigned to a cost center. Lead technicians and supervisors review and approve all purchase receipts and submit them to the fiscal staff. The fiscal staff member checks that purchases are assigned to a cost center and reconciles the purchasing card statements. Processes are in place for handling missing receipts, job codes, and signatures. In our review of purchasing card files we found them to be orderly and complete with building numbers, work order numbers, and signatures accounted for. The fiscal staff members also monitor spending limits by card and merchant and ensure that employees comply with standard purchasing card rules.

Communication

There is a structure for good communication among building managers, trades supervisors and leads. Regularly scheduled weekly meetings provide an opportunity to discuss on-going projects and work orders. Some supervisors also meet with their trade groups on a regular basis to discuss work group related issues.

However, communication of processes across and within trade groups is inconsistent. While the meetings foster communication, they have not been used effectively to promote control activities and processes. Many of the trade technicians we interviewed did not understand the process for assigning purchases of materials and supplies to the various cost centers or about the procedures for moving material between cost centers.

Trade technicians were also not always communicating within their groups regarding material and supply purchases. The FO&M business model creates the opportunity for technicians to purchase more materials than they need to satisfy a specific work order if they believe they will need the materials for future work orders or if buying more results in a better per unit price. However, there was no consistent process for communicating to the other technicians in the group when an individual technician had "extra" supplies, increasing the likelihood that the group as a whole would be buying more than it needed.

Monitoring

Monitoring helps to ensure that all the components of an internal control system are in place and working properly. But, monitoring within FO&M appeared to be informal and limited. FO&M managers told us that they prepare work plans and draw up estimates of materials needed for about 50 percent of work orders –for those projects that are sufficiently large. Materials estimates like these are a useful control when compared against materials actually purchased for the project, but it was not clear that such reviews take place. Monitoring of the other 50 percent of work orders is more difficult because they are small repairs or projects and it may be difficult to anticipate materials needs.

Effect

The flexible, independent contractor model has some advantages in terms of the potential for increased efficiency and trade effectiveness. However, weak controls can also result in inefficient purchasing, causing the county to buy more materials than it needs and putting it at a greater risk of loss due to materials becoming obsolete, lost, or stolen. Weak controls also provide little protection to the county or employees in the event that there are allegations of the

misuse of county property. Finally, ineffective inventory controls contribute to financial reports that are less accurate than they would be with stronger controls and systems.

Data collected by the Facilities and Property Management Division support the conclusion that it may be purchasing more materials and supplies than it needs. Table 1 below shows that in each of the last two years, the dollar value of materials purchased exceeded the dollar value of materials used in work orders or assigned to building stock.

Table 1: Materials and Supplies Purchased and Used

	FY2007	FY2008
Materials & supplies purchased	\$1,717,613	\$1,721,727
Materials & supplies used in work orders or assigned to buildings	1,494,409	1,562,721
Unallocated materials & supplies purchased	223,204	159,006

We noted inconsistencies in the data used to generate these figures – these include charges for items like uniforms that would not get charged to work orders – but the figures may also understate the amount of surplus materials. Trade technicians told us that it was common for excess materials to be billed to existing work orders, rather than to shop or truck stock because it was not clear how to assign the excess materials to future work orders. Information from the physical inventory also supports the conclusion that FO&M is purchasing too much material.

Recommendations

A variety of factors contribute to the challenging nature of inventory management at FO&M. The large number of buildings FO&M is responsible for maintaining, combined with the unique nature of the mechanical systems in place in these buildings, creates a need to maintain inventory of a wide variety of materials and supplies. Moreover, the geographic dispersion of the buildings and the need to service them on a 24 hour a day, seven day a week basis makes common inventory systems impractical. However, we believe improvements can be made without dramatically increasing administrative time.

- 1) Facilities management can simplify the inventory control environment by having less inventory. The practice of purchasing more materials than needed for a specific work order should be limited.
- 2) Working with its stakeholders, Facilities management should develop a practical periodic inventory system that accurately accounts for the purchase, use, and storage of materials and supplies. They should design and conduct future physical inventories with this system in mind. Such an inventory system will provide FO&M with more accurate accounting of the dollar value of materials and supplies that go through the system.
- 3) Facilities management should assess the risk in its inventory environment and establish inventory controls on the basis of risk. These controls should be applied consistently across the trade groups. For example, tools could be tracked separately from materials and the requirements for purchase of tools should apply to all trade technicians.

Response to the Audit



**Facilities & Property Management
Department of County Management**
MULTNOMAH COUNTY OREGON

401 N Dixon Street
Portland, Oregon 97227
(503) 988-3322

Date: May 27, 2009

To: Sarah Landis, Deputy Auditor
Fran Davison, Senior Auditor
Mark Ulanowicz, Principal Auditor

From: Carol Ford, Department of County Management Director *CHF*
RCT Bob Thomas, Facilities & Property Management Director

Subject: Response to Final Draft of the Inventory Management:
Facilities Audit

The Department of County Management and the Facilities & Property Management Division both value the work the County Auditor's Office has performed in evaluating the inventory management of supplies in Facilities Operations & Maintenance. As your audit describes, Facilities Operations & Maintenance (FO&M) maintains a complex and diverse portfolio of buildings that requires the routine handling of thousands of specific maintenance parts during our normal course of business. Maintenance staff must balance the flexibility of an inventory large enough to allow for quick response to building problems with a system of well controlled accounting of supplies.

FO&M currently performs a year end inventory of supplies and is preparing now for that end of June activity. As we design this year's inventory, we will use information in your audit to help us refine our methodology. As pointed out by your audit, FO&M has improvements that can be made in fully setting our controls, communicating process throughout our organization, and documenting our progress.

Facilities appreciates the focused opportunity in coming months to address the three recommendations provided by your audit:

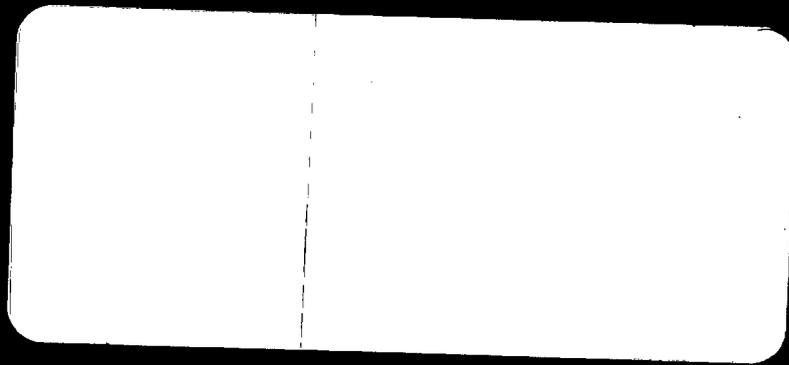
- Assess the risk in our inventory environment and establish effective controls based on that risk;
- Develop a practical periodic inventory system that accurately accounts for the purchase, use, and storage of materials and supplies; and
- Simplify our inventory control environment by having fewer supplies on hand.

Facilities has set a high priority to incorporate your recommendations into our division's work plan over the next year to make progress in a phased approach. First, we will establish a cross functional Logistics Team that will provide specific input and systems recommendations to design a new inventory model. System

improvements will focus on communication tools (like our pilot Mobile Asset Management SAP Module roll-out), warehousing methodologies and evaluation of risk criteria. Team members will represent all stakeholders within Facilities and will recruit representatives from County Finance, Materiel Management and SAP groups to assist with integration of our process with their business lines.

In a second phase, we will continue to utilize the Logistics Team to test & improve the systems necessary to provide accurate inventory accounting and communication. Through the ongoing efforts of FO&M staff, the attention to inventory monitoring and communicating of available materiel through the Mobile Asset Management system, we will improve the accuracy and timely availability of materials for the efficient and effective use of our trades staff.

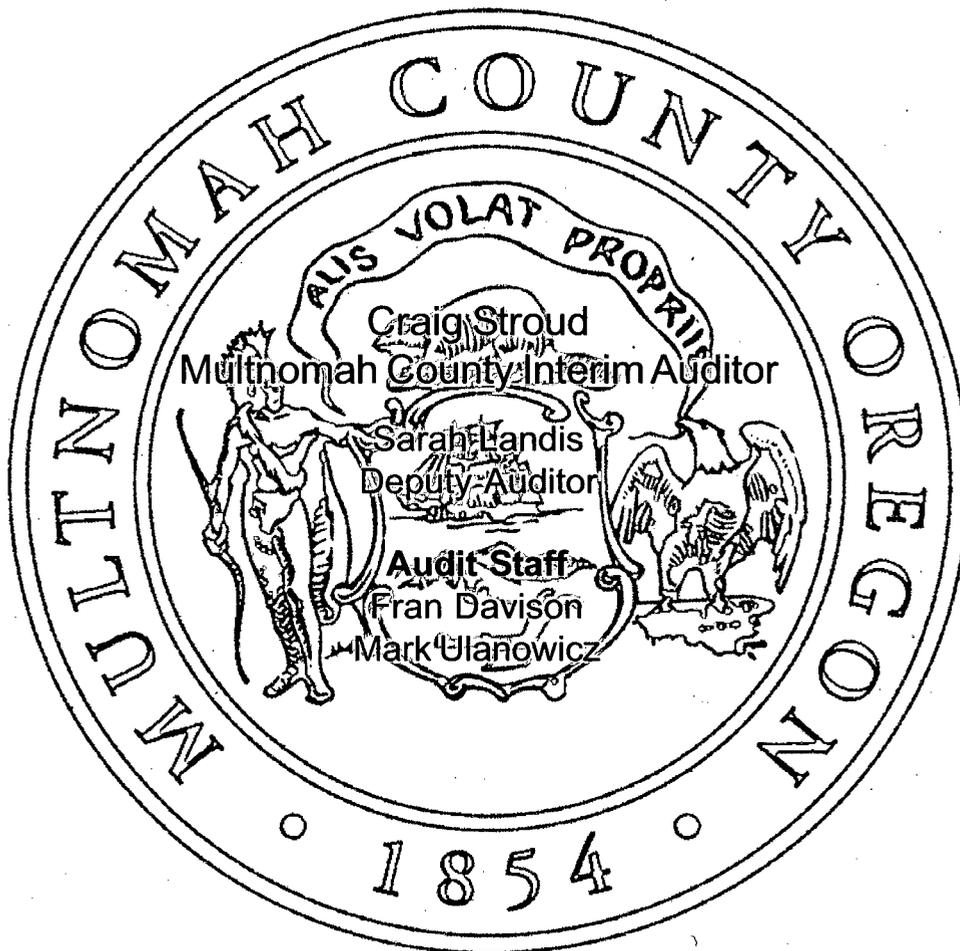
We feel that this audit was fairly executed and will serve as a valuable tool for FO&M to utilize in our continuing effort to maximize our efficiency and cost effectiveness. We look forward to checking in with your staff during the development of our inventory system to ensure that it meets the aim of your recommendations.



MULTNOMAH COUNTY AUDITOR
PORTLAND, OREGON

Audit of Inventory Management: Facilities

May 2009



We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.



Craig Stroud
Interim Multnomah County Auditor

501 SE Hawthorne, Room 601
Portland, Oregon 97214-3587
Telephone: (503) 988-3320 FAX: (503) 988-3019
Web site: www.co.multnomah.or.us/auditor

Date: May 29, 2009

To: Ted Wheeler, County Chair
Carol Ford, Department of County Management Director

From: Sarah Landis, Deputy Auditor
Fran Davison, Senior Auditor
Mark Ulanowicz, Principal Auditor

Re: Inventory Management: Facilities Audit

The attached report covers our recent performance audit of *Inventory Management: Facilities*. Facilities Operation and Maintenance (FO&M) is responsible for maintaining a large portfolio of buildings in locations throughout the county. The diversity of the county's facilities and the need to maintain a broad array of materials and supplies to service the buildings contribute to a challenging inventory management environment. The objective of the audit was to determine if internal controls over FO&M inventories of materials and supplies were sufficient to protect the county and FO&M from the risk of loss, inefficient purchasing, and inaccuracies in financial reports.

We found that while FO&M has recently taken steps to better monitor its inventory of materials and supplies, management of inventory was not based on an assessment of the risk of loss and monitoring of controls was informal and limited. Further, we found that communication of expectations and procedures was inconsistent, reducing the effectiveness of controls.

FO&M has responded positively to our audit recommendations and appears to be on its way to making necessary improvements. We extend our thanks to the FO&M staff and department representatives for their cooperation and assistance throughout the audit and commend them for their attention to the important issue of inventory management.

cc: Jana McLellan
Bob Thomas
Jon Schrotzberger
Colleen Bowles

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Craig Stroud
Multnomah County Interim Auditor

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www.co.multnomah.or.us/auditor

Audit Staff:
Fran Davison
Mark Ulanowicz

Audit of Inventory Management: Facilities **May 2009**

Executive Summary

Facilities Operations and Maintenance (FO&M) is responsible for ensuring that 132 buildings across the county are well maintained and available for use by county programs. A variety of factors contribute to the challenging nature of inventory management at FO&M. The large number of buildings FO&M is responsible for maintaining, combined with the diversity of building type and age of the mechanical systems in place in these buildings, creates a need to maintain an inventory of a great variety of materials and supplies.

Our audit objective was to determine if internal controls over FO&M inventories of materials and supplies were sufficient to protect the county and FO&M. In summary, we found:

- FO&M had control activities in place, but these were not consistently applied;
- Management of inventory was not based on an assessment of the risk of loss;
- Communication of expectations and procedures was inconsistent, reducing the effectiveness of controls;
- Monitoring of controls was informal and limited; and
- Lack of consistent internal controls led to purchasing inefficiencies and potential over-purchasing.

Recommendations included at the end of this report are intended to reduce the risk of loss and improve internal controls and accountability.

Background

FO&M is a unit within the Facilities and Property Management Division in Multnomah County's Department of County Management. FO&M is responsible for providing ongoing building maintenance, ensuring that buildings meet safety and other regulatory requirements, responding to service requests with 24/7 availability, and engaging in remodeling and construction projects as needed.

Facilities Operations and Maintenance is responsible for 132 buildings spread throughout the county. FO&M:

- Owns and operates 35 vans stocked with tools and supplies for individual trades;
- Stores materials and supplies in several buildings throughout the county;
- Maintains workshops stocked with tools, materials, and supplies for each trade group including a welding station, carpentry workshops, and alarm and lock shops;
- Maintains inventories of materials and supplies ranging from those associated with low value such as nuts, bolts, and screws, to items of greater value such as power tools and equipment.

FO&M consists of six skilled trade groups, environmental and energy specialists, a dispatch/call center, and supervisory and support personnel. In Fiscal Year 2009 (FY09), the FO&M budget was \$15,666,152 with 52 FTE. Ninety percent of the budget comes from internal reimbursements.

Scope and Methodology

This audit originally began as a countywide review of inventory management. We identified a number of business units that maintain inventories, such as Central Stores, the Library Administration, Fleet Parts, Facilities Maintenance, Facilities Janitorial, Sheriff's Office Warehouse, and the Health Department Clinics and Pharmacies. We did a preliminary examination of control processes in place to provide accountability over the various county inventories as well as factors that might be associated with risk. We considered risk to be related to dollar value, nature of the material, and size of the inventory. For example, we assigned a higher level of risk to computers and pharmaceuticals and a lower level of risk to office and janitorial supplies. Ideally, as the level of risk increases, stronger controls would be in place to protect the inventory.

We concluded that the risk and controls associated with inventories held by FO&M may have been out of balance and warranted closer assessment. Our audit objective was to determine if internal controls over FO&M inventories of materials and supplies were sufficient to protect the county and FO&M. We examined FO&M's inventory management using the COSO¹ framework of internal controls, which includes a review of:

- the overall control environment;
- risk assessment;
- control activities;
- information and communication; and
- monitoring.

In performing this review, we interviewed Facilities Division managers and staff members, toured shops and storage areas, and analyzed purchasing, work order, and financial data. We also reviewed past audits, examined inventory audits from other jurisdictions, and interviewed officials from other jurisdictions' facilities units as well as private contractors for comparison

¹ In 1992, the Committee of Sponsoring Organizations (COSO) of the Treadway Commission developed an integrated control framework, which established a common definition of internal controls, standards, and criteria to use in assessing control systems.

purposes. We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Internal Controls

Internal controls are the first line of defense in safeguarding assets and preventing and detecting errors and fraud. They should provide reasonable assurance that the objectives of an organization are being met. For internal controls to be effective in an organization, management must take the lead in emphasizing the importance of controls and ensure that the organization's strategy and goals do not work at cross purposes with the controls. FO&M maintained some strong control activities associated with the purchase of materials and supplies. However, the focus on flexibility in its business model created a challenging internal control environment. Poor communication and inconsistent integration of FO&M processes further reduced the effectiveness of existing controls.

Control Environment

The control environment sets the tone for an organization and provides the foundation for an effective system of internal controls. An organization's operational philosophy should include elements of its internal controls. The FO&M philosophy, as described by unit managers, emphasized fast and effective customer service along with competitive rates for the work performed. The business model developed to implement this approach focused on providing its technicians with the resources and flexibility necessary to perform their jobs as quickly and efficiently as possible.

A customer service-oriented philosophy and strong internal controls are not mutually exclusive. However, the flexibility built into the FO&M business model added to the complexity of the inventory, making controls more difficult to implement. For example, rather than using a central warehouse to store materials and supplies, FO&M's trade technicians maintain separate storage areas in the county's largest buildings and in the 35 vans used by individual trades technicians. And, rather than purchasing materials and supplies centrally from a relatively small number of vendors, FO&M staff members used purchasing cards to make over 1,500 transactions at more than 200 different vendors. FO&M does this to reduce the time it takes to respond to customer requests and to complete work orders.

Reducing overhead – time spent by technicians performing duties other than those associated with their trades – in order to reduce the rate FO&M charges its customers for the trade technicians' services is an extension of the customer service philosophy. Based on discussions with trades technicians, we found that this approach was interpreted by some as meaning that doing paperwork, such as accurately accounting for the location and movement of supplies, was overly complicated and a low priority.

Control Activities

Control activities exist throughout an organization to mitigate risk. Examples include segregation of duties and physical safeguards, among others. FO&M has control activities in place that could be used to provide an estimate of what material should be on hand. It also has controls to help ensure that purchases made by trade technicians are appropriate for their work. However, only some of these activities are consistently applied, reducing the effectiveness of the internal control system.

FO&M has a process in place by which materials and supplies are assigned to a specific work order or cost center at the time of purchase. The process calls for materials and supplies that are not immediately used on a work order to be assigned to either a building – if the material is intended to be used in a specific building – or to an individual van or shop. When technicians use materials on a work order that have been stored in a building, shop, or van, they use the process to reallocate the materials from storage to the associated work order.

If done correctly and combined with a physical inventory to serve as a starting point, FO&M could use a periodic inventory system² to estimate the dollar value of their inventory. Last summer, FO&M conducted a physical inventory of all its vans and storage areas to provide this starting point. However, when we tested the processes in place for recording material use and valuing inventory, we found they were not consistent. Additionally, the inventory activity was not designed with a periodic inventory system in mind, making it difficult to establish what material the FO&M should have on hand. Specifically:

- Not all trade technicians understood how materials used should be billed on work orders, resulting in an undetermined number of work orders being billed for more materials than were actually used, while others are billed for less.
- The process for recording the transfer of materials from van or shop stock to work orders was inconsistently used. Some technicians were not even aware that the process existed.
- There was no consistent methodology for accounting for the purchase of tools. Some tools were billed at least partially to work orders while others were not.
- There was no methodology for billing bulk, consumable items, such as small parts like screws, to work orders.
- The valuation of stock on hand during the physical inventory was largely based on the memories of trade technicians in that unit, rather than on a consistent methodology.
- The physical inventory itself was not conducted consistently: many of the counts and valuations were done by a single person, but other technicians inventoried their own vans.

FO&M trades technicians have authority to make purchases as needed to complete work order assignments and to stock their trucks with tools and supplies, although pre-approval is required for certain types of purchases in some work groups. All purchasing card transactions follow the

² A periodic inventory system generally involves four components: 1) a physical count and valuation at the start of a period; 2) accurate data on materials purchased during the period; 3) information on what material was used during the period; and 4) a physical count of materials at the end of the period. In most periodic inventory systems, the first, second, and fourth components are used to calculate the third – the amount of material used during the period. Conceptually, any of the four components could be calculated if the other three were known.

same process after the purchase has been made to ensure that they are appropriate and assigned to a cost center. Lead technicians and supervisors review and approve all purchase receipts and submit them to the fiscal staff. The fiscal staff member checks that purchases are assigned to a cost center and reconciles the purchasing card statements. Processes are in place for handling missing receipts, job codes, and signatures. In our review of purchasing card files we found them to be orderly and complete with building numbers, work order numbers, and signatures accounted for. The fiscal staff members also monitor spending limits by card and merchant and ensure that employees comply with standard purchasing card rules.

Communication

There is a structure for good communication among building managers, trades supervisors and leads. Regularly scheduled weekly meetings provide an opportunity to discuss on-going projects and work orders. Some supervisors also meet with their trade groups on a regular basis to discuss work group related issues.

However, communication of processes across and within trade groups is inconsistent. While the meetings foster communication, they have not been used effectively to promote control activities and processes. Many of the trade technicians we interviewed did not understand the process for assigning purchases of materials and supplies to the various cost centers or about the procedures for moving material between cost centers.

Trade technicians were also not always communicating within their groups regarding material and supply purchases. The FO&M business model creates the opportunity for technicians to purchase more materials than they need to satisfy a specific work order if they believe they will need the materials for future work orders or if buying more results in a better per unit price. However, there was no consistent process for communicating to the other technicians in the group when an individual technician had "extra" supplies, increasing the likelihood that the group as a whole would be buying more than it needed.

Monitoring

Monitoring helps to ensure that all the components of an internal control system are in place and working properly. But, monitoring within FO&M appeared to be informal and limited. FO&M managers told us that they prepare work plans and draw up estimates of materials needed for about 50 percent of work orders—for those projects that are sufficiently large. Materials estimates like these are a useful control when compared against materials actually purchased for the project, but it was not clear that such reviews take place. Monitoring of the other 50 percent of work orders is more difficult because they are small repairs or projects and it may be difficult to anticipate materials needs.

Effect

The flexible, independent contractor model has some advantages in terms of the potential for increased efficiency and trade effectiveness. However, weak controls can also result in inefficient purchasing, causing the county to buy more materials than it needs and putting it at a greater risk of loss due to materials becoming obsolete, lost, or stolen. Weak controls also provide little protection to the county or employees in the event that there are allegations of the

misuse of county property. Finally, ineffective inventory controls contribute to financial reports that are less accurate than they would be with stronger controls and systems.

Data collected by the Facilities and Property Management Division support the conclusion that it may be purchasing more materials and supplies than it needs. Table 1 below shows that in each of the last two years, the dollar value of materials purchased exceeded the dollar value of materials used in work orders or assigned to building stock.

Table 1: Materials and Supplies Purchased and Used

	FY2007	FY2008
Materials & supplies purchased	\$1,717,613	\$1,721,727
Materials & supplies used in work orders or assigned to buildings	1,494,409	1,562,721
Unallocated materials & supplies purchased	223,204	159,006

We noted inconsistencies in the data used to generate these figures – these include charges for items like uniforms that would not get charged to work orders – but the figures may also understate the amount of surplus materials. Trade technicians told us that it was common for excess materials to be billed to existing work orders, rather than to shop or truck stock because it was not clear how to assign the excess materials to future work orders. Information from the physical inventory also supports the conclusion that FO&M is purchasing too much material.

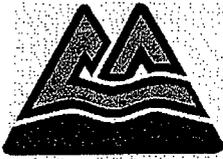
Recommendations

A variety of factors contribute to the challenging nature of inventory management at FO&M. The large number of buildings FO&M is responsible for maintaining, combined with the unique nature of the mechanical systems in place in these buildings, creates a need to maintain inventory of a wide variety of materials and supplies. Moreover, the geographic dispersion of the buildings and the need to service them on a 24 hour a day, seven day a week basis makes common inventory systems impractical. However, we believe improvements can be made without dramatically increasing administrative time.

- 1) Facilities management can simplify the inventory control environment by having less inventory. The practice of purchasing more materials than needed for a specific work order should be limited.
- 2) Working with its stakeholders, Facilities management should develop a practical periodic inventory system that accurately accounts for the purchase, use, and storage of materials and supplies. They should design and conduct future physical inventories with this system in mind. Such an inventory system will provide FO&M with more accurate accounting of the dollar value of materials and supplies that go through the system.
- 3) Facilities management should assess the risk in its inventory environment and establish inventory controls on the basis of risk. These controls should be applied consistently across the trade groups. For example, tools could be tracked separately from materials and the requirements for purchase of tools should apply to all trade technicians.

Multnomah County Auditor's Office

Response to the Audit



**Facilities & Property Management
Department of County Management**
MULTNOMAH COUNTY OREGON

401 N Dixon Street
Portland, Oregon 97227
(503) 988-3322

Date: May 27, 2009

To: Sarah Landis, Deputy Auditor
Fran Davison, Senior Auditor
Mark Ulanowicz, Principal Auditor

From: Carol Ford, Department of County Management Director *CF*
RCT Bob Thomas, Facilities & Property Management Director

Subject: Response to Final Draft of the Inventory Management:
Facilities Audit

The Department of County Management and the Facilities & Property Management Division both value the work the County Auditor's Office has performed in evaluating the inventory management of supplies in Facilities Operations & Maintenance. As your audit describes, Facilities Operations & Maintenance (FO&M) maintains a complex and diverse portfolio of buildings that requires the routine handling of thousands of specific maintenance parts during our normal course of business. Maintenance staff must balance the flexibility of an inventory large enough to allow for quick response to building problems with a system of well controlled accounting of supplies.

FO&M currently performs a year end inventory of supplies and is preparing now for that end of June activity. As we design this year's inventory, we will use information in your audit to help us refine our methodology. As pointed out by your audit, FO&M has improvements that can be made in fully setting our controls, communicating process throughout our organization, and documenting our progress.

Facilities appreciates the focused opportunity in coming months to address the three recommendations provided by your audit:

- Assess the risk in our inventory environment and establish effective controls based on that risk;
- Develop a practical periodic inventory system that accurately accounts for the purchase, use, and storage of materials and supplies; and
- Simplify our inventory control environment by having fewer supplies on hand.

Facilities has set a high priority to incorporate your recommendations into our division's work plan over the next year to make progress in a phased approach. First, we will establish a cross functional Logistics Team that will provide specific input and systems recommendations to design a new inventory model. System

improvements will focus on communication tools (like our pilot Mobile Asset Management SAP Module roll-out), warehousing methodologies and evaluation of risk criteria. Team members will represent all stakeholders within Facilities and will recruit representatives from County Finance, Materiel Management and SAP groups to assist with integration of our process with their business lines.

In a second phase, we will continue to utilize the Logistics Team to test & improve the systems necessary to provide accurate inventory accounting and communication. Through the ongoing efforts of FO&M staff, the attention to inventory monitoring and communicating of available materiel through the Mobile Asset Management system, we will improve the accuracy and timely availability of materials for the efficient and effective use of our trades staff.

We feel that this audit was fairly executed and will serve as a valuable tool for FO&M to utilize in our continuing effort to maximize our efficiency and cost effectiveness. We look forward to checking in with your staff during the development of our inventory system to ensure that it meets the aim of your recommendations.



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (revised 09/22/08)

Board Clerk Use Only

Meeting Date: 06/11/09
Agenda Item #: R-5
Est. Start Time: 10:00 AM
Date Submitted: 06/02/09

Agenda Title: Reappointment of Andrea Cano to the MT. HOOD CABLE REGULATORY COMMISSION

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date: June 11, 2009 **Amount of Time Needed:** 5 minutes
Department: Non-Departmental **Division:** District 4
Contact(s): Sam Peterson
Phone: 503-988-5123 **Ext.** 22738 **I/O Address:** 503/600
Presenter(s): Sam Peterson

General Information

1. What action are you requesting from the Board?

Request the Board approve appointment of Andrea Cano to the Mt. Hood Cable Regulatory Commission.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

The Mt. Hood Cable Regulatory Commission monitors, regulates and supervises operation of the cable communications systems. Established pursuant to an intergovernmental agreement between the cities of Portland, Gresham, Troutdale, Wood Village, Fairview and the County, the Commission serves as the jurisdictions' representative for regional, state or national cable communications matters and is the grant authority, after approval of its annual budget, to allocate franchise fee revenue. Each jurisdiction appoints its representative to serve as its representative on the Commission; 1 member appointed by the County Chair with approval of the Board of County Commissioners. Members are appointed to serve 3-year terms; terms begin June 1. Julie Omelchuck is liaison to the Commission.

3. Explain the fiscal impact (current year and ongoing).

N/A

4. Explain any legal and/or policy issues involved.

N/A

5. Explain any citizen and/or other government participation that has or will take place.

Please see to No. 2 above. Andrea Cano will be available for questions at the meeting.

Required Signature

**Elected Official or
Department/
Agency Director:**

Diane McKeel

Date: June 2, 2009



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (revised 09/22/08)

Board Clerk Use Only

Meeting Date: 06/11/09
Agenda Item #: R-6
Est. Start Time: 10:05 AM
Date Submitted: 06/01/09

Agenda Title: **RESOLUTION: Multnomah County Approval of the Mt. Hood Cable Regulatory Commission Budget for Fiscal Year 2009-2010**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date: June 11, 2009 **Amount of Time Needed:** 10 Minutes
Department: Non-Departmental **Division:** Commissioner Diane McKeel
Contact(s): David C. Olson Carol Justice 503 823-2005
Phone: 503-823-4188 **Ext.** N/A **I/O Address:** 106/1305
Presenter(s): Andrea Cano & David C. Olson

General Information

1. What action are you requesting from the Board?

Adopt Resolution Approving MHCRC FY2009-2010 Budget.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

MHCRC is made up of the cities of Fairview, Gresham, Portland, Wood Village, Troutdale and Multnomah County (Jurisdictions). Its mission is to:

- Advocate for and protect the public interest in the regulation and development of cable communications systems;
- Monitor and help resolve cable subscriber concerns; and
- Facilitate the planning and implementation of community uses of cable communication technologies that make use of the public right of way.

3. Explain the fiscal impact (current year and ongoing).

\$11,668	for staffing the MHCRC
\$29,573	in funding for Multnomah Community Television (MCTV)
\$44,503	In funding for Portland Community Media (PCM)
\$85,744	Total

The estimated franchise fee revenue to Multnomah County's general fund is approximately \$29,669 during FY 2009-2010.

4. Explain any legal and/or policy issues involved.

None.

5. Explain any citizen and/or other government participation that has or will take place.

MHCRC must obtain budget approval from all participating jurisdictions.

Required Signature

Elected Official or
Department/
Agency Director:

Diane McKeel

Date: 06/01/09

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Multnomah County Approval of the Mt. Hood Cable Regulatory Commission Budget for Fiscal Year 2009-2010

The Multnomah County Board of Commissioners Finds:

- a. The Mt. Hood Cable Regulatory Commission (MHCRC) was formed by Multnomah County and the cities of Fairview, Gresham, Portland, Troutdale and Wood Village (Cities) to advocate for and protect the public interest in the regulation and development of cable communication systems.
- b. The MHCRC has approved a budget for Fiscal Year 2009-2010 and forwarded this budget to Multnomah County and the Cities for approval.

The Multnomah County Board of Commissioners Resolves:

1. The Mt. Hood Cable Regulatory Commission budget for Fiscal Year 2009-2010 is approved.

ADOPTED this 11th day of June 2009.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Agnes Sowle, County Attorney

SUBMITTED BY:
Commissioner Diane Keel, District 4

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 09-077

Multnomah County Approval of the Mt. Hood Cable Regulatory Commission Budget for Fiscal Year 2009-2010

The Multnomah County Board of Commissioners Finds:

- a. The Mt. Hood Cable Regulatory Commission (MHCRC) was formed by Multnomah County and the cities of Fairview, Gresham, Portland, Troutdale and Wood Village (Cities) to advocate for and protect the public interest in the regulation and development of cable communication systems.
- b. The MHCRC has approved a budget for Fiscal Year 2009-2010 and forwarded this budget to Multnomah County and the Cities for approval.

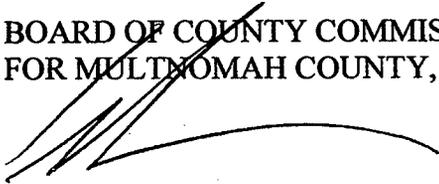
The Multnomah County Board of Commissioners Resolves:

1. The Mt. Hood Cable Regulatory Commission budget for Fiscal Year 2009-2010 is approved.

ADOPTED this 11th day of June 2009.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Agnes Sowle, County Attorney

SUBMITTED BY:
Commissioner Diane Keel, District 4

MT. HOOD CABLE REGULATORY COMMISSION

Representing:

City of Portland
City of Fairview

City of Gresham
City of Wood Village

City of Troutdale
Multnomah County

Commission Members

Norman Thomas, Commission Chair

Alan Alexander III

Andrea Cano

Tim Clark

Sue Dicile

Rich Goheen

Bill June

John Kilian

PROPOSED BUDGET FISCAL YEAR 2009-10

Commission Approved: May 18, 2009

Director: David C. Olson

503 823 5385

www.mhrc.org

MT. HOOD CABLE REGULATORY COMMISSION
FY 2009-10 PROPOSED BUDGET

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MT. HOOD CABLE REGULATORY COMMISSION

OVERVIEW

The Mt. Hood Cable Regulatory Commission (MHCRC or Commission) was created by Multnomah County and the cities of Fairview, Gresham, Portland, Troutdale and Wood Village for the purposes of:

- **Advocating for and protecting the public interest in the regulation and development of cable communications systems;**
- **Monitoring and helping resolve cable subscribers' concerns; and,**
- **Facilitating the planning and implementation of community uses of cable communication technologies.**

Each Jurisdiction appoints citizen representatives to the Commission. Over the past year, these appointees have committed hundreds of volunteer hours to fulfill the Commission's mission and to serve the Jurisdictions. They attended approximately 10 Commission meetings and numerous committee meetings, kept abreast of issues of concern to their Jurisdictions, presented information at city council and county commission meetings, and served as liaisons to Portland Community Media (PCM) and MetroEast Community Media (MetroEast).

The Commission contracts for staff through a services agreement with the City of Portland. The Commission funds an equivalent of 3.3 full-time staff positions plus related materials, services and overhead. Each member Jurisdiction provides a portion of its franchise fees from cable services providers to annually fund Commission operational expenses.

2008 ACCOMPLISHMENTS

Conducted Franchise Compliance to Protect the Jurisdictions' and Consumers' Interests

The MHCRC enforces the cable services consumer protection ordinances of Multnomah County, Portland, Gresham, Troutdale, Fairview, and Wood Village. The consumer protection rules require cable companies to notify subscribers, in writing, at least 30 days prior to implementing rate and programming service changes. This requirement assures that subscribers receive accurate information with a minimum period of time to make any desired changes to their service before their next billing cycle. The MHCRC engaged in compliance proceedings with Comcast for two separate incidences related to the 30-day customer notification. The first, regarding the loss of channels on a service tier, resulted in a violation fine, and the second regarding a new fee for customers who choose to pay their bill by phone, resulted in Comcast delaying implementation of the fee so that customers could be adequately notified.

The MHCRC also monitored and enforced various service standards for telephone responsiveness, service outage credits, billing, installation and repair responsiveness, and other consumer protection issues. In 2008, the Commission assisted in the resolution of 272 complaints.

Supported Competitive Services through Franchise Negotiations with new Cable Providers

The MHCRC concluded negotiations on new cable services franchises for two companies (Verizon and Cascade Access). The companies previously offered phone and Internet services in their service areas and sought authority to use the public-right-of-way to offer cable television services in different parts of the County to compete with Comcast. The MHCRC successfully altered resource priorities to address this unanticipated workload requirement and concluded the negotiations within the FY07-09 budget allocations. The MHCRC now regulates five franchise agreements with four companies on behalf of its jurisdictional members, although one of those (Qwest) is not currently offering cable services.

Established Franchise Monitoring and Compliance Systems for New Cable Franchises

The MHCRC diligently established a monitoring system for the requirements contained in the new cable services franchises with Verizon and Cascade Access. The system assisted the MHCRC in identifying a compliance issue related to Verizon not including the local, community access channels in its cable services, as required by the new franchise, when Verizon began offering services. The MHCRC conducted a compliance process and found Verizon in violation of its franchise. The MHCRC's compliance process resulted in Verizon including the local, access channels two months earlier than Verizon's original proposed timeframe and included additional outreach about the local channels to subscribers who received service prior to the channels being included.

Provided a Local Resource for the National Broadcast DTV Transition

The MHCRC continues to be a dependable local resource for information and education support to the general public on broadcast television's transition to digital technology (commonly referred to as DTV). The MHCRC provides regular updates on its website and has organized public DTV transition events. The MHCRC coordinated events in Portland and East County with Oregon Public Broadcasting, the Oregon Association of Broadcasters, Comcast and the FCC. The transition will take place on June 12, 2009.

Funded Projects to Advance Education and Community-Based Technology

The MHCRC directs the Community Access Capital Grant which provides funds for technology projects to community organizations, libraries, educational institutions and local government agencies throughout Multnomah County. The MHCRC oversees implementation and compliance for about 20 grant-funded projects during the year. In 2008, the program granted about \$1.1 million for 11 new community-based projects that will leverage nearly \$1.7 million in matching resources. Newly funded projects included:

- ACE Academy, co-chartered by Centennial, Gresham-Barlow, Parkrose and Reynolds school districts, brings together private sector partners and district teachers to provide at-risk juniors and seniors with hands-on, project-based learning around architecture, construction and engineering. Grant funds will provide students with laptop computers and wireless network capability in order for students and teachers to access curriculum from any of the Academy's four sites.
- The Harriet Tubman Young Women's Leadership Academy, the first all girls, college preparatory public school, located in NE Portland, received grant funding to give young

- women the opportunity to learn media literacy and multi-media production skills through classroom integration of media education training into daily activities.
- Richmond Japanese Immersion Elementary School, a public Pre-K-5 language immersion school, will acquire mobile laptop computer labs to allow all teachers to integrate computer aided curriculum into daily classroom activities.
- To increase public awareness of services offered, Multnomah County Animal Services gained funding to support its production of *Animal Magnetism: Pet TV for Humans*, a half-hour monthly program series aired by MetroEast Community Media.
- Since its creation in 1991, Flying Focus Video Collective has produced videos about underserved communities in the Portland Metro area, resulting in roughly 600 programs with local voices on topics such as civil, human and immigrant rights, environmental justice and domestic violence awareness. The grant provides Flying Focus the technology to preserve programs in a digital format for distribution and exhibition of historical local programming.
- To meet teachers' needs to use primary source materials, the Oregon Historical Society (OHS) launched the OHS Research Services Educational Outreach Project. Grant funds will be used to create and distribute programming, workshops and curriculum to area U.S. History teachers in order to familiarize them with OHS primary source materials and enhance the quality of education provided to high school history students.
- In an effort to close the achievement gap between English as a second language (ESL) students and their native English-speaking classmates, the Portland Public Schools (PPS) ESL/Bilingual Department's eLearning for Teachers project will make high quality professional development more accessible to teachers through interactive online learning tools. The tools are designed to better assist English speaking teachers who teach core curriculum subjects (ie math, English, history, and science) to classes that include ESL students.
- Jefferson High School, a Portland Public School, will use grant funds to revitalize its long-standing video production classes and capabilities through equipment upgrades. In an era of unprecedented technological advancement, the equipment upgrades will provide students an opportunity to keep pace and expand their skills with multimedia production.
- BizTech High School is a public high school created in 2004 as part of the Oregon Small Schools Initiative carried out by E3: Employers for Education Excellence with financial support from the Bill & Melinda Gates Foundation and Meyer Memorial Trust. Grant funds for the BizTech New Technology Initiative will support access to 21st century tools and career-related skills through integration of multi-media technology into BizTech's focused curriculum of business, technology, manufacturing and entrepreneurship.
- Portland Public Schools Television Services (PPS-TVS) will replace its lighting system in the television studio with grants funding. PPS-TVS programs educational Channel 28.
- Portland Public Schools will overhaul its antiquated voice communication system to reduce the disparity of access to communications and collaboration resources for PPS staff, students and parents. Grant funds will be used to replace the existing archaic and unstable phone system with state of the art Internet Protocol Telephony (IPT) service in a percentage of the districts' schools.

Engaged in Partnerships to Provide Network Services More Efficiently

The MHCRC facilitates partnerships and network planning, pursues network assets, and

distributes funds to support the Community Institutional Network (I-Net). The MHCRC developed and continues to facilitate the partnership and network interconnect among Comcast, ComNet (the City of Portland's networking service bureau) and the MHCRC to provide the highest level of service (capacity increased 10 fold) at the least cost (savings of up to 33%). Over 272 schools and public agencies' sites throughout Multnomah County use the I-Net for their data networking and Internet access needs.

Through its collaborative network planning efforts, the MHCRC identified the need to provide each I-Net site with independent power devices to increase the reliability of the network connections during power failures or surges. The MHCRC funded this network upgrade with \$300,000 from the I-Net Capital Fund which installed Uninterruptible Power Systems ("UPS") devices at all current I-Net user sites.

Local governments and schools continue to need new connections to the I-Net. In 2008, the MHCRC funded ten new connections to the I-Net from three different agencies.

Managed Direct Service Contracts for Community Media Resources (MetroEast & PCM)

The MHCRC manages contracts with MetroEast Community Media and Portland Community Media (PCM), non-profit organizations that facilitate use of technology and communications resources by the community in order to promote broad participation in civic and cultural life. These non-profits provide direct services to a diverse group of individuals, nonprofits, community organizations and government agencies. In 2008, both organizations saw an increase in the number of new video programs and in the community use of facilities and equipment. Media services were used by a wide variety of cultural, ethnic and underserved communities including: Hispanic, Pacific Islanders, Romanian, Russian, Arab, Persian, Ethiopian, Eritrean, African-American and Korean groups. The MHCRC also oversees the community access benefits provided by Comcast and Verizon under their franchise agreements.

Led Advocacy Efforts to Protect Local Authority and Public Services

The MHCRC participated in several Federal Communication Commission (FCC) and legislative processes in order to advocate for local control and resources derived from private use of the public right-of-ways.

- The MHCRC sent letters to Oregon's congressional delegation in support of maintaining cable franchising, localism and fees for IP Video providers as Congress takes up the re-write of the 1996 Telecommunications Act. The MHCRC continues to outline for key Congressional representatives the public interest benefits that the Jurisdictions have been able to provide the citizens of Multnomah County through cable franchising that reflect local community needs.
- The MHCRC filed comments on behalf of its member jurisdictions in the Federal Communications Commission (FCC) Hearings on Localism and Media Consolidation and the Broadcast Localism (MB Docket 04-233) proceedings.
- The MHCRC joined other national organizations and local governments to appeal the FCC Franchising Order in the Sixth Circuit Court.

MHCRC PRIORITIES AND STRATEGIC APPROACH

The proposed MHCRC budget responds to several changes in the MHCRC's operating environment and workload requirements. In developing its strategic approach, the MHCRC considered several factors that are impacting the Commission's work:

- 1) An additional active franchise (Verizon) that serves only a portion of the MHCRC's jurisdiction; whereas in the past, Comcast universally served all the MHCRC's jurisdictions;
- 2) The requirement to conduct a community technology needs ascertainment to serve as a basis for the Comcast franchise renewal (the Comcast franchise expires December 2010); and the related fact that cable companies no longer fund renewal processes (as was the case in the 1990s); and
- 3) The depressed economy; and the resulting loss of MHCRC administrative support staff position due to budget reductions for FY09-10 budget.

The Commission established two priorities to focus its resources over the next 18-24 months:

- Maintain the Commission's core responsibility of franchise management and regulation;
- Conduct a high-quality community technology needs ascertainment and franchise renewal process with Comcast.

The MHCRC also revisited the original funding formula for the Commission that determines the percentage split between the East County Jurisdictions and Portland to fund the MHCRC's annual budget (the formula was last updated in 1993). This was mainly driven by the shift in staff resources required for franchise regulation and enforcement of the new Verizon cable services franchise agreement with the East County Jurisdictions. Based on a recommendation from its Finance Committee, the MHCRC updated the funding formula to reflect current work requirements and resource distribution. The update resulted in a one percent shift in funding support from Portland to the East County jurisdictions (collectively). The proposed percentage in the 2009-10 budget is 65% of the MHCRC's budget to be funded by Portland and 35% to be funded by the East County jurisdictions (collectively).

In addition to cable franchise regulation and enforcement, the MHCRC will focus its resources on the renewal of the Comcast cable services franchise agreements with the Jurisdictions, which expire in December 2010. Under federal law, any public benefit obligation contained in a renewed franchise agreement must be based on a demonstrated community need. The proposed budget supports current staff resources and some limited consulting resources to design and implement the ascertainment and to negotiate franchises. The anticipated outcome of dedicating these resources is a well-planned, inclusive community needs ascertainment that will provide a sound legal basis to negotiate the breadth and depth of community benefits the MHCRC's constituencies have come to expect. The last ascertainment was conducted in 1994-95.

The Commission acknowledges that the policy and regulatory work of the Commission is undertaken in a very dynamic communications technology environment. Consequently, the Commission retains flexibility to modify or revise the Goals and Objectives as may be required from time to time. The MHCRC will adopt its 2009-10 goals and objectives at its meeting on June 15, 2009. Please refer to the MHCRC's website (www.mhcr.org) for current and updated goals and objectives.

BUDGET OVERVIEW

According to the Intergovernmental Agreement (IGA) among the Jurisdictions which created the MHCRC, the Commission must gain approval of its budget by every member Jurisdiction. The MHCRC's Finance Committee, comprised of four Commissioners, developed a detailed FY 2009-10 budget in consultation with its staff. On May 18, 2009, the Commission approved the proposed budget to forward to the Jurisdictions for consideration. The MHCRC provides the proposed budget to the Cities' and County's staff in advance of the City Councils' and the County Commission's consideration of the budget.

The Commission's Budget contains two budget documents: a Financial Summary and the Line Item Budget. The Budget also provides four appendixes that include more detailed information.

Franchise fee revenues overall are projected to increase by about 5 percent. The proposed budget represents a decrease of about 4 percent in expenditures. The decrease is mostly attributable to the MHCRC reducing its staff by 0.5 FTE.

FINANCIAL SUMMARY

The Commission's FY 2009-10 Financial Summary is presented on page 10. A large portion of the Commission's overall resources are funds collected from the cable companies and the expenditures are the disbursement of those funds to the member Jurisdictions, the community access providers (Portland Community Media (PCM) and MetroEast Community Media (MetroEast) and Community Access Capital Grant recipients. These disbursements are governed by the IGA and by the cable services franchises.

The amount of Commission resources from year to year is dependent on the gross revenues of the cable companies since franchise fees, the Community Access Capital Grant fund revenues and the Access Corporation Capital fund revenues are based on a percentage of the companies' gross revenues.

The Commission's **Revenue Resources** include:

First, the Commission collects all cable services franchise fee revenue for Gresham, Troutdale, Fairview, Wood Village and Multnomah County. The total projected revenues are \$1,256,827 in FY 2009-10;

Second, the MHCRC collects funds from the City of Portland for its share of the Commission's operating budget. The FY 2009-10 City of Portland share is \$283,591;

Third, the Commission administers two programs funded by two percent of Comcast's gross revenues totaling over \$2.4 million: Access Corporation Capital Fund and the Community Access Capital Grant; and

Fourth, the beginning fund balance and the interest on Commission funds.

Expenditures include:

First, franchise fee payments to the Jurisdictions. The franchise fee payments to the Jurisdictions are the total amount of franchise fees the MHCRC collects on behalf of Gresham, Troutdale, Fairview, Wood Village and Multnomah County less the amount each Jurisdiction contributes to the Commission's Operating Budget and the community access payments to MetroEast and PCM in accordance with the IGA.

Second, all MHCRC member jurisdictions contribute a portion of franchise fees to the Commission's Operating Budget (\$447,801). This is a 4 percent decrease from the current year budget. The net contribution totals \$440,775, after deducting the balance of the FY 2007-08 budget. Each Jurisdiction's net contribution is outlined below:

Gresham	\$107,714	Fairview	\$10,570
Troutdale	\$16,474	Wood Village	\$3,230
Multnomah County	\$11,668	Portland	\$283,591

The proportional funding allocation is based on the methodology adopted by the MHCRC. Greater detail is available on the cost allocation worksheet which appears in Appendix Two.

Third, community access and access corporation capital payments to MetroEast and PCM for operational and capital budgets of the community programming centers in Gresham and Portland. These payments are made in accordance with the IGA and the cable services franchise agreements.

Fourth, the Community Access Capital Grant program. These expenditures support the annual grant program.

**FINANCIAL SUMMARY
FY 2009-10**

	2006-07	2007-08	2008-09	2009-10
RESOURCES	Actual	Actual	Revised	Proposed
Beginning Fund Balance	3,367,179	4,443,465	5,235,894	3,424,337
E. County Franch. Fees	1,048,501	1,107,942	1,071,243	1,182,655
Multnomah West Franch. Fees	56,548	68,652	61,240	74,172
Portland Share of Operating Bud. (1)	282,689	88,768	68,328	283,591
Interest	171,765	181,699	112,000	32,000
Community Access Capital Grant	1,219,478	1,265,537	1,205,495	1,239,338
Access Corporation Capital Revenue	1,176,923	1,265,538	1,205,495	1,239,338
Compliance Revenue	0	43,899	0	0
Total Resources	3,955,904	4,022,035	3,723,801	4,051,094
Total	\$7,323,083	\$8,465,500	\$8,959,695	\$7,475,431
REQUIREMENTS				
EXPENDITURES				
Franchise Fee Balance to Jurisdictions	301,496	315,315	298,305	353,075
Community Access Pmt, E. County (MetroEast)	622,780	664,765	642,746	678,060
Community Access Pmts, Mult. West (PCM)	33,002	51,579	36,744	42,015
MHCRC Operating Budget	426,392	463,679	509,385	447,801
Grant / I-Net Operating Budget	109,750	107,177	165,618	165,027
Access Corporation Capital	999,264	1,049,345	1,205,495	1,239,337
Community Access Capital	385,996	799,525	1,400,000	1,500,000
Community Access Capital-Contingency	—	—	1,518,966	2,252,106
Personnel Serv. Expended in Portland GF (1)		(221,779)	(241,901)	
Total Expenditures	\$2,878,680	\$3,229,606	\$5,535,358	\$6,677,421
Ending Fund Balance	4,443,465	5,235,894	3,424,337	798,010
Total	\$7,322,145	\$8,465,500	\$8,959,695	\$7,475,431

(1) City of Portland share of MHCRC budget is included in these two line items.

LINE ITEM BUDGET - SUMMARY

The Commission's FY 2009-10 Line Item Budget provides detail for expenditures included in the Financial Summary.

The proposed budget includes a staffing level of 3.30 FTE. This staffing level allows the Commission to maintain its core programs and address additional workload requirements (as described in the Budget Overview), which include:

- ❑ **Monitoring and enforcing cable franchises;**
- ❑ **Administering the Community Access Capital Grant program;**
- ❑ **Implementing the Community Institutional Network;**
- ❑ **Overseeing community access resources;**
- ❑ **Advocating for the Jurisdictions in legislative, federal and state proceedings;**
- ❑ **Providing sound financial management; and**
- ❑ **Conducting an inclusive and legally sound community needs ascertainment.**

The total FY 2009-10 proposed expenditures is \$4,425,315 and contingency of \$2,252,106 for the disbursement of prior year capital grants. The total consists of expenditures funded by dedicated revenues either under the IGA or the franchise agreement in the amount of \$6,229,620, and \$447,801 in Commission's operating expenditures funded by Jurisdictional contributions from the franchise fees.

**LINE ITEM BUDGET - SUMMARY
FISCAL YEAR 2009 -10**

Expenditure Classification	Actual FY 2006-07	Actual FY 2007-08	Adopted FY 2008-09	Proposed FY 2009-10
511000 Employees	254,366	229,329	298,904	283,325
517000 Benefits	103,001	91,182	118,033	103,202
Total Personal Services	\$357,367	\$320,511	\$416,937	\$386,527
521000 Professional Services	63,773	52,427	82,500	91,000
529000 Miscellaneous Services	8,730	2,361	1,200	8,200
Pass Through Payments (PEG & Fr.Fee Bal)	2,342,793	2,402,795	3,417,875	3,837,087
531000 Office Supplies	546	1,259	1,825	1,825
532000 Operating Supplies	461	2,608	4,500	4,000
541000 Education	3,473	4,673	3,600	3,600
542000 Local Travel	294	518	1,400	1,000
543000 Out-of-Town Travel	4,997	5,540	7,000	4,000
549000 Miscellaneous	8,728	5,489	9,692	8,165
Total External Materials & Svcs	\$2,433,795	\$2,477,669	\$3,529,592	\$3,958,877
551000 Fleet Services	70	26	156	141
552000 Printing/Distribution	8,168	8,791	7,707	7,716
553000 Facilities Services	25,132	24,256	10,853	12,099
554000 Information Technology (IT)	20,602	20,156	17,000	19,282
556000 Insurance	8,243	9,116	8,243	9,800
558312 Legal Advice	10,521	10,900	11,205	12,205
Total Internal Materials & Svcs	\$72,736	\$73,245	\$55,164	\$61,243
Total Materials & Services	\$2,506,531	\$2,550,914	\$3,584,756	\$4,020,120
572101 General Fund Overhead	14,782	15,748	14,669	18,668
571100 Contingency	0	0	1,518,996	2,252,106
Total Other	14,782	15,748	1,533,665	2,270,774
Funds expended in Portalnd General Fund	0	(221,779)	(241,901)	
Total	\$2,878,680	\$2,665,394	\$5,535,358	\$6,677,421
Professional Services	Acct: 521000		Pass Through Payments	Acct: 529000
Operating Budget	28,000		Comm. Access Capital	1,500,000
Capital Fund Budget	63,000		East County Fr. Fee Balance	720,075
Total	91,000		Access Corporation Capital	1,239,337
				3,459,412

APPENDIX ONE

FY 2009-10 BUDGET DETAIL

The Budget Detail includes three documents: the MHCRC Operating Budget; the MHCRC Operating Budget with PEG and I-Net expenditures less PEG grants and Pass Through Payments; and an Operating Budget Line Item Detail.

Operating Budget

This document presents the MHCRC's "Operating Budget" funded by contributions from the member Jurisdictions. The proposed operating budget has a 4 percent decrease from the current fiscal year (FY08-09) budget.

A detail of each Jurisdiction's contribution is included in Appendix Two.

MHCRC Operating Budget with PEG and I-Net

This document includes the administrative budget for managing the PEG grants and I-Net in addition to the MHCRC's "Operating Budget" funded by contributions of the member Jurisdictions.

MHCRC Operating Budget Line Item Detail

This document is the highest level of detail of MHCRC's Operating Budget including the I-Net and PEG administrative expenditures. In this document, individual expenditures are itemized within each line item.

Please note: The expenditures under the Grants/I-Net column are funded by revenues dedicated, either in the IGA or the franchise agreements, to a particular use (pass through payments, access corporation capital and grants).

COMMISSION OPERATING BUDGET
Funded by Jurisdictions
Fiscal Year 2009-10

Acct.	Title	FY 2006-07 Actual	FY 2007-08 Actual	FY 2008-09 Adopted	FY 2009-10 Proposed
5110	Employees	200,143	229,329	242,173	226,260
5170	Benefits	81,649	91,182	94,905	81,412
Personnel Services		\$281,792	\$320,511	\$337,078	\$307,672
5210	Professional Services	52,667	32,316	19,500	28,000
5290	Miscellaneous Services	8,729	2,361	1,200	8,200
5310	Office Supplies	546	1,259	1,825	1,825
5320	Operating Supplies	461	2,608	4,500	4,000
5410	Education	3,458	4,628	3,000	3,000
5420	Local Travel	294	518	1,400	1,000
5430	Out-of-Town Travel	4,997	5,540	6,000	3,000
5490	Miscellaneous	6,369	3,534	6,692	5,165
External Materials and Services		\$77,521	\$52,764	\$44,117	\$54,190
5510	Fleet Services	70	26	156	141
5520	Print/Distribution	7,298	8,406	6,125	6,162
5530	Facilities Services	19,931	29,535	8,625	9,662
5540	Information Technology (IT)	14,322	22,740	13,511	15,398
5560	Insurance/Workers Comp	6,497	9,116	6,551	7,826
558312	Legal Advice	7,190	7,500	7,805	9,948
Internal Services		\$55,308	\$77,323	\$42,773	\$49,138
572101	GF Overhead	11,771	13,082	11,658	14,908
575101	COLA	0	0	10,679	4,400
571100	Contingency	0	0	19,180	17,493
Cable Fund Services		\$ 11,771	\$ 13,082	\$ 41,517	\$ 36,801
Total-Funded by Jurisdictions		\$426,392	\$463,680	\$465,485	\$447,801

**COMMISSION OPERATING BUDGET WITH PEG AND I-NET
(Funded by Jurisdictions and other Dedicated Resources) *
FY 2009-10**

Acct.	Title	FY 2008-09 Adopted	FY 2009-10 Proposed
5110	Employees	298,904	283,325
5170	Benefits	118,033	103,202
Personnel Services		\$416,937	\$386,527
5210	Professional Services	82,500	91,000
5290	Miscellaneous Services	1,200	8,200
5310	Office Supplies	1,825	1,825
5320	Operating Supplies	4,500	4,000
5410	Education	3,600	3,600
5420	Local Travel	1,400	1,000
5430	Out-of-Town Travel	7,000	4,000
5490	Miscellaneous	9,692	8,165
External Materials and Services		\$111,717	\$121,790
5510	Fleet Services	156	141
5520	Print/Distribution	7,707	7,716
5530	Facilities Services	10,853	12,099
5540	Information Technology (IT)	17,000	19,282
5560	Insurance/Workers Comp	8,243	9,800
558312	Legal Advice	11,205	12,205
Internal Services		\$55,164	\$61,243
572101	Overhead	14,669	18,668
571100	COLA	13,437	7,106
571100	Contingency	19,180	17,493
571100	Contingency Reserve-Discretionary	43,899	0
Cable Fund Services		\$ 91,185	\$ 43,267
TOTAL		\$675,003	\$612,827
Total funded by dedicated PEG resources plus Conting., Reserve.		\$ 209,517	\$ 165,027
Total funded by Jurisdictions		\$ 465,486	\$ 447,801

*** Dedicated funds and resources:**

1. Interest from MHCRC Fund Balance

2. Dedicated PEG Capital Funds

OPERATING BUDGET - LINE ITEM DETAIL

Fiscal Year 2009-10

Proposed

Line Item	Description FY 2009-10 FY 2008-09			
		Commission Operation	Grant / I-Net	Total	Commission Operation	Grants / I-Net	Total	
5110	<i>Employees :</i>							
	Director	0.50	59,349	2,473	61,822	55,469	2,311	57,780
	Dep. Director	0.50	45,323	2,893	48,216	43,665	2,787	46,452
	Financial Analyst	0.50	28,585	12,251	40,836	27,535	11,801	39,336
	Program Manager	0.80	41,182	22,175	63,357	43,072	23,192	66,264
	Program Specialist	1.00	51,821	17,274	69,094	49,917	16,639	66,556
	Office Support Sp III	0.00				22,516		22,516
	Total	3.30	\$226,260	\$57,065	\$283,325	\$242,173	\$56,731	\$298,904
5170	<i>Benefits:</i>							
	Director	0.50	18,214	759	18,973	18,640	777	19,417
	Dep. Director	0.50	15,809	1,009	16,818	16,273	1,039	17,312
	Financial Analyst	0.50	10,723	4,595	15,318	11,004	4,716	15,720
	Program Manager	0.80	15,621	8,412	24,033	17,503	9,425	26,928
	Program Specialist	1.00	21,045	7,015	28,060	21,515	7,172	28,686
	Office Support Sp III	0.00				9,970	0	9,970
	Total	3.30	\$81,412	\$21,790	\$103,202	\$94,905	\$23,128	\$118,033
	Personnel Services (Total)		\$307,672	\$78,855	\$386,527	\$337,079	\$79,858	\$416,937
5210	<i>Professional Services:</i>							
	Engineering Tech. Services		2,000	40,000	42,000	3,000	40,000	43,000
	Outreach		2,000	20,000	22,000	2,000	20,000	22,000
	Outside Legal Services		4,000	0	4,000	2,000	0	2,000
	Financial Services		16,000	3,000	19,000	9,000	3,000	12,000
	MetroEast Sponsorship		500		500	0		0
	MHCRC and Staff Retreat		3,500		3,500	3,500		3,500
	Total		\$28,000	\$63,000	\$91,000	\$19,500	\$63,000	\$82,500
5290	<i>Miscellaneous Services :</i>							
	Administrative Support		7,000	0	7,000	0	0	0
	Mail Delivery Service		1,200	0	1,200	1,200	0	1,200
	Total		\$8,200	0	\$8,200	\$1,200	\$0	\$1,200
5310	Office Supplies		\$ 1,825	\$ -	\$1,825	\$ 1,825	0	\$1,825
5320	<i>Operating Supplies:</i>							
	Printer, Fax, & other supplies		2,500	0	2,500	2,500	0	2,500
	Software Upgrade		1,000	0	1,000	1,000	0	1,000
5350	Data Processing Equip.		500		500	1,000		1,000
	Total		\$4,000	\$0	\$4,000	\$4,500	0	\$4,500
5410	<i>Education:</i>							
	Computer Training		0	0	0	1,000	0	1,000
	Cable Regulatory Training		3,000	600	3,600	2,000	600	2,600
	Total		\$3,000	\$600	\$3,600	\$3,000	600	\$3,600

OPERATING BUDGET - LINE ITEM DETAIL

Fiscal Year 2009-10

Proposed

Line Item	Description FY 2009-10 FY 2008-09		
		Commission Operation	Grant / I-Net	Total	Commission Operation	Grants / I-Net	Total
5420	Local Travel	1,000	0	1,000	1,400	0	1,400
5430	Out of Town Travel	\$3,000	\$1,000	\$4,000	\$6,000	1,000	\$7,000
5490	Miscellaneous:						
	NATOA - Membership	1,100	0	1,100	1,100	0	1,100
	ACM - Membership	750	0	750	750	0	750
	Grantmakers of Oregon	0	2,000	2,000	0	2,000	2,000
	Subscriptions:						0
	Multichannel News	0	0	0	900	0	900
	Oregonian	80	0	80	80	0	80
	Gresham Outlook	85	0	85	85	0	85
	Law Journal Press	600	0	600	600	0	600
	West Group	350	0	350	350	0	350
	Lexis Nexis	1,000	0	1,000	1,400	0	1,400
	Parking; MHCRC & Customers	600	0	600	800	0	800
	Refreshments for MHCRC meetings	600	1,000	1,600	627	1,000	1,627
	Total	\$5,165	\$3,000	\$8,165	\$6,692	\$3,000	\$9,692
	Total, External M & S	\$54,190	\$67,600	\$121,790	\$44,147	\$67,600	\$111,747
	<i>Internal Service:</i>						
5510	Fleet Services	141	0	141	156	0	156
5520	Print/Distribution	6,162	1,554	7,716	6,125	1,582	7,707
5530	Facilities Services	9,662	2,437	12,099	8,625	2,228	10,853
5,540	Information Technology (IT)	15,398	3,884	19,282	13,511	3,489	17,000
5,561	Insurance and Claims	4,958	1,251	6,209 Included below		0
5566	Workers Comp	2,868	723	3,591	6,551	1,692	8,243
558312	Legal Advice	9,948	2,257	12,205	7,805	3,400	11,205
	Total Internal Svcs	\$49,138	\$12,105	\$61,243	\$42,773	\$12,391	\$55,164
572101	Overhead	14,908	3,760	18,668	11,658	3,011	14,669
571100	COLA - EC Share	4,400	2,706	7,106	10,679	2,758	13,437
571100	Contingency	17,493	0	17,493	19,180	0	19,180
	Total Other	\$36,801	\$6,466	\$43,267	\$41,517	\$5,769	\$47,286
	Operating Budget	\$447,801			\$465,486	\$165,618	\$631,104
	Contingency Reserve		0	0	43,899		43,899
	Dedicated Fund Resources		\$165,027			\$ 165,618	
	Total			\$612,827	509,385		\$675,003

APPENDIX TWO

BUDGET ALLOCATION BY JURISDICTION

All member Jurisdictions contribute to the operation of the MHCRC. For FY 2009-10, the Commission used the funding methodology adopted by the Jurisdictions. The methodology is based on an agreed upon shared percentage of the Commission's operating costs between Portland and the East County Jurisdictions. The East County share is then allocated among Fairview, Gresham, Troutdale, Wood Village and Multnomah County based on the number of cable subscribers in each Jurisdiction. The MHCRC updated the funding formula for FY2009-10 budget to more accurately reflect current work requirements and resource distribution (see page 5 for more detail).

**BUDGET ALLOCATION BY JURISDICTION
COMMISSION OPERATING BUDGET
FY 2009-10**

Operating Budget Total: \$ 447,801

JURISDICTION		FY 2008-09 Adopted	FY 08-09 %%	FY 2009-10 Proposed	FY 09-10 %%	Credit Balance FY 07-08	Net Juris. Appr.
Portland	Subscriber Distribution	\$308,617	66.3%	\$289,775	65%	6,184	\$ 283,591
E. County	No. Of Subs Perc. Distr.						
Gresham	20,725 71.8%	\$109,986	23.6%	\$113,410	25.3%	\$5,698	\$107,712
Multnomah Co.	2,343 8.1%	\$14,344	3.1%	\$12,821	2.9%	\$1,153	\$11,668
Troutdale	3,169 11.0%	\$17,646	3.8%	\$17,341	3.9%	\$867	\$16,474
Fairview	2,015 7.0%	\$11,524	2.5%	\$11,026	2.5%	\$456	\$10,570
Wood Village	626 2.2%	\$3,369	0.7%	\$3,426	0.8%	\$196	\$3,230
E. County Total	28,878 100.0%	\$156,869	33.7%	\$ 158,025	35%	\$ 8,370	\$ 149,655
Total		\$465,486	100.0%	\$447,800	100.0%	\$ 14,554	\$ 433,246

**MT HOOD CABLE REGULATORY COMMISSION
CABLE SUBSCRIBERSHIP**

Jurisdictions	Jul-07	Jul-08	FY 2009-10 Distribution	Percentage Incr./Decr
<u>E. County</u>				
Gresham	19,652	20,725	71.8%	5.5%
Multnomah Co. E & W	2,563	2,343	8.1%	-8.6%
Troutdale	3,153	3,169	11.0%	0.5%
Fairview	2,059	2,015	7.0%	-2.1%
Wood Village	602	626	2.2%	4.0%
E. County Total	28,029	28,878	100.0%	3.0%
Portland	123,228	126,516		2.7%
Total MHCRC Subscribers	151,257	155,394		2.7%
Source: Comcast Subscriber Penetration Report				
July-07				
July-08				

APPENDIX THREE

FRANCHISE FEE REVENUE AND DISBURSEMENT DETAIL

**FRANCHISE FEE REVENUES AND DISBURSEMENTS
FY 2009-10
PROPOSED**

Jurisdictions	Franchise Fees	Net Budget Appropriation	MetroEast	PCM	Payments to Jurisdictions
Portland		283,591		\$909,697	
GRESHAM	878,738	107,714	527,243		243,781
MULTNOMAH CO., EAST	49,289	11,668	29,573		8,048
MULTNOMAH CO., WEST	74,172	N/A	N/A	44,503	29,669
TROUTDALE	140,911	16,474	84,547		39,890
FAIRVIEW	88,108	10,570	52,865		24,673
WOOD VILLAGE	25,608	3,230	15,365		7,013
Total, East County	\$1,256,827	\$149,656	\$709,593	\$44,503	\$353,075
Total		\$433,247	-	\$954,200	-

FY 2009-10 Budget less FY 2007-08 Credit Balance

Jurisdictions	FY 2009-10 Proposed	Credit Balance FY 07-08	Net Budg. Approp. FY 2009-10
PORTLAND	289,775	6,184	283,591
GRESHAM	113,412	5,698	107,714
MULTNOMAH CO.	12,821	1,153	11,668
TROUTDALE	17,341	867	16,474
FAIRVIEW	11,026	456	10,570
WOOD VILLAGE	3,426	196	3,230
Sub Total, East County	\$158,025	\$8,370	\$149,656
Total	\$447,801	\$14,554	\$433,247

FRANCHISE FEE BALANCE TO JURISDICTIONS

Jurisdictions	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Revised Proj	FY 09-10 Projection	Increase/ (decr) 08/09 vs., 09/10
GRESHAM	211,500	241,435	233,148	243,781	\$10,634
MULTNOMAH CO., EAST	5,767	4,381	6,174	8,048	\$1,874
MULTNOMAH CO., WEST	24,015	28,578	19,128	29,669	\$10,541
TROUTDALE	36,322	36,219	36,339	39,890	\$3,552
FAIRVIEW	23,259	23,009	22,722	24,673	\$1,952
WOOD VILLAGE	6,852	7,147	6,604	7,013	\$409
Total	\$307,715	\$340,769	\$324,114	\$353,075	\$28,961

APPENDIX FOUR

ACCESS DISBURSEMENT DETAIL (MetroEast and PCM)

The Commission administers two contracts with the community access providers that serve the Jurisdictions. Attachment 1 presents the FY 2009-10 budget for MetroEast Community Media (MetroEast). MetroEast serves the East Multnomah County area. Attachment 2 presents the FY 2009-10 budget for Portland Community Media (PCM). PCM serves the City of Portland area.

The access providers receive funding for both operations and capital expenditures. The majority of PCM's operational resources is based on a contract between PCM and the City of Portland and is not included in the MHCRC's budget. MetroEast receives operational resources, in accordance with the IGA that created the Commission, based on 60 percent of the franchise fees for the East County area. Both organizations receive access corporation capital funding from franchise resources dedicated for this use.

A summary chart of Access Resources is included below.

1. MetroEast Community Media:

60 % of East County Cable Franchise Fees	\$ 678,060
<u>Access Corporation Capital</u>	<u>\$ 557,348</u>
Total	\$1,255,408

2. Portland Community Media:

City of Portland General Fund	\$ 909,697
60% of West Multnomah County	\$ 42,015
<u>Access Corporation Capital</u>	<u>\$ 661,989</u>
Total	\$ 1,612,701

Attachment 1

METROEAST COMMUNITY MEDIA BUDGET

FISCAL YEAR 2009-10



829 NE Eighth St.
 Gresham, OR 97030
 503.667.8848
 Fax: 503.667.7710
www.metroeast.org

*SERVING EAST METRO
 WITH MEDIA
 Training
 Technology
 Transmission*

METROEAST CHANNELS
Seen on Comcast Cable

11	CAN
	<i>Community Access Network</i>
21	<i>MetroEast Television</i>
22	<i>MetroEast Community Affairs</i>
23	<i>Portland Community Media</i>
27	<i>Educational Access (East Metro Only)</i>
28	<i>Educational Access</i>
29	<i>MetroEast Program Guide Community Bulletin Board Oregon Public Affairs Network</i>
30	<i>MetroEast Municipal</i>

METROEAST COMMUNITY MEDIA FY 2009-10 BUDGET NARRATIVE

MetroEast Community Media, East Metro's truly local electronic media, pursues its mission of building community through media by promoting broad participation in civic and cultural life through the effective use and understanding of community media. A non-profit organization, MetroEast provides East Metro residents, community organizations, local governments, and schools free and low cost access to the medium of television and other means of distribution, media literacy training, and video production. MetroEast and citizen-produced programming is distributed to over 65% of East Metro households and over 400,000 households in the Portland metropolitan region. MetroEast produces city council meetings and work sessions and other government and community meetings as well as programming used as educational and informational tools at meetings, community forums and classroom settings.

WHAT WE DO

MetroEast produces and facilitates programming with many diverse partners and on wide-ranging topics. MetroEast partnered with over 200 community organizations and will facilitate about 4,500 hours of programming in FY 2009-10, including:

- Live and taped coverage of East Metro local governments, including city council and planning commission meetings and budget and special hearings as well as the Rockwood Water PUD, and Metro.
- Working with educational partners in East Multnomah County to produce programs on academic and extracurricular activities in local schools, coverage of school board meetings and programs on school safety.
- Provided the only regular electronic media coverage of East Metro area events and public affairs.
- Increasing citizen involvement through programs such as *Candidate Speak Out*, a live call-in for local candidates, and *Community Hotline*, a live call-in program where community organizations provide information and answer questions about their services.
- The Oregon Learning Lab for Information and Education (OLLIE,) a mobile facility for use by schools and community groups that provides access to training and tools to use technology to improve learning and build community.

Community television and beyond.



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- Coverage of local community events such as the Gresham Area Chamber of Commerce's benefit breakfast and public affairs forums, Gresham's *Teddy Bear Parade*, *Senior Showcase*, *Civic Agenda* and *MetroEast Outlook*.

HOW WE DO IT

MetroEast makes these services possible through training, access to equipment, staff support and program production. For the past several years, use of MetroEast facilities and hours of programming produced at MetroEast has increased; these trends continued this year continued. In FY 2009-10, MetroEast will:

- Offer training to 650 people in 125 classes
- Produce and facilitate 4,500 hours of programming by, for and about East Metro, its residents and their concerns and issues
- Have 300 volunteers give 10,000 hours of their time to MetroEast and the community
- Loan equipment to community members who are creating programming for and about the East Metro area for more than 2,200 days
- Provide more than 75 hours of staff assistance and support to the public each week, an annual total of more than 3,900 hours.

PREPARING FOR THE FUTURE

MetroEast's strategic plan is based on information gathered from a community needs assessment and includes the following strategic directions:

- Building community through media by incorporating a broadened range of media tools, including diversified delivery systems, and serving as a community gathering space for opportunities for face-to-face dialogue.
- Innovating in our practices and processes by challenging ourselves to create new ways of doing business, including expanding partnerships and researching best and emerging practices in the field.
- Catalyzing diverse and responsive programming by facilitating and creating additional community issue forums and other programming that directly responds to East Metro area community needs.
- Improving visibility and awareness by articulating the benefits of MetroEast programming and services based on understanding audience/constituent needs and wants.



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- Developing partnerships to diversify funding by seeking grant funding, earned income and other opportunities to supplement cable-related resources.
- Making it easy by lowering the technical threshold to aid the participation of diverse individuals, community groups and local governments and creating ways to “meet groups where they are” as a starting point for their involvement.
- Administering and governing with accountability through board and staff development, planning, and financial oversight.

MetroEast is continuing to pursue these strategic directions through new activities such as providing training and access to new methods of program distribution and producing new programs designed to increase public knowledge about the activities of East Metro local governments.

MetroEast is developing plans for a community needs assessment FY 2009-10 in preparation for franchise renewal negotiations with Comcast. The information gained through this assessment will be used to develop a strategic plan that will continue MetroEast’s high standards of service to the community.

THE NUMBERS

As with almost every other non-profit organization, school district and local government, MetroEast has responded to the faltering economy with significant budget cuts. And, as is usually the case, it’s MetroEast employees who have borne the brunt of those cuts.

Personnel expenditures have been reduced by over 9% over this year’s budget and are slightly lower than actual expenditures were for FY 2007-08. These cuts were accomplished by freezing salaries, eliminating MetroEast’s contribution to employee’s retirement plan, not filling vacant positions, and by some employees taking leave-without-pay. These measures have decreased MetroEast personnel costs by more than 9% over the current fiscal year budget.

The consulting line has decreased because MetroEast has withdrawn from the Oregon Learning Lab for Information and Education (OLLIE) project. MetroEast reimbursed Portland Community Media for the cost of salaries and benefits for OLLIE through its consulting line. With the elimination of those expenses, MetroEast consulting costs have decreased.

Other significant decreases have come in:

- Education & Training and Travel which have been eliminated for FY 2009-10

Community television and beyond.



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MetroEast Municipal

- Food and Business Meals have decreased by more than one third
- Printing and postage costs have decreased by more than 50 percent due to moving to an electronic newsletter

These reductions will save over \$28,000 compared to the current fiscal year budget.

Overall, MetroEast's non-capital budget will decrease by 10% from FY 2008-09.

Capital expenditures in FY 2009-10 will remain similar to previous years with one exception. In constructing its new facility, MetroEast used over \$900,000 of unrestricted non-capital for building costs. Line item 8090 (Building Loan Transfer) reflects a partial repayment of those funds to non-capital revenue and expenditures. Other payments for the building are reflected in line items 8011, 8013, 8014, 8015. Long-term debt reduction (8014) and long-term interest (8011) can vary significantly from year-to-year due to the provisions of the loans used to finance MetroEast's building.

Community television and beyond.

PROPOSED BUDGET
METROEAST COMMUNITY MEDIA
FY 2009-10

	ACTUAL 2006-07	ACTUAL 2007-08	BUDGET 2008-09	PROJECTED YEAR END 2008-09	PROPOSED BUDGET 2009-10
INCOME:					
4130 Franchise Fees, Multnomah	\$ 564,772	\$ 659,381	\$ 642,746	\$ 700,639	\$ 678,060
4090 Interest	17,403	127	100	930	1,000
4270 Activity Fees/Fees for Service	150	14,323	14,000	14,802	17,500
4200 Other	27,500	42,597	49,000	7,884	11,480
4172 Capital Funds	4,500	458,304	559,834	559,834	577,348
4162 Investment Fund Withdrawal	458,304	417,241	298,860	339,550	0
4905 Building Loan Transfer	250,337	0	0	0	194,397
TOTAL OPERATING INCOME	\$ 1,322,966	\$ 1,591,973	\$ 1,564,540	\$ 1,623,639	\$ 1,479,785
EXPENSES:					
Personnel					
7020 Full-Time Salaries	\$ 470,863	\$ 458,448	\$ 523,846	\$ 500,166	\$ 492,552
7030 Part-Time Salaries	78,677	92,278	83,539	99,433	92,943
7050 Taxes & Fringe Benefits	150,014	152,038	157,920	164,479	117,099
Total Personal Services	\$ 699,554	\$ 702,764	\$ 765,305	\$ 764,078	\$ 702,594
Operations					
6020 Accounting	\$ 15,187	\$ 15,747	\$ 16,500	\$14,500	\$ 15,000
6041 Consulting	44,418	39,672	56,000	54,000	39,500
6051 Dues & Subscriptions	14,138	12,681	14,000	11,113	12,000
6060 Educational Program Acquisition	(334)	0	300	400	0
6061 Education & Training	9,633	3,889	8,055	6,000	0
6062 Business Meals/Related	1,775	1,164	2,500	2,740	1,000
6063 Ed. Tuition Reimbursement	0	0	200	0	0
6064 Events	0	2,372	2,500	975	0
6070 Food	8,269	9,294	8,500	11,000	6,000
6100 Insurance	40,231	41,076	45,000	45,143	49,000
6110 Janitorial	9,649	9,600	9,800	9,642	10,400
6130 Legal	4,863	7,587	5,500	1,250	4,500
6131 Local Travel & Mileage	2,179	1,605	2,860	2,299	2,222
6140 Maintenance Supplies	649	1,307	1,673	2,021	1,486
6160 Office Supplies	3,231	4,561	4,145	5,594	3,782
6161 Operating Supplies	9,099	6,026	7,776	6,838	6,915
6170 Personnel Recruitment	0	2,914	1,272	978	0
6171 Phones	7,926	8,576	8,923	8,234	11,177
6172 Postage	7,129	5,336	7,371	4,969	6,000
6173 Printing	13,166	13,380	11,819	8,428	3,400
6174 Marketing/Promotion	9,615	7,271	6,929	5,604	3,000
6190 Repairs & Maintenance	7,285	5,929	5,105	6,703	4,258
6211 Travel	5,838	3,769	5,340	1,324	0
6220 Utilities and Maintenance	15,715	17,096	16,400	17,468	17,359
6230 Vehicle Maintenance	405	349	500	296	344
Total Materials & Services	\$ 230,066	\$ 221,201	\$ 248,968	\$ 227,519	\$ 197,343

PROPOSED BUDGET
METROEAST COMMUNITY MEDIA
FY 2009-10

		ACTUAL 2006-07	ACTUAL 2007-08	BUDGET 2008-09	PROJECTED YEAR END 2008-09	PROPOSED BUDGET 2009-10
	Capital					
8001	Misc. Debt Expense	\$ 3,750	\$ 3,780	\$ 0	\$1,085	\$ 3,750
8002	Books	0	250	125	131	125
8003	Maintenance Supplies	0	0	3,000	0	500
8004	Office Supplies	2,839	3,230	2,200	175	1,000
8005	Operating Supplies	11,880	1,238	4,687	225	1,500
8006	Repairs & Maintenance	0	2,944	1,000	0	1,000
8007	Media/Videotape	2,667	1,468	1,500	1,650	1,500
8008	Equipment lease - Debt Reductio	27,185	30,027	33,165	33,165	35,577
8009	Equipment lease - Interest	13,092	10,250	7,112	7,112	4,700
8011	Interest - Short Term Loans	61,333	378,000	44,281	41,846	67,473
8013	Interest - Long Term Loan	63,761	49,172	113,781	89,505	74,406
8014	Debt Reduction - Short Term Loa	160,000	10,665	146,216	320,000	43,254
8015	Debt Reduction - Long Term Loa	10,666	61,938	24,831	11,732	10,666
8030	Leasehold Improvements	19,131	3,384	11,500	713	5,000
8016	Building Maintenance Fund	11,000	11,000	11,500	11,500	0
8040	Office Equipment	33,240	16,173	25,000	10,000	25,000
8050	Office Furnishings	1,908	1,560	10,000	2,100	7,500
8060	Production & Maintenance Equip	138,582	68,061	120,000	65,000	100,000
8090	Building Loan Transfer	0	0	0	0	194,397
	Total Capital	\$ 561,034	\$ 653,140	\$ 559,898	\$ 595,939	\$ 577,348
	TOTAL OPERATING EXPENSE	\$ 1,490,654	\$ 1,577,105	\$ 1,574,171	\$ 1,587,536	\$ 1,477,285

METROEAST COMMUNITY MEDIA
FY 2009-10 PEG BUDGET
LINE ITEM EXPLANATION

INCOME:

4130 Multnomah Franchise Fees

Five percent of gross revenue of Comcast for East Multnomah County system, of which MetroEast receives 60 percent.

4090 Interest

Income projected on current interest rates.

4200 Other

Tape duplication, refunds, special events, underwriting, donations.

4270 Activity/Fees for Service

Moneys from activity fees and charging for MetroEast services.

4172 Capital Funds

Moneys from franchise capital revenues dedicated to PEG access providers.

4162 Investment Withdrawal

Withdrawals from MetroEast's investment fund.

4905 Building Loan Transfer

Internal transfer of capital funds to operations to reimburse operations funds spent on building construction.

EXPENSES:

7020 Full-time Salaries.

Salaries for full-time employees.

7030 Part-time Salaries

Salaries for part-time employees.

7050 Taxes & Benefits

Includes pension plan contribution, insurances, FICA, Tri-Met and state unemployment tax.

6020 Accounting

Cost of annual audit and accounting support services.

6041 Consulting

Outside professional services except for accounting, graphics, legal, janitorial and equipment repair.

6051 Dues and Subscriptions

Cable, magazine and newspaper subscriptions, professional memberships.

6060 Educational Program Acquisition

Purchase, rental, or licensing fee for any acquired programming.

6061 Education and Training

Training and education for nine Board members and fifteen employees.

6062 Business Meals/Related

Meals purchased for business-related purposes.

6063 Education Tuition Reimbursement

Costs for tuition reimbursement.

6064 Events

Speakers fees, facility rental and other costs associated with special events.

6070 Food

Food for volunteer crews working on MetroEast productions and for events.

6100 Insurance

Workers' Compensation, Volunteer, Liability (including property and auto), Excess Liability, Media Special Perils, Officers and Directors, Pension Board.

6110 Janitorial

Janitorial services.

6130 Legal

Attorney's fees for consultation and advice.

6131 Local Travel and Mileage

Employee reimbursement for business-related mileage and parking.

6140 Maintenance Supplies

Supplies used to repair and maintain equipment that last less than one year.

6160 Office Supplies

Items that are less than \$100 and that last less than one year.

6161 Operating Supplies

Production-related items that are less than \$100 and last less than one year.

6170 Personnel Recruitment

Advertising for position openings.

6171 Phones

Includes regular and cellular service.

6172 Postage:

All outgoing postage, express services, parcel shipping and other shipping.

6173 Printing

Printing done outside including newsletter, invitations, handbook, forms.

6174 Marketing and Promotion

Advertising (except job openings), promotional items, marketing surveys and services.

6190 Repairs and Maintenance

Routine and emergency maintenance.

6211 Travel

Transportation to regional and national conferences and seminars.

6220 Utilities and Maintenance

Utilities, including water and electricity and building maintenance.

6230 Vehicle Maintenance

Maintenance and repairs for two vehicles.

8001 Miscellaneous Debt Expense

Fees for building loan.

8002 Books

Training books, videos, and other books.

8003 Maintenance Supplies

Supplies used to repair and maintain equipment that last less than one year.

8004 Office Supplies

Items that are less than \$100 and that last less than one year.

- 8005 Operating Supplies**
Production-related items that are less than \$100 and last less than one year.
- 8006 Repairs & Maintenance**
Routine and emergency maintenance.
- 8007 Media/Videotape**
Video and audio media (e.g., video tape, DVDs)
- 8008 Debt Reduction - Equipment Lease**
Reduction of principle on equipment lease
- 8009 Interest - Equipment Lease**
Interest payments on equipment lease.
- 8011 Interest - Short Term Loans**
Interest payments on short term loans
- 8013 Interest on Long Term Loan**
Interest payments on Key Bank Loan
- 8014 Debt Reduction - Short Term Loans**
Payments on principle of short term loans.
- 8015 Debt Reduction - Long Term Loan**
Payments on Key Bank loan principle.
- 8016 Building Maintenance Fund**
Funds for future maintenance costs.
- 8020 Building Construction**
Construction costs for new facility.
- 8021 Property Taxes**
Property taxes paid to Multnomah County.
- 8030 Leasehold Improvements**
Improvements to MetroEast building.
- 8016 Building Maintenance Fund**
Funds set aside for major long-term maintenance (e.g., roof replacement.)
- 8040 Office Equipment**

Office equipment in excess of \$100 such as computers, copiers, fax machines.

8050 Office Furnishings

Items in excess of \$100 such as desks, chairs, cabinets, bookcases, file cabinets.

8060 Production and Maintenance Equipment:

Items in excess of \$100 for production, playback and engineering. Includes funds for emergency purchases. See attached for detail.

8090 Building Loan Transfer

Transfer of capital funds to reimburse operations funding used for building construction.

Attachment 2

PORTLAND COMMUNITY MEDIA BUDGET

FISCAL YEAR 2009-10



PORTLAND COMMUNITY MEDIA
2766 NE Martin Luther King Jr. Blvd Portland, OR 97212
Phone 503 288-1515 Fax 503 288-8173 www.pcmtv.org

TO: MHCRC FINANCE COMMITTEE
FROM: SYLVIA McDANIEL, CHIEF EXECUTIVE
DATE: APRIL 29, 2009
SUBJECT: PORTLAND COMMUNITY MEDIA (PCM) BUDGET

On April 28, 2009, the Portland Community Media (PCM) Board of Directors unanimously approved PCM's operating and capital budget for FY 2009-2010. The budget anticipates operations funding levels from the City of Portland to decrease by 2-5 percent and capital budget appropriations will increase.

For the first time, the PCM operations budget figures reflect the "real" cost of doing business. Over the years, PCM has had to re-adjust its operations budget mid-year to reflect actual expenses, reflecting a 30-50 percent budget expense gain. Fixed costs, such as electricity and natural gas, have always outpaced PCM's proposed utility budget, helping to create a year-end deficit. Mostly, the demand for services continues to rise and PCM has kept its obligation to ensure that Portlanders have:

- A forum for free speech
- An outlet for local government to connect to its community and voters
- The ability for underserved populations to have access to technology and digital communications

PCM has had to be realistic about its budget, and as a result will realize a budget increase of about 20% in 2009-2010 because of PCM's need to:

- Re-adjust salaries due to pay discrepancies.
- Hire critical personnel that would include a Development Director, who can enhance PCM's fund diversity, and an Executive Assistant that can support the Chief Executive.
- Market and promote PCM (PCM's low visibility is often a criticism of supporters).
- Participate in community surveys that support the cable franchise and city contract negotiations.
- Improve capacity in the Multimedia Services Division, PCM's "cash cow" or revenue source that can generate additional business contracts.
- Enhance channel content, quality and visibility, particularly on CityNet 30 (government channel), POP29 public interest and 22 & 23 access channels.
- Heighten outreach that would secure community satellite sites for PCM to offer additional multimedia training and content production, targeting underserved populations such as communities of color, ESL populations and those that are economically disadvantaged. PCM calls this outreach model "SmartAccess." SmartAccess is designed to offer increased capacity, cost-effectively.
- Ensure that the youth populations have access to long-term resources and linkages such as multimedia and communications careers and jobs via PCM multimedia education.

Revenue Assumptions:

PCM anticipates it will generate new revenue over and above the City operations funding of \$886,372 from these sources: PCM Multimedia Services contracts, Corporate and Foundation Grants, Federal appropriates, Income from Investment of Capital Funds, New Services Revenue, PCM Media Education Revamp, Sale of outdated capital equipment, and Energy credits. In that respect, PCM has also

proposed a 25% increase on the revenue side to make up for the increase in budget expenses. PCM anticipates it will generate the 25% revenue increase as follows:

4100—Special Projects: \$40,000

PCM Multimedia Services has developed a strong reputation as an affordable provider of fee-for-service productions supporting nonprofits, government and special projects. Presently, the department averages \$100K annually from projects that come by word-of-mouth, referrals and long-time partnerships. This year, Multimedia Services received three new clients (that were referred), which generated an additional \$20,000.

- Multimedia Services will collaborate with the Development Director to design a strategy to identify new clients and contracts to include small business, industry (e.g. manufacturing), corporate presentations, RFP's, business-to-business and infomercials.
- Multimedia Services anticipates it will need to procure five to six new clients and/or contracts to reach the goal of \$40K additional revenue.

4300—Media Education (adults, small business and nonprofits): \$52,000

PCM Multimedia Education is very popular and experiences class attendance at full capacity and waiting lists.

- Multimedia Education Managers will expand the capacity of the Media Education program by offering a myriad of multimedia classes.
- The goal is to expand program capacity, utilizing around 20-30 independent contract trainers.
- Trainers will have a variety of skills that include bilingual and curriculum development. There is funding for bilingual education, an area that PCM has yet to target.
- Essentially, the overall goal is to develop a sustainable program that pays for itself. PCM has already laid the foundation with its current Multimedia Education and Training program.

4325—Youth Media Education (ages 10-18 includes partner orgs.): \$105,000

PCM will hire a Youth Media Manager, who will report to the Development Director. The ideal manager will have fund and program development skills.

- PCM has revamped its Youth Media program in order to reduce costs, which again includes a CTC Youth Media Vista approved by the federal government CTC Vista Project.
- Youth Media will have wider funding opportunities. For example, PCM has had opportunities to submit funding requests to new funding sources such as Oregon Federal Appropriations (Sponsored by Senators Wyden & Merkley), Children's Investment Fund (CIF) and Worksystems, Inc. PCM will also resubmit a second LOI to the Gates Foundation.
- PCM has relationships with foundations for its Youth Media program that will be re-cultivated.
- Current grant proposals pending are approximately \$3M over three years.

4355—Grants/Capacity Building: \$110,000

PCM has hired a full-time Development Director. The Development Director will:

- Design, implement and manage a comprehensive development strategy.
- Organize Board Development Committee and identify realistic funding strategies.
- Re-cultivate and secure funding and business development relationships (contracts).
- Funding diversification strategy will be implemented and target foundations, corporations, donors, sponsorship, event fundraising, new business and program development.

4409—Energy Savings Project: \$52,000

PCM Development and Finance Team will:

- Identify and utilize available energy tax credits flow through,
- Seek and procure Green Grants for green capital projects (e.g. stimulus programs and State of Oregon CDCC program),

- Participate in recycling and return reward programs.

4585—User Fees: \$10,000

PCM has surpassed the \$10,000 activity fee goal in 2008/2009 and will continue into 2009-2010.

4830—Gain of Sale: \$35,000

PCM will begin to replace and sell its depreciated equipment reducing costly repairs.

The salary line item in the operations budget has trended upward since 2004 due to the community's demand for services and PCM's commitment to meeting demand. With respect to PCM's present and next year's budgets, the Leadership Team can expressly identify the reason for the increase as follows:

- We have the need for vital positions that were not budgeted in last year's budget. They include the Development Director, Executive Assistant and Finance support.
- We have adjusted some salaries due to salary discrepancies; some managers were making less than frontline staff. Salary review determined inequality in frontline position salaries.
- We are revamping some positions that can support increasing program revenue and sustainability.
- We have increased staffing in Multimedia Services with the intention of heightening new client contracts.

Capital Funding Assumptions

The total funding allocated for PCM increased to \$661,989. PCM has allocated Capital funds to:

- Implement a plan for additional operational space by October 2009.
- Upgrade production systems to replace aging equipment and for energy efficiency.
- Establish SmartAccess education sites and equipment for programming at neighborhood sites.
- Renovate and upgrade Main building and Annex.
- Develop plan for long-term occupancy and usage of Annex.
- Upgrade public access equipment, increase storage capacity and production quality and integrate for server-based environment.
- Upgrade Media Education field and class equipment and increase storage capacity and integrate for server based environment.
- Improve and upgrade portable equipment to take on diverse production projects.
- Continue implementation of Access 2.0 to adopt and integrate new technology, improving delivery of services to community members.
- Significantly expand Youth Media equipment to serve youth in after school programs at partner sites.

PORTLAND COMMUNITY MEDIA

OPERATING & CAPITAL BUDGETS 2005-2010

APPROVED-4/28/09

REVISED
5/6/2009
APPROVED
BUDGET
2009-2010

Account #		ACTUAL 2006-2007	ACTUAL 2007-2008	APPROVED BUDGET 2008-2009	MIDYEAR PROJECTED BUDGET 2008-2009	APPROVED BUDGET 2009-2010
	REVENUE:					
4000	Contract City Portland	774,846	867,292	896,322	872,996	909,697
4005	Franchise Mult. West	41,531	37,637	36,744	36,744	36,744
4100	Special Projects	91,273	93,505	110,000	90,000	130,000
4200	Community Service	6,970	6,226	10,000	10,000	10,000
4214	Access 2.0 Operating Support			28,160	28,160	28,160
4215	New Services Revenue			10,000	2,000	2,000
4250	Contributions	969	54,730	15,000	2,000	2,000
4300	Media Education	17,504	22,712	9,000	12,000	52,000
4301	MetroEast Ollie Reimbursement	33,722	39,220	41,007	41,007	
4325	Portland Youth Media	74,095	6,000	55,000	25,000	105,000
4326	Adventures Kit Revenue	160				
4355	Grants/Capacity Building			10,000	10,000	110,000
4400	Board Community Fundraising	14,955		10,000	10,000	10,000
4409	Energy Savings Project					50,000
4410	Misc Income	2,954	10,916	4,000	2,000	2,000
4412	Damages paid for equipment	108	423			
4580	Tape / Disk Sales	18,038	16,573	20,000	14,000	14,000
4581	Dubbing	3,298	2,150	2,000	2,000	2,000
4585	User fees				8,000	10,000
4710	Checking Acct. Interest	4,724	3,983	2,000	2,000	2,000
4711	Interest on Capital Funds	72	2	40,000	20,000	20,000
4715	Investment Fund Income	28	14			
4805	Interest USB Bonds/Notes	1,034	328	25,000	20,000	20,000
4806	REIT Distribution Income		28,142			
4810	Dividends Investment	66,240	109,939	75,000	50,000	50,000
4830	Gain of Sale	8,775				35,000
4909	Capital Grant Income	540,960	565,001	645,661	645,661	661,989
4911	Capital Grant Access 2.0		324,160	62,000		
4998	Investment Funds Used			149,341		
	Total Operational & Capital Revenues	1,702,257	2,188,953	2,256,235	1,903,568	2,262,590
	Resources from loan on Building					250,000
	Total Resources available for 2009/2010 (excluding investment account operational funds)					2,512,590
	Other Operational Funds available in investment account 2009/2010					600,000
	Total Resources available for 2009/2010					3,112,590

REVISED
5/6/2009
PROPOSED
BUDGET
2009-2010

Account #		ACTUAL 2006-2007	ACTUAL 2007-2008	APPROVED BUDGET 2008-2009	MIDYEAR ADJUSTED BUDGET 2008-2009	PROPOSED BUDGET 2009-2010
	EXPENSES:					
	STAFF RELATED					
5000	Payroll Wages- F/T - P/T	737,114	783,657	1,000,106	1,000,106	1,088,363
5002	Wages- On-Call					120,000
5100	Payroll Taxes F/T - P/T	73,116	78,121	97,366	97,366	105,555
5102	Payroll Taxes- On Call					12,060
5110	403 (B) Contributions	12,075	11,374	16,000	16,000	42,012
5111	Medical & Dental Insurance	86,438	115,783	155,252	155,252	191,040
5112	Life & Disability Insurance	5,590	3,520	5,000	5,000	10,710
5200	Employee Recruitment	511	18,432	3,000	2,000	2,000
5300	Training & Education - Staff	5,884	10,441	20,000	20,000	20,000
5350	Training & Education - Board	1,715	638	5,500	5,500	5,500
5400	Travel - local	36	96			
5401	Travel - out of town	10,705	15,132	12,000	12,000	12,000

PORTLAND COMMUNITY MEDIA

OPERATING & CAPITAL BUDGETS 2005-2010

APPROVED-4/28/09

REVISED
5/6/2009
APPROVED
BUDGET
2009-2010

Account		ACTUAL 2006-2007	ACTUAL 2007-2008	APPROVED BUDGET 2008-2009	MIDYEAR PROJECTED BUDGET 2008-2009	APPROVED BUDGET 2009-2010
5500	Payroll Service	17,774	19,390	15,000	15,000	15,000
5501	Crew Food	199	132	1,500	1,000	1,000
	Subtotal	951,158	1,056,716	1,330,724	1,329,224	1,625,240

Account

#	GENERAL OVERHEAD					
6001	MCTV Education Dist.	17,403				
6010	Accounting Audit	15,495	9,390	10,000	10,000	10,000
6020	Legal	1,741	8,434	10,000	10,000	10,000
6080	Computer Consulting	25,548	31,817	10,000	3,000	3,000
6090	Professional Services-admin	11,518	14,794	17,000		13,000
6091	Production Professional Expenses				3,000	3,000
6095	Portland Youth Media	33	164	5,000	5,000	5,000
6096	Ollie Expenses	45,883	34,396	25,000	10,000	10,000
6098	VISTA OLLIE Expenses	5,903	6,441	10,400	10,400	10,400
6097	Ollie Expenses MetroEast	9,016	875			
6099	VISTA PCM Expenses			10,400	10,400	10,400
6151	Needs Assessment					5,000
6152	Board Planning			1,000	1,000	1,000
6178	News letter-community connect	1,884	779			
6200	Office Supplies	19,992	16,692	12,000	15,000	15,000
6290	Charity Contribution	2,500			2,500	2,500
6300	Printing - Outsourced	2,278	6,165	5,000	5,000	5,000
6301	Printing - InHouse	8,493	5,665	6,000	6,000	6,000
6400	Postage & Shipping	5,091	6,404	6,000	6,000	6,000
6410	Miscellaneous Expenses	(1,215)		250	250	250
6500	Vehicle Fuel	3,983	3,881	5,000	5,000	5,000
6505	Vehicle Parking	1,974	1,697	3,000	3,000	3,000
6580	Video Tapes	26,304	25,546	15,000	15,000	15,000
6670	Marketing & Advertising - New					25,000
6672	Advertising & Promo (Old)	7,390	1,047	2,000	5,150	
6701	Pagers & Cell Phones	6,014	6,614	6,000	6,000	6,000
6702	Internet Access	384	7,570		12,000	12,000
6703	Phone General	5,434	10,424	10,000	10,000	10,000
6708	Interest Miscellaneous	90				
6710	Computer Software	515	700	800	800	800
6712	Albina Bank Loan Charges	3,958				18,000
6715	Bank Charges	5,456	15,924	8,000	10,000	10,000
6720	Dues & Subscriptions	1,214	6,336	6,000	6,000	6,000
6729	Fees	6,179	2,723	2,000	2,000	2,000
6730	Fees/Video/Entry Fees	480	130	500	500	500
6800	Hospitality	23,545	14,468	12,000	12,000	12,000
	Subtotal	264,484	239,076	198,350	185,000	240,850

Account

#	EQUIPMENT RELATED					
7000	Repair - parts	9,983	8,882	14,000	14,000	14,000
7005	Repair- Headend Expense	876	761	500	500	500
7010	Repair - small tools	2,757	3,999	1,000	1,000	1,000
7015	Repair - sub-contractor	33,241	44,367	26,500	26,500	26,500
7016	Repair City Council Chambers	147	100	1,000	1,000	1,000
7020	Replacement bulbs	1,980	1,082	1,500	1,500	1,500

PORTLAND COMMUNITY MEDIA

OPERATING & CAPITAL BUDGETS 2005-2010

APPROVED-4/28/09

REVISED
5/6/2009
APPROVED
BUDGET
2009-2010

Account		ACTUAL 2006-2007	ACTUAL 2007-2008	APPROVED BUDGET 2008-2009	MIDYEAR PROJECTED BUDGET 2008-2009	APPROVED BUDGET 2009-2010
7030	Replacement batteries	110	233	1,500	1,500	1,500
	Subtotal	49,094	59,424	46,000	46,000	46,000

Account

#	BUILDING RELATED					
7500	Janitor Service- Main Building	5,040	4,043	3,500	3,500	3,500
7502	Janitor Service - Annex	1,315	1,480		4,000	4,000
7510	Janitorial Supplies	2,880	3,561	1,500	4,500	4,500
7620	Electricity	20,987	20,149	19,000	19,000	19,000
7622	Electricity Building # 2	1,690	2,036	2,500	2,500	2,500
7635	Garbage Removal	817	847	1,500	1,500	1,500
7640	Other Utilities	2,306	2,544	2,000	2,000	2,000
7642	Other Utilities # 2	825	932	2,000	2,000	2,000
7645	Natural Gas	4,034	4,509	2,500	2,500	2,500
7646	Natural Gas # 2	3,191	2,793	1,500	1,500	1,500
7650	Vehicle Maintenance	2,290	3,997	2,500	2,500	2,500
7660	Landscape Maintenance	808	1,440	1,500	1,500	1,500
7670	Building Maintenance	4,724	4,035	5,000	5,000	5,000
7680	Security Service	1,313	2,103	1,500	1,500	1,500
	Subtotal	52,219	54,469	46,500	53,500	53,500

Account

#	OWNERSHIP COSTS					
9000	Insurance - liability	37,608	28,555	27,000	27,000	27,000
	Subtotal	37,608	28,555	27,000	27,000	27,000

Account

#	CAPITAL EXPENSE:					
1630	Production equipment	540,960	565,001	645,661	645,661	656,661
	Access 2.0 Grant		162,500	62,000	62,000	
	Transfer to Operations for salaries associated with capital projects		-74,403	-100,000	(100,000)	(141,989)
	TOTAL CAPITAL EXPENSE	540,960	653,098	607,661	607,661	514,672
	Total Operational Expenses	1,354,563	1,438,240	1,648,574	1,640,724	1,992,590
	Total Operational & Capital Expenses	1,895,523	2,091,338	2,256,235	2,248,385	2,507,262
	Estimated Net Income					
	NET INCOME (LOSS) Before Capital for wages adjustm		97,615		(344,817)	(141,989)
	NET INCOME (LOSS) After Capital for wages adjustment				(244,817)	0.00
	2009/2010 Revenue Resources over expenses					0.00
	Total Resources available for 2009/2010					3,112,590

Prepared 4/28/2009

**Portland Community Media
CAPITAL BUDGET
FY 2009-2010**

The allocation for capital expenditures is \$661,989. The proposed capital budget focuses on the following objectives:

- Upgrade public access equipment, increase storage capacity and production quality and integrate for server based environment.
- Upgrade and media education field and class equipment and increase storage capacity and integrate for server based environment.
- Improve and upgrade portable equipment to take on diverse production projects
- Continue implementation of Access 2.0 to adopt and integrate new technology, improving delivery of services to community members
- Significantly expand youth media equipment to serve youth in after school programs at partner sites.

CAPITAL BUDGET DETAIL

PUBLIC ACCESS

Field cameras	60,000	
Radio microphones	30,000	
External storage media	20,000	
		110,000

MEDIA EDUCATION

Field cameras	36,000	
External storage media	40,000	
Terabyte storage media	5,000	
		81,000

PRODUCTION

Tricaster	16,000	
Switcher	12,000	
Steadicam	10,000	
Hard drives	18,000	
Field memory	8,000	
Stereo audio mixer and cable	5,000	
Boom microphones	4,000	
		73,000

Prepared 4/28/2009

PROGRAMMING AND PLAYBACK

Import encoders	10,000	
Stereo Encoders	20,000	
CG system for channels	30,000	
Archive Server Expansion	20,000	
		87,000

PARTNERS

Partnership Projects	10,000	
		10,000

YOUTH MEDIA

Education Laptops	90,000	
Digital Imaging	12,000	
		102,000

ACCESS 2.0

Web Development	10,000	
		10,000

ADMINISTRATION

Computers and office machines	20,000	
Software	15,000	
ACCPAC systems upgrade		3,000
Telephone system upgrade and build out	3,000	
Furniture	6,000	
		47,000

**Personnel expenses related to capital projects
(Access 2.0, PCM capital and SmartAccess)**

141,989

Total

661,989



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (revised 09/22/08)

Board Clerk Use Only

Meeting Date: 06/11/09
Agenda Item #: R-7
Est. Start Time: 10:15 AM
Date Submitted: 05/28/09

Agenda Title: **PUBLIC HEARING and RESOLUTION Adopting the 2009-2010 Budget for Dunthorpe Riverdale Sanitary Service District No. 1 and Making Appropriations**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date: June 11, 2010 **Amount of Time Needed:** 5 minutes
Department: Community Services **Division:** LUT - Road Services
Contact(s): Tom Hansell
Phone: 988-5050 **Ext.** 29833 **I/O Address:** 425/2nd
Presenter(s): Tom Hansell

General Information

1. What action are you requesting from the Board?

Convene as the governing body of the Dunthorpe-Riverdale Service District to:

- Open Public Hearing to hear and consider any testimony from persons present and respond to questions about the approved budget and fiscal policies;
- Approve resolution adopting the fiscal year 2009 – 2010 budget for the Dunthorpe-Riverdale Sanitary Service District No. 1 and make appropriations.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

The FY 2009-10 budget is designed to sustain a current service level for maintenance and operations of the program. The district's \$450,000 capital program for FY 2009-10 is programmed to address pipe rehabilitation, continue with construction on the Elk Rock bypass pipe, building improvements at the Elk Rock pump station and starting the design phase of the Riverview Force Main Replacement Project.

3. Explain the fiscal impact (current year and ongoing).

The district budget was approved at \$1,206,500 for FY 2010. System maintenance and disposal charges from the City of Portland remain relatively unchanged from the current fiscal year. The district capital budget continues to target identified projects in the district's capital facility plan.

To meet the anticipated treatment, maintenance, and capital requirements for FY 2010, the district's

monthly rate was approved to move to \$114.00 (\$10.00 increase over current year). The new monthly rate provides the necessary operating resources to meet the district's operational requirements.

4. Explain any legal and/or policy issues involved.

The district is a separate legal entity. Because of its size, it requires a budget committee. On May 7, 2009 in the Board Room of the Multnomah Building, the district budget committee was convened to hear the budget. A budget committee was formed, with Commissioner Deborah Kafoury as chair and Commissioner Diane McKeel as secretary. Tom Hansell from the Department of Community Services serves as the district budget officer.

Because the district covers a population of less than 100,000, it is not legally necessary to request a TSCC hearing for the budget. The approved budget for the district has been submitted to TSCC and they have certified the budget. TSCC identified no recommendations or objections.

Today's public hearing fulfills the requirement of Oregon's Budget Law. The district's financial summary was published in the Oregonian showing changes between the current adopted and the approved FY 2010 budget.

The Board of County Commissioners can adopt the budget only after the budget hearing.

5. Explain any citizen and/or other government participation that has or will take place.

At the May 7th budget committee meeting a public hearing was opened, to hear and consider any testimony by the public about the budget. No testimony was received. At today's meeting a second public hearing will be held to hear and consider any testimony from persons present and respond to questions about the budget and fiscal policy decisions reflected in the approved budget.

Required Signature

**Elected Official or
Department/
Agency Director:**



Date: 05/26/09



**Tax Supervising
& Conservation
Commission**

PO Box 8428
Portland, Oregon
97207-8428

Telephone (503) 988-3054

Fax: (503) 988-3053

E-Mail:
TSCC@co.multnomah.or.us

Web Site:
www.co.multnomah.or.us/orgs/
/tsccl

May 20, 2009

*Emailed to
Kayne 5/27/09*

Board of Commissioners
Dunthorpe-Riverdale Sewer Service District
501 SE Hawthorne Blvd
Portland, Oregon 97214

RECEIVED

MAY 27 2009

Dear Commissioners:

The Tax Supervising and Conservation Commission has completed review and consideration of the 2009-10 Approved Budget for Dunthorpe-Riverdale Sewer Service District. This review was undertaken pursuant to ORS 294.605-705 to confirm compliance with applicable laws and to determine the adequacy of estimates necessary to support efficient and economical administration of the district.

The budget was submitted timely on May 7, 2009. The Commission hereby certifies by a majority vote that it has no objections or recommendations to make with respect to the budget.

Estimates were judged to be reasonable for the purpose shown and the document was found to be in substantial compliance with Local Budget Law. The budget estimates as shown in the approved budget, were as follows:

General Fund;	\$ 1,206,500
Portion Unappropriated	225,250
Permanent Tax Rate;	\$0

Please file a complete copy of the adopted budget with the Commission no later than July 15, 2009. The response to the Commission's recommendation, if any, should be included either in the adopting resolution or within a letter that accompanies the adopted budget. If extra time is needed for filing the adopted budget please request an extension in writing.

Yours truly,

TAX SUPERVISING & CONSERVATION COMMISSION

Tom Linhares
Executive Director

Commissioners

- Elizabeth Hengeveld, Chair
- Carl Farrington
- Terry McCall
- Steve B. Nance
- Dr. Roslyn Elms Sutherland



**Tax Supervising
& Conservation
Commission**

PO Box 8428
Portland, Oregon
97207-8428

Telephone (503) 988-3054

Fax: (503) 988-3053

E-Mail:
TSCC@co.multnomah.or.us

Web Site:
www.co.multnomah.or.us/orgs/
tsccl

May 20, 2009

Board of Commissioners
Dunthorpe-Riverdale Sewer Service District
501 SE Hawthorne Blvd
Portland, Oregon 97214

Dear Commissioners:

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Yours truly,

TAX SUPERVISING & CONSERVATION COMMISSION

Tom Linhares
Executive Director

Commissioners

Elizabeth Hengeveld, Chair
Carl Farrington
Terry McCall
Steve B. Nance
Dr. Roslyn Elms Sutherland

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON
GOVERNING BODY FOR DUNTHORPE-RIVERDALE SANITARY SERVICE DISTRICT NO. 1

RESOLUTION NO. _____

Adopting the 2009-10 Budget for the Dunthorpe-Riverdale Sanitary Service District No. 1 and Making Appropriations

The Multnomah County Board of Commissioners Finds:

- a. The Dunthorpe-Riverdale Sanitary Service District No. 1 Budget, prepared by the Budget Officer and attached as Exhibit A, has been considered and approved by the budget committee and has been certified by the Tax Supervising and Conservation Commission with no objections or recommendations.
- b. The Budget as certified is on file in the Budget and Quality Office of Multnomah County.

The Multnomah County Board of Commissioners Resolves:

1. The Budget attached as Exhibit A is adopted as the budget of Dunthorpe-Riverdale Sanitary Service District No. 1, Oregon in the amount of \$1,206,500.
2. The following appropriations are authorized for the fiscal year July 1, 2009 to June 30, 2010:

Fund	Appropriation
General Fund	
Materials & Services	\$ 481,250
Capital Outlay	\$ 450,000
Contingency	<u>\$ 50,000</u>
Sub total Appropriations	\$ 981,250
Unappropriated EFB	<u>\$ 225,250</u>
Total Requirements	\$1,206,500

ADOPTED this 11th day of June, 2009.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON
GOVERNING BODY FOR DUNTHORPE-RIVERDALE
SANITARY SERVICE DISTRICT NO. 1

Ted Wheeler, Chair

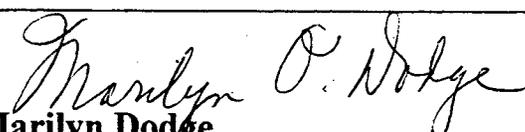
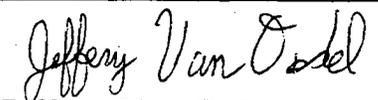
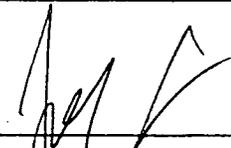
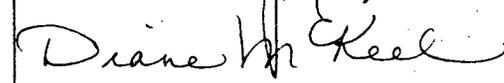
REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:
M. Cecilia Johnson, Director, Department of Community Services

EXHIBIT A

DUNTHORPE-RIVERDALE SANITARY SERVICE DISTRICT NO. 1 Budget Committee Approval	
The following members of the budget committee for the Dunthorpe-Riverdale Sanitary Service District met on May 7, 2009 and approved the proposed budget for Fiscal Year 2009-2010:	
 Ted Wheeler	 Marilyn Dodge
 Deborah Kafoury	 Jeffery Van Osdel
 Jeff Cogen	
 Diane McKeel	

MULTNOMAH COUNTY SERVICE DISTRICTS' APPROVED BUDGETS FOR FISCAL YEAR 2009-2010

Budget Message — Dunthorpe-Riverdale Service District No. 1

This District was formed in the middle 1960's and by 1970 had removed a significant source of pollution from the Willamette River. Its 560 clients are mainly located in unincorporated Multnomah County with a few customers in northern Clackamas County. Through its wastewater management program, the District is able to provide high quality service to ratepayers while protecting the area's sensitive surface water features from sanitary sewer overflows.

The district contracts with the City of Portland's Bureau of Environmental Services (BES) to maintain the District's lines and treats the sewage flow at Portland's Tryon Creek Treatment Plant. BES also provides design and engineering services for construction, reconstruction, and/or improvement of the district's facilities. The District continues to coordinate planned capital maintenance projects with the City of Portland Water Bureau's capital program. The fiscal year 2010 capital program is proposed at \$450,000. The capital work will focus on preliminary engineering for the planned rehabilitation of the force main pipe exiting the Riverview pump station, construction of new bypass pipe to divert flow from the Elk Rock drainage basin, site improvements at the Elk Rock pump station and miscellaneous smaller pipe rehabilitation projects spread throughout the district. The Projects are identified in the District's twenty (20) year sanitary systems facilities plan as requiring attention to ensure the District is prepared to accommodate future flow conditions.

The current service charge is \$104.00 per month for line connections to the District system. To meet the anticipated treatment, maintenance, debt repayment and capital requirements for FY 2009 the District rate was approved to move to \$ 114.00 per month. This new rate provides the District with the necessary operating resources to match needs. An unappropriated ending fund balance at 225,250 is intended to support the District's capital plan.

**RESOURCES
GENERAL**
(Fund)

DUNTHORPE-RIVERDALE DISTRICT No.1
(Name of Municipal Corporation)

	Historical Data				Budget for Next Year 2009 - 2010			
	Actual		Adopted Budget This Year 2008 - 09		Proposed By Budget Officer	Approved By Budget Committee	Adopted By Governing Body	
	Second Preceding Year 2006 - 07	First Preceding Year 2007 -08						
				Beginning Fund Balance:				
1				1. Available cash on hand* (cash basis) or				1
2	\$51,518	\$227,079	\$215,200	2. Net working capital (accrual basis)	\$430,000	\$430,000		2
3	\$9,136	\$9,704	\$6,500	3. Previously levied taxes estimated to be received	\$6,500	\$6,500		3
4	\$24,562	\$24,193	\$12,500	4. Interest	\$12,500	\$12,500		4
5				5				5
6				6. OTHER RESOURCES				6
7	\$28,930	\$15,111	\$2,500	7 Connection Fees / Service Reimbursements	\$2,500	\$2,500		7
8	\$534,698	\$598,072	\$700,800	8 Sewer Assessments	\$755,000	\$755,000		8
9	\$400,000	\$0	\$400,000	9 Capital Financing				9
10	\$66			10 Other				10
11				11				11
12				12				12
13				13				13
14				14				14
15				15				15
16				16				16
17				17				17
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19				19				19
20				20				20
21				21				21
22				22				22
23				23				23
24				24				24
25				25				25
26				26				26
27				27				27
28				28				28
29	\$1,048,910	\$874,159	\$1,337,500	29. Total resources, except taxes to be levied	\$1,206,500	\$1,206,500	\$0	29
30				30. Taxes estimated to be received				30
31				31. Taxes collected in year levied				31
32	\$1,048,910	\$874,159	\$1,337,500	32. TOTAL RESOURCES	\$1,206,500	\$1,206,500	\$0	32

*Includes Unappropriated Balance Budgeted Last Year

REQUIREMENTS SUMMARY
BY FUND, ORGANIZATIONAL UNIT OR PROGRAM

GENERAL

(name of organizational unit - fund)

DUNTHORPE-RIVERDALE DISTRICT No. 1

	Historical Data			EXPENDITURE DESCRIPTION	Budget For Next Year 2009 - 10			
	Actual		Adopted Budget This Year 2009 - 09		Proposed By Budget Officer	Approved By Budget Committee	Adopted By Governing Body	
	Second Preceding Year 2006 - 07	First Preceding 2007 - 08						
				PERSONAL SERVICES				
1				1				1
2				2				2
3				3				3
4				4				4
5				5				5
6				6				6
7	\$0	\$0	\$0	7 TOTAL PERSONAL SERVICES	\$0	\$0	\$0	7
				MATERIALS AND SERVICES				
8	\$313,154	\$318,424	\$335,000	8 System maintenance and disposal	\$340,000	\$340,000		8
9	\$36,046	\$36,491	\$42,250	9 Administrative Costs	\$46,250	\$46,250		9
10		\$94,314	\$95,000	10 Other District Expenses (incl. debt payment)	\$95,000	\$95,000		10
11		\$3,258		11 Pass-through (Connection Permit)				11
12				12				12
13				13				13
14	\$349,200	\$452,487	\$472,250	14 TOTAL MATERIALS AND SERVICES	\$481,250	\$481,250	\$0	14
				CAPITAL OUTLAY				
15	\$472,631	\$130,397	\$550,000	15				15
16				16 Elk Rock By Pass	\$300,000	\$300,000		16
17				17 Riverview Force Main Rehabilitation	\$35,000	\$35,000		17
18				18 Elk Rock Pump Station	\$80,000	\$80,000		18
19				19 Miscellaneous Pipe Repairs	\$35,000	\$35,000		19
20				20				20
21	\$472,631	\$130,397	\$550,000	21 TOTAL CAPITAL OUTLAY	\$450,000	\$450,000	\$0	21
				TRANSFERRED TO OTHER FUNDS				
22				22				22
23				23				23
24				24				24
25			\$25,000	25 General Operating Contingency	\$50,000	\$50,000		25
	\$0	\$0	\$25,000	26 TOTAL TRANSFERS AND CONTINGENCIES	\$50,000	\$50,000	\$0	
27	\$821,831	\$582,884	\$1,047,250	27 TOTAL EXPENDITURES	\$981,250	\$981,250	\$0	27
28	\$227,079	\$291,275	\$290,250	28 UNAPPROPRIATED ENDING FUND BALANCE	\$225,250	\$225,250		28
29	\$1,048,910	\$874,159	\$1,337,500	29 TOTAL	\$1,206,500	\$1,206,500	\$0	29

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON
GOVERNING BODY FOR DUNTHORPE-RIVERDALE SANITARY SERVICE DISTRICT NO. 1

RESOLUTION NO. 09-078

Adopting the 2009-10 Budget for the Dunthorpe-Riverdale Sanitary Service District No. 1 and Making Appropriations

The Multnomah County Board of Commissioners Finds:

- a. The Dunthorpe-Riverdale Sanitary Service District No. 1 Budget, prepared by the Budget Officer and attached as Exhibit A, has been considered and approved by the budget committee and has been certified by the Tax Supervising and Conservation Commission with no objections or recommendations.
- b. The Budget as certified is on file in the Budget and Quality Office of Multnomah County.

The Multnomah County Board of Commissioners Resolves:

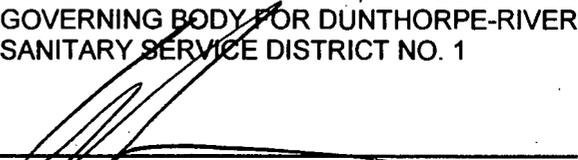
1. The Budget attached as Exhibit A is adopted as the budget of Dunthorpe-Riverdale Sanitary Service District No. 1, Oregon in the amount of \$1,206,500.
2. The following appropriations are authorized for the fiscal year July 1, 2009 to June 30, 2010:

Fund	Appropriation
General Fund	
Materials & Services	\$ 481,250
Capital Outlay	\$ 450,000
Contingency	<u>\$ 50,000</u>
Sub total Appropriations	\$ 981,250
Unappropriated EFB	<u>\$ 225,250</u>
Total Requirements	\$1,206,500

ADOPTED this 11th day of June, 2009.

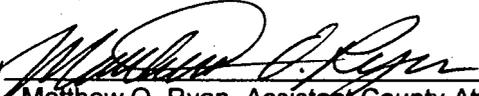


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON
GOVERNING BODY FOR DUNTHORPE-RIVERDALE
SANITARY SERVICE DISTRICT NO. 1


Ted Wheeler, Chair

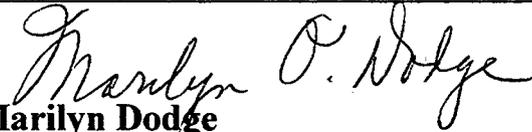
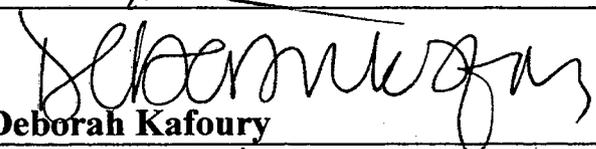
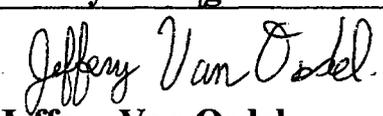
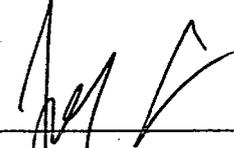
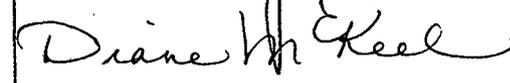
REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:
M. Cecilia Johnson, Director, Department of Community Services

EXHIBIT A

DUNTHORPE-RIVERDALE SANITARY SERVICE DISTRICT NO. 1 Budget Committee Approval	
The following members of the budget committee for the Dunthorpe-Riverdale Sanitary Service District met on May 7, 2009 and approved the proposed budget for Fiscal Year 2009-2010:	
 Ted Wheeler	 Marilyn Dodge
 Deborah Kafoury	 Jeffery Van Osdel
 Jeff Cogen	
 Diane McKeel	

MULTNOMAH COUNTY SERVICE DISTRICTS' APPROVED BUDGETS FOR FISCAL YEAR 2009-2010

Budget Message — Dunthorpe-Riverdale Service District No. 1

This District was formed in the middle 1960's and by 1970 had removed a significant source of pollution from the Willamette River. Its 560 clients are mainly located in unincorporated Multnomah County with a few customers in northern Clackamas County. Through its wastewater management program, the District is able to provide high quality service to ratepayers while protecting the area's sensitive surface water features from sanitary sewer overflows.

The district contracts with the City of Portland's Bureau of Environmental Services (BES) to maintain the District's lines and treats the sewage flow at Portland's Tryon Creek Treatment Plant. BES also provides design and engineering services for construction, reconstruction, and/or improvement of the district's facilities. The District continues to coordinate planned capital maintenance projects with the City of Portland Water Bureau's capital program. The fiscal year 2010 capital program is proposed at \$450,000. The capital work will focus on preliminary engineering for the planned rehabilitation of the force main pipe exiting the Riverview pump station, construction of new bypass pipe to divert flow from the Elk Rock drainage basin, site improvements at the Elk Rock pump station and miscellaneous smaller pipe rehabilitation projects spread throughout the district. The Projects are identified in the District's twenty (20) year sanitary systems facilities plan as requiring attention to ensure the District is prepared to accommodate future flow conditions.

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**FORM
LB-20**

**RESOURCES
GENERAL
(Fund)**

**DUNTHORPE-RIVERDALE DISTRICT No.1
(Name of Municipal Corporation)**

	Historical Data				Budget for Next Year 2009 - 2010			
	Actual		Adopted Budget This Year 2008 - 09		Proposed By Budget Officer	Approved By Budget Committee	Adopted By Governing Body	
	Second Preceding Year 2006 - 07	First Preceding Year 2007 -08						
				Beginning Fund Balance:				
1				1. Available cash on hand* (cash basis) or				1
2	\$51,518	\$227,079	\$215,200	2. Net working capital (accrual basis)	\$430,000	\$430,000		2
3	\$9,136	\$9,704	\$6,500	3. Previously levied taxes estimated to be received	\$6,500	\$6,500		3
4	\$24,562	\$24,193	\$12,500	4. Interest	\$12,500	\$12,500		4
5				5				5
6				6. OTHER RESOURCES				6
7	\$28,930	\$15,111	\$2,500	7 Connection Fees / Service Reimbursements	\$2,500	\$2,500		7
8	\$534,698	\$598,072	\$700,800	8 Sewer Assessments	\$755,000	\$755,000		8
9	\$400,000	\$0	\$400,000	9 Capital Financing				9
10	\$66			10 Other				10
11				11				11
12				12				12
13				13				13
14				14				14
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22				22				22
23				23				23
24				24				24
25				25				25
26				26				26
27				27				27
28				28				28
29	\$1,048,910	\$874,159	\$1,337,500	29. Total resources, except taxes to be levied	\$1,206,500	\$1,206,500	\$0	29
30				30. Taxes estimated to be received				30
31				31. Taxes collected in year levied				31
32	\$1,048,910	\$874,159	\$1,337,500	32. TOTAL RESOURCES	\$1,206,500	\$1,206,500	\$0	32

*Includes Unappropriated Balance Budgeted Last Year

**FORM
LB-30**

**REQUIREMENTS SUMMARY
BY FUND, ORGANIZATIONAL UNIT OR PROGRAM**

GENERAL

(name of organizational unit - fund)

DUNTHORPE-RIVERDALE DISTRICT No. 1

Line Item	Historical Data			EXPENDITURE DESCRIPTION	Budget For Next Year 2009 - 10			Line Item
	Actual		Adopted Budget This Year 2009 - 09		Proposed By Budget Officer	Approved By Budget Committee	Adopted By Governing Body	
	Second Preceding Year 2006 - 07	First Preceding 2007 - 08						
				PERSONAL SERVICES				
1				1				1
2				2				2
3				3				3
4				4				4
5				5				5
6				6				6
7	\$0	\$0	\$0	7 TOTAL PERSONAL SERVICES	\$0	\$0	\$0	7
				MATERIALS AND SERVICES				
8	\$313,154	\$318,424	\$335,000	8 System maintenance and disposal	\$340,000	\$340,000		8
9	\$36,046	\$36,491	\$42,250	9 Administrative Costs	\$46,250	\$46,250		9
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11		\$3,258		11 Pass-through (Connection Permit)				11
12				12				12
13				13				13
14	\$349,200	\$452,487	\$472,250	14 TOTAL MATERIALS AND SERVICES	\$481,250	\$481,250	\$0	14
				CAPITAL OUTLAY				
15	\$472,631	\$130,397	\$550,000	15				15
16				16 Elk Rock By Pass	\$300,000	\$300,000		16
17				17 Riverview Force Main Rehabilitation	\$35,000	\$35,000		17
18				18 Elk Rock Pump Station	\$80,000	\$80,000		18
19				19 Miscellaneous Pipe Repairs	\$35,000	\$35,000		19
20				20				20
21	\$472,631	\$130,397	\$550,000	21 TOTAL CAPITAL OUTLAY	\$450,000	\$450,000	\$0	21
				TRANSFERRED TO OTHER FUNDS				
22				22				22
23				23				23
24				24				24
25			\$25,000	25 General Operating Contingency	\$50,000	\$50,000		25
	\$0	\$0	\$25,000	26 TOTAL TRANSFERS AND CONTINGENCIES	\$50,000	\$50,000	\$0	
27	\$821,831	\$582,884	\$1,047,250	27 TOTAL EXPENDITURES	\$981,250	\$981,250	\$0	27
28	\$227,079	\$291,275	\$290,250	28 UNAPPROPRIATED ENDING FUND BALANCE	\$225,250	\$225,250		28
29	\$1,048,910	\$874,159	\$1,337,500	29 TOTAL	\$1,206,500	\$1,206,500	\$0	29



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (revised 09/22/08)

Board Clerk Use Only

Meeting Date: 06/11/09
Agenda Item #: R-8
Est. Start Time: 10:20 AM
Date Submitted: 05/28/09

Agenda Title: **Public Hearing and RESOLUTION Adopting the 2009-2010 Budget for Mid-County Street Lighting Service District No. 14 and Making Appropriations**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date:	<u>June 11, 2009</u>	Amount of Time Needed:	<u>5 minutes</u>
Department:	<u>Community Services</u>	Division:	<u>LUT -Road Services</u>
Contact(s):	<u>Tom Hansell</u>		
Phone:	<u>988-5050</u>	Ext.	<u>29833</u>
		I/O Address:	<u>425/2nd</u>
Presenter(s):	<u>Tom Hansell</u>		

General Information

1. What action are you requesting from the Board?

Convene as the governing body of the Mid-County Service District to:

- Open Public Hearings to hear and consider any testimony from persons present and respond to questions about the budget and fiscal policy decisions.
- Approve Resolution adopting fiscal year 2009 – 2010 budget for the Mid-County Street Lighting Service District No. 14 and make appropriations.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

The Mid County Street Lighting Service District arranges for street lights and pays the utilities for those lights in the unincorporated urban portions of Multnomah County and the cities of Fairview, Maywood Park, and Troutdale. District growth has stabilized due to the substantial completion of municipal annexations. However, the district continues to experience mild increases in growth as a result of urban development.

Portland General Electric (PGE) provides energy and maintenance services for the district. The County's Road Services Program provides the illumination engineering, design services and administration to the district.

The district's FY 2009-10 operations and maintenance budget was adjusted nominally for rate

adjustments and a shift of \$25,000 from capital outlay and into material and services to respond to necessary maintenance tasks on the district's decorative pole inventory and projected replacement of luminaires which have reached end of life. The capital pole replacement program is reduced to \$25,000.

3. Explain the fiscal impact (current year and ongoing).

The district budget was approved at \$596,000 for FY 2010. The revenues necessary to support the operations of the district are collected through a special assessment collected through the property tax system. The district's current assessment is \$35.00 per property per year. For FY 2009, the district annual rate was approved to move to \$45.00.

4. Explain any legal and/or policy issues involved.

The district is a separate legal entity. Because of its size, it requires a budget committee. On May 7, 2009, in the Board Room of the Multnomah Building, the Budget Committee was convened to hear the budget. A budget committee was formed with Commissioner Jeff Cogan as chair and Commissioner Deborah Kafoury as secretary. Tom Hansell from the Department of Community Services serves as the district budget officer.

Because the district covers a population of less than 100,000, it is not legally necessary to request a TSCC hearing for the budget. The approved budget for the district has been submitted to TSCC, and they have certified the budget. TSCC identified no recommendation or objections.

Today's public hearing fulfills the requirement of Oregon's Budget Law. The district's financial summary was published in the Oregonian showing changes between the current adopted and the approved FY 2010 budget.

The Board of County Commissioners can adopt the budget only after the budget hearing.

5. Explain any citizen and/or other government participation that has or will take place.

At the May 7th budget committee meeting a public hearing was opened, to hear and consider any testimony by the public about the budget. No testimony was received. At today's meeting a second public hearing will be held to hear and consider any testimony from persons present and respond to questions about the budget and fiscal policy decisions reflected in the approved budget.

Required Signature

**Elected Official or
Department/
Agency Director:**



Date: 05/26/09



**Tax Supervising
& Conservation
Commission**

PO Box 8428
Portland, Oregon
97207-8428

Telephone (503) 988-3054

Fax: (503) 988-3053

E-Mail:
TSCC@co.multnomah.or.us

Web Site:
www.co.multnomah.or.us/orgs/
/tsccl

May 20, 2009

Board of Commissioners
Mid-County Street Lighting Service District No. 14
501 SE Hawthorne Blvd
Portland, Oregon 97214

RECEIVED
MAY 27 2009

Dear Commissioners:

The Tax Supervising and Conservation Commission has completed review and consideration of the 2009-10 Approved Budget for Mid-County Street Lighting Service District No. 14. This review was undertaken pursuant to ORS 294.605-705 to confirm compliance with applicable laws and to determine the adequacy of estimates necessary to support efficient and economical administration of the district.

The budget was submitted timely May 7, 2009. The Commission hereby certifies by a majority vote that it has no objections or recommendations to make with respect to the budget.

Estimates were judged to be reasonable for the purpose shown and the document was found to be in substantial compliance with Local Budget Law. The budget estimates, as shown in the approved budget, were as follows:

General Fund	\$596,000
Portion Unappropriated	\$159,750
Permanent Tax Rate	\$0

Please file a complete copy of the adopted budget with the Commission no later than July 15, 2009. If extra time is needed for filing the adopted budget please request an extension in writing.

Yours truly,

TAX SUPERVISING & CONSERVATION COMMISSION

Tom Linhares
Executive Director

Commissioners

Elizabeth Hengeveld, Chair
Carl Farrington
Terry McCall
Steve B. Nance
Dr. Roslyn Elms Sutherland



**Tax Supervising
& Conservation
Commission**

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E-Mail:
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Web Site:
www.co.multnomah.or.us/orgs/
tscc/

May 20, 2009

Board of Commissioners
Mid-County Street Lighting Service District No. 14
501 SE Hawthorne Blvd
Portland, Oregon 97214

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General Fund	\$596,000
Portion Unappropriated	\$159,750
Permanent Tax Rate	\$0

Please file a complete copy of the adopted budget with the Commission no later than July 15, 2009. If extra time is needed for filing the adopted budget please request an extension in writing.

Yours truly,

TAX SUPERVISING & CONSERVATION COMMISSION


Tom Linhares
Executive Director

Commissioners

Elizabeth Hengeveld, Chair
Carl Farrington
Terry McCall
Steve B. Nance
Dr. Roslyn Elms Sutherland

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON
GOVERNING BODY FOR MID-COUNTY STREET LIGHTING
SERVICE DISTRICT NO.14

RESOLUTION NO. _____

Adopting the 2009-10 Budget for the Mid-County Street Lighting Service District No. 14 and Making Appropriations

The Multnomah County Board of Commissioners Finds:

- a. The Mid-County Street Lighting Service District No. 14 Budget, prepared by the Budget Officer and attached as Exhibit A, has been considered and approved by the budget committee and has been certified by the Tax Supervising and Conservation Commission with no objections or recommendations.
- b. The Budget as certified is on file in the Budget and Quality Office of Multnomah County.

The Multnomah County Board of Commissioners Resolves:

1. The Budget attached as Exhibit A is adopted as the budget of Mid-County Street Lighting Service District No. 14, Oregon, in the amount of \$596,000.
2. The following appropriations are authorized for the fiscal year July 1, 2009, to June 30, 2010:
- 3.

Fund	Appropriation
General Fund	
Materials & Services	\$386,250
Capital Outlay	\$ 25,000
Contingency	<u>\$ 25,000</u>
Sub total Appropriations	\$436,250
Unappropriated EFB	<u>\$159,750</u>
Total Requirements	\$596,000

ADOPTED this 11th day of June, 2009.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON
GOVERNING BODY FOR MID-COUNTY LIGHTING
SERVICE DISTRICT NO. 14

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

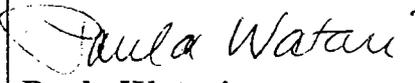
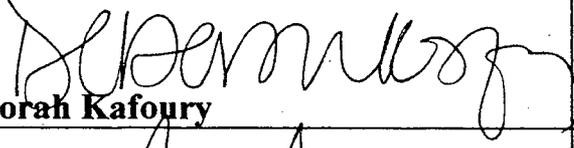
By _____
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:
M. Cecilia Johnson, Director, Department of Community Services

EXHIBIT A

**MID-COUNTY STREET LIGHTING SERVICE DISTRICT NO. 14
Budget Committee Approval**

The following members of the budget committee for the Mid-County Street Lighting Service District met on May 7, 2009 and approved the proposed budget for Fiscal Year 2009-2010:

 Ted Wheeler	 Paula Watari
 Deborah Kafoury	
 Jeff Cogen	
 Diane McKeel	

MULTNOMAH COUNTY SERVICE DISTRICTS' APPROVED BUDGETS FOR FISCAL YEAR 2009-2010

Budget Message — Mid-County Service District No. 14

This County Service District (originally known as Tulip Acres Lighting District when formed in 1967 now includes most of the unincorporated urban area of Multnomah County as well as the cities of Fairview, Maywood Park, and Troutdale. District growth has stabilized due to the substantial completion of municipal annexations.

Portland General Electric (PGE) provides energy and maintenance services for the District. The County's Department of Community Service's Road Services Division provides administration, illumination engineering, and design services to the District.

The District capital program has slowed significantly and has moved towards individual or small group pole replacement projects. The District proposes a \$25,000 capital pole replacement program for the fiscal year 2010 budget to respond to replace equipment that is at end of life and initiate a painting project for decorative poles.

The district's current assessment is \$35.00 per property per year. FY 2010 the District rate was approved to move to \$ 45.00 per year. This new rate provides the District with the necessary operating resources to match needs. An unappropriated ending fund balance of \$159,750 is intended to support future replacement of the depreciated District facilities.

**FORM
LB-20**

**RESOURCES
GENERAL
(Fund)**

**MID-COUNTY DISTRICT No. 14
(Name of Municipal Corporation)**

	Historical Data				Budget for Next Year 2009 - 2010			
	Actual		Adopted Budget This Year 2008 - 09		Proposed By Budget Officer	Approved By Budget Committee	Adopted By Governing Body	
	Second Preceding Year 2006 - 07	First Preceding Year 2007 -08						
				Beginning Fund Balance:				
1				1. Available cash on hand* (cash basis) or				1
2	\$346,419	\$378,731	\$325,000	2. Net working capital (accrual basis)	\$246,000	\$246,000		2
3	\$6,322	\$5,988	\$5,000	3. Previously levied taxes estimated to be received	\$5,000	\$5,000		3
4	\$22,153	\$17,528	\$20,000	4. Interest	\$10,000	\$10,000		4
5				5. OTHER RESOURCES				5
6	\$300,397	\$254,100	\$255,000	6 Assessments	\$335,000	\$335,000		6
7	\$43	\$7,652		7 Other				7
8				8				8
9				9				9
10				10				10
11				11				11
12				12				12
13				13				13
14				14				14
15				15				15
16				16				16
17				17				17
18				18				18
19				19				19
20				20				20
21				21				21
22				22				22
23				23				23
24				24				24
25				25				25
26				26				26
27				27				27
28				28				28
29	\$675,334	\$663,999	\$605,000	29. Total resources, except taxes to be levied	\$596,000	\$596,000	\$0	29
30				30. Taxes estimated to be received				30
31				31. Taxes collected in year levied				31
32	\$675,334	\$663,999	\$605,000	32. TOTAL RESOURCES	\$596,000	\$596,000	\$0	32

*Includes Unappropriated Balance Budgeted Last Year

FORM
LB-30

REQUIREMENTS SUMMARY
BY FUND, ORGANIZATIONAL UNIT OR PROGRAM

GENERAL

Name of Organizational Unit - Fund

MID-COUNTY DISTRICT No. 14

	Historical Data			EXPENDITURE DESCRIPTION	Budget For Next Year 2009 - 10			
	Actual		Adopted Budget This Year 2008 - 09		Proposed By Budget Officer	Approved By Budget Committee	Adopted By Governing Body	
	Second Preceding Year 2006 - 07	First Preceding Year 2007 - 08						
				PERSONAL SERVICES				
1				1				1
2				2				2
3				3				3
4				4				4
5				5				5
6				6				6
7	\$0	\$0	\$0	7 TOTAL PERSONAL SERVICES	\$0	\$0	\$0	7
				MATERIALS AND SERVICES				
8	\$241,899	\$272,319	\$280,000	8 Energy, maintenance and pole rental expenses	\$290,000	\$290,000		8
9				9 (services provided by Portland General				9
10				10 Electric)				10
11	\$39,531	\$42,299	\$43,750	11 Administrative costs (reimbursement to county	\$46,250	\$46,250		11
12				12 general fund and road fund)				12
13	\$15,173	\$3,022	\$25,000	13 Other expenses	\$50,000	\$50,000		13
14	\$296,603	\$317,640	\$348,750	14 TOTAL MATERIALS AND SERVICES	\$386,250	\$386,250	\$0	14
				CAPITAL OUTLAY				
15	\$0	\$16,753	\$50,000	15 Equipment Replacement	\$25,000	\$25,000		15
16				16				16
17				17				17
18				18				18
19				19				19
20				20				20
21	\$0	\$16,753	\$50,000	21 TOTAL CAPITAL OUTLAY	\$25,000	\$25,000	\$0	21
				TRANSFERRED TO OTHER FUNDS				
22				22				22
23				23				23
24				24				24
25			\$25,000	25 General Operating Contingency	\$25,000	\$25,000		25
	\$0	\$0	\$25,000	26 TOTAL TRANSFERS AND CONTINGENCIES	\$25,000	\$25,000	\$0	
27	\$296,603	\$334,393	\$423,750	27 TOTAL EXPENDITURES	\$436,250	\$436,250	\$0	27
28	\$378,731	\$329,606	\$181,250	28 UNAPPROPRIATED ENDING FUND BALANCE	\$159,750	\$159,750		28
29	\$675,334	\$663,999	\$605,000	29 TOTAL	\$596,000	\$596,000	\$0	29

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON
GOVERNING BODY FOR MID-COUNTY STREET LIGHTING
SERVICE DISTRICT NO.14

RESOLUTION NO. 09-079

Adopting the 2009-10 Budget for the Mid-County Street Lighting Service District No. 14 and Making Appropriations

The Multnomah County Board of Commissioners Finds:

- a. The Mid-County Street Lighting Service District No. 14 Budget, prepared by the Budget Officer and attached as Exhibit A, has been considered and approved by the budget committee and has been certified by the Tax Supervising and Conservation Commission with no objections or recommendations.
- b. The Budget as certified is on file in the Budget and Quality Office of Multnomah County.

The Multnomah County Board of Commissioners Resolves:

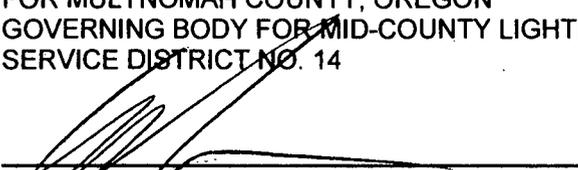
1. The Budget attached as Exhibit A is adopted as the budget of Mid-County Street Lighting Service District No. 14, Oregon, in the amount of \$596,000.
2. The following appropriations are authorized for the fiscal year July 1, 2009, to June 30, 2010:
- 3.

Fund	Appropriation
General Fund	
Materials & Services	\$386,250
Capital Outlay	\$ 25,000
Contingency	<u>\$ 25,000</u>
Sub total Appropriations	\$436,250
Unappropriated EFB	<u>\$159,750</u>
Total Requirements	\$596,000

ADOPTED this 11th day of June, 2009.

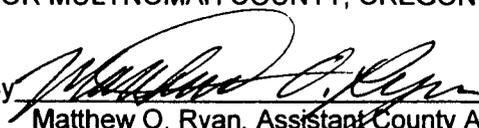


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON
GOVERNING BODY FOR MID-COUNTY LIGHTING
SERVICE DISTRICT NO. 14


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

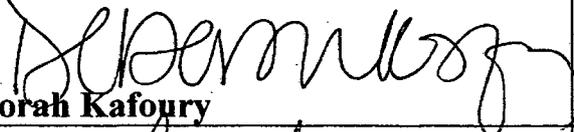
By 
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:
M. Cecilia Johnson, Director, Department of Community Services

EXHIBIT A

**MID-COUNTY STREET LIGHTING SERVICE DISTRICT NO. 14
Budget Committee Approval**

The following members of the budget committee for the Mid-County Street Lighting Service District met on May 7, 2009 and approved the proposed budget for Fiscal Year 2009-2010:

 Ted Wheeler	 Paula Watari
 Deborah Kafoury	
 Jeff Cogen	
 Diane McKeel	

MULTNOMAH COUNTY SERVICE DISTRICTS' APPROVED BUDGETS FOR FISCAL YEAR 2009-2010

Budget Message — Mid-County Service District No. 14

This County Service District (originally known as Tulip Acres Lighting District when formed in 1967 now includes most of the unincorporated urban area of Multnomah County as well as the cities of Fairview, Maywood Park, and Troutdale. District growth has stabilized due to the substantial completion of municipal annexations.

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**RESOURCES
GENERAL
(Fund)**

MID-COUNTY DISTRICT No. 14
(Name of Municipal Corporation)

	Historical Data				Budget for Next Year 2009 - 2010			
	Actual		Adopted Budget This Year 2008 - 09		Proposed By Budget Officer	Approved By Budget Committee	Adopted By Governing Body	
	Second Preceding Year 2006 - 07	First Preceding Year 2007 -08						
				Beginning Fund Balance:				
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*Includes Unappropriated Balance Budgeted Last Year

REQUIREMENTS SUMMARY

BY FUND, ORGANIZATIONAL UNIT OR PROGRAM

GENERAL

Name of Organizational Unit - Fund

MID-COUNTY DISTRICT No. 14

**FORM
LB-30**

	Historical Data			EXPENDITURE DESCRIPTION	Budget For Next Year 2009 - 10			
	Actual		Adopted Budget This Year 2008 - 09		Proposed By Budget Officer	Approved By Budget Committee	Adopted By Governing Body	
	Second Preceding Year 2006 - 07	First Preceding Year 2007 - 08						
				PERSONAL SERVICES				
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				CAPITAL OUTLAY				
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MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (revised 09/22/08)

Board Clerk Use Only

Meeting Date: 06/11/09
Agenda Item #: R-9
Est. Start Time: 10:25 AM
Date Submitted: 05/27/09

Agenda Title: **RESOLUTION Authorizing Election to Receive National Forest Related Safety-Net Payments for Federal Fiscal Year 2009**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date: June 11, 2009 **Amount of Time Needed:** 5 minutes
Department: County Management **Division:** Director's Office
Contact(s): Bob Thomas
Phone: (503) 988-6294 **Ext.** 86294 **I/O Address:** 274
Presenter(s): Bob Thomas

General Information

1. What action are you requesting from the Board?

The department is requesting Board approval of a Resolution electing the method of US Forest Service Safety Net Payments to Multnomah County for Federal Fiscal Year 2009.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

In 2008, Congress and the President approved a modified extension of the Secure Rural Schools and Community Self-Determination Act of 2000 (PL106-393) that provides payments to forest counties for land held by the federal government. Originally, payments to counties represented shares of forest yields on those public lands, but as sale of timber has diminished the federal government has provided safety-net payments in lieu of actual sale proceeds.

The new legislation, Secure Rural Schools 2008 or "SRS 2008," provides for a decreasing payment schedule over the next four years of these safety-net payments. New to SRS 2008 is a tightening of funds available to Counties under Title III of the act, that now provides funding for a limited number of eligible projects: Search, rescue and emergency services on public lands; Fire prevention and planning under the Firewise Communities program; and Development of community wildfire

protection plans.

3. Explain the fiscal impact (current year and ongoing).

For federal fiscal year 2009, to be received approximately December 2009, Multnomah County is estimated to receive approximately \$836,651 in overall safety-net payments. The largest share of this total will be in Title I payments (up to 85% of total, or about \$712,853) that must be split 75% to the County Road Fund (about \$534,640) and 25% to the County School Fund (about \$178,213). County School Fund revenues are transferred to the Multnomah County Educational Service District.

The remaining safety-net payments will be split between Multnomah County Title III projects (no more than 7% of total, about \$58,700) and the remainder (8%) must go to a Resource Advisory Committee managed by the US Forest Service for projects on national forests. As a point of reference, the MCSO has averaged about \$180,000 in eligible Title III search and rescue costs annually. Title III payments will help supplement these costs for the County General Fund.

Overall payments to the County will decrease to an 81% level for Federal Fiscal Year 2009, then 73% for FFY 2010; and finally an estimate of 40-50% for FFY 2011.

4. Explain any legal and/or policy issues involved.

The annual resolutions are required by the Federal government for counties to participate in the Safety-Net program. There are no controversial issues regarding the two elections that these resolutions address. A decision will have to be made annually on how to expend the Title III funds.

5. Explain any citizen and/or other government participation that has or will take place.

Citizens will have the opportunity to provide written comments on the Multnomah County projects that will qualify under Title III. A 45-day comment period is required by the legislation and will begin when the list is published prior to the County's approval of Title III projects next summer.

Each County with National Forest and/or O&C lands is required to make these elections prior to sending their decision on to the federal government. Multnomah County has participated with Association of Oregon Counties (AOC) in developing the processes and resolutions.

Required Signature

Elected Official or
Department/
Agency Director:

Carol M. Ford

Date: 05/27/09

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Authorizing Election to Receive **National Forest Related Safety Net Payments** for Federal Fiscal Year (FFY) 2009

The Multnomah County Board of Commissioners Finds:

- a. Congress enacted in 1908 and subsequently amended a law that requires that 25 percent of the revenues derived from National Forest lands be paid to states for use by the counties in which the lands are situated for the benefit of public schools and roads.
- b. The principal source of revenues from National Forest lands is from the sale and removal of timber, which has been curtailed in recent years with a corresponding decline in revenues shared with counties.
- c. The United States Congress recognized a need to stabilize education and road maintenance funding through predictable payments to the affected counties, and to achieve that goal enacted the Secure Rural Schools and Community Self-Determination Act of 2000, which has been amended and re-authorized for FFY 2008 - 2011 ("SRS2008").
- d. SRS2008 provides for guaranteed minimum payments for the benefit of affected counties, as well as an opportunity to invest a portion of the payments in projects on federal lands or that benefit resources on federal lands, or in county projects or activities.
- e. Title I of SRS2008 gives each eligible county the right to elect to receive either its traditional share of revenues from the National Forest lands pursuant to the Act of May 23, 1908 and Section 13 of the Act of March 1, 1911 (the "25-percent payments"), or instead to receive a share of the state payment pursuant to Sections 102(a)(1)(B) and 103 (the "full county payment amount").
- f. An election to receive the full county payment amount is effective for all federal fiscal years through FFY 2011, and an election to receive a 25-percent payment is binding for two years.
- g. Any county electing to receive the full county payment amount must further elect to expend an amount not less than 15 percent nor more than 20 percent of its full county payment amount as project funds.

- h. Title I, Section 102(d) of SRS2008 requires that counties electing to receive the full county payment amount must allocate their project funds for expenditure between projects in accordance with Title II and Title III, and return the balance of project funds unspent under Titles II and III to the Treasury of the United States, and communicate such allocation to the Secretary of the United States Department of Agriculture.
- i. Title II provides for special projects on federal lands or that benefit resources on federal lands, which projects are recommended by local resource advisory committees ("RACs").
- j. RACs recommend projects for consideration by the Secretary of Agriculture, with project funding supplied in whole or in part out of monies allocated for such purposes by participating counties.
- k. Counties that allocate funding to projects under Title II, and are participants in more than one RAC, may further direct that their Title II project funds be divided between different RACs according to an allocation decided by each participating county, with such funds held in the Treasury of the United States under the name of the county with a designation of the amount allocated to each RAC.
- l. Title III provides for county projects, some of which are associated with federal lands, with Title III authorizing expenditures for search, rescue and emergency services, fire prevention and planning under the Firewise Communities program, and development of community wildfire protection plans.
- m. A county with a full county payment amount of \$350,000 or more may not allocate more than 7 percent of its full county payment amount for Title III projects.

The Multnomah County Board of Commissioners Resolves:

- 1. Multnomah County elects to receive the guaranteed minimum full county payment amount pursuant to SRS2008 Sections 102(a)(1)(B) and 103.
- 2. Multnomah County allocates 15 percent of its full county payment amount for expenditure on projects under Title II and Title III. Multnomah County will return none (zero percent) of its full county payment amount to the Treasury of the United States.
- 3. Of the percent allocated to Title II and Title III projects above in paragraph 2, Multnomah County further allocates between such Titles for FFY 2009 (for expenditure after FFY 2009) on the following basis: eight percent of the full county payment amount for expenditure on Title II projects and seven percent of the full county payment amount for expenditure on Title III projects.

4. Of the amount of project funds allocated to Title II projects above in paragraph 2, Multnomah County further allocates between RACs as follows:

100 percent to the Hood / Willamette RAC.
5. The original or a certified copy of this Resolution shall be transmitted to Kevin Q. Davis, Attorney, sent to the following address: One SW Columbia Street, Suite 1600, Portland, OR 97258.

ADOPTED this 11th day of June 2009.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
John S. Thomas, Deputy County Attorney

SUBMITTED BY:
Carol M. Ford, Director, Department of County Management

BOGSTAD Deborah L

From: THOMAS Bob C
Sent: Monday, June 08, 2009 8:33 AM
To: BOGSTAD Deborah L
Cc: KARNES Ana
Subject: RE: Federal Forest Payment Resolutions for June 11th

Deb:

I will need a certified copy of the each of the two Federal Forest Payment Resolutions on Thursday to send onto the AOC. I will be around the Multnomah Building most of Thursday, if they might be available that afternoon for picking up.

Thanks, Bob

Bob Thomas
 Multnomah County
 Facilities & Property Management Director
 (503) 988-6294

-----Original Message-----

From: BOGSTAD Deborah L
Sent: Friday, May 29, 2009 5:16 PM
To: THOMAS Bob C
Subject: RE: Federal Forest Payment Resolutions for June 11th

Thanks again, Bob!

Deb Bogstad, Board Clerk
Multnomah County Commissioners
501 SE Hawthorne Boulevard, Suite 600
Portland, Oregon 97214-3587
(503) 988-3277 phone
(503) 988-3013 fax
deborah.l.bogstad@co.multnomah.or.us
<http://www.co.multnomah.or.us/cc/index.shtml>

-----Original Message-----

From: THOMAS Bob C
Sent: Wednesday, May 27, 2009 8:30 AM
To: BOGSTAD Deborah L; KARNES Ana
Cc: BOWEN-BIGGS Tara C
Subject: Federal Forest Payment Resolutions for June 11th

Attached are the e files for the APRs for the two Federal Forest Payment Resolutions to go before the Board on June 11th. I have placed the signed packets in Deb's in box.

Carol Kinoshita's message with John Thomas' approved Resolutions are attached as well.

Please let me know if you need more.

Thanks, Bob

Bob Thomas
 Multnomah County
 Facilities & Property Management Director
 (503) 988-6294

6/9/2009

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 09-080

Authorizing Election to Receive **National Forest** Related Safety Net Payments for Federal Fiscal Year (FFY) 2009

The Multnomah County Board of Commissioners Finds:

- a. Congress enacted in 1908 and subsequently amended a law that requires that 25 percent of the revenues derived from National Forest lands be paid to states for use by the counties in which the lands are situated for the benefit of public schools and roads.
- b. The principal source of revenues from National Forest lands is from the sale and removal of timber, which has been curtailed in recent years with a corresponding decline in revenues shared with counties.
- c. The United States Congress recognized a need to stabilize education and road maintenance funding through predictable payments to the affected counties, and to achieve that goal enacted the Secure Rural Schools and Community Self-Determination Act of 2000, which has been amended and re-authorized for FFY 2008 - 2011 ("SRS2008").
- d. SRS2008 provides for guaranteed minimum payments for the benefit of affected counties, as well as an opportunity to invest a portion of the payments in projects on federal lands or that benefit resources on federal lands, or in county projects or activities.
- e. Title I of SRS2008 gives each eligible county the right to elect to receive either its traditional share of revenues from the National Forest lands pursuant to the Act of May 23, 1908 and Section 13 of the Act of March 1, 1911 (the "25-percent payments"), or instead to receive a share of the state payment pursuant to Sections 102(a)(1)(B) and 103 (the "full county payment amount").
- f. An election to receive the full county payment amount is effective for all federal fiscal years through FFY 2011, and an election to receive a 25-percent payment is binding for two years.
- g. Any county electing to receive the full county payment amount must further elect to expend an amount not less than 15 percent nor more than 20 percent of its full county payment amount as project funds.

- h. Title I, Section 102(d) of SRS2008 requires that counties electing to receive the full county payment amount must allocate their project funds for expenditure between projects in accordance with Title II and Title III, and return the balance of project funds unspent under Titles II and III to the Treasury of the United States, and communicate such allocation to the Secretary of the United States Department of Agriculture.
- i. Title II provides for special projects on federal lands or that benefit resources on federal lands, which projects are recommended by local resource advisory committees ("RACs").
- j. RACs recommend projects for consideration by the Secretary of Agriculture, with project funding supplied in whole or in part out of monies allocated for such purposes by participating counties.
- k. Counties that allocate funding to projects under Title II, and are participants in more than one RAC, may further direct that their Title II project funds be divided between different RACs according to an allocation decided by each participating county, with such funds held in the Treasury of the United States under the name of the county with a designation of the amount allocated to each RAC.
- l. Title III provides for county projects, some of which are associated with federal lands, with Title III authorizing expenditures for search, rescue and emergency services, fire prevention and planning under the Firewise Communities program, and development of community wildfire protection plans.
- m. A county with a full county payment amount of \$350,000 or more may not allocate more than 7 percent of its full county payment amount for Title III projects.

The Multnomah County Board of Commissioners Resolves:

- 1. Multnomah County elects to receive the guaranteed minimum full county payment amount pursuant to SRS2008 Sections 102(a)(1)(B) and 103.
- 2. Multnomah County allocates 15 percent of its full county payment amount for expenditure on projects under Title II and Title III. Multnomah County will return none (zero percent) of its full county payment amount to the Treasury of the United States.
- 3. Of the percent allocated to Title II and Title III projects above in paragraph 2, Multnomah County further allocates between such Titles for FFY 2009 (for expenditure after FFY 2009) on the following basis: eight percent of the full county payment amount for expenditure on Title II projects and seven percent of the full county payment amount for expenditure on Title III projects.

4. Of the amount of project funds allocated to Title II projects above in paragraph 2, Multnomah County further allocates between RACs as follows:

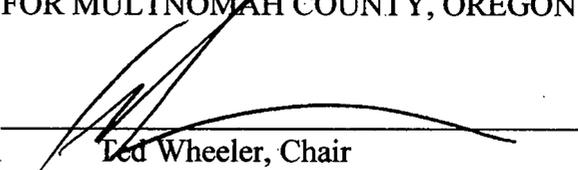
100 percent to the Hood / Willamette RAC.

5. The original or a certified copy of this Resolution shall be transmitted to Kevin Q. Davis, Attorney, sent to the following address: One SW Columbia Street, Suite 1600, Portland, OR 97258.

ADOPTED this 11th day of June 2009.

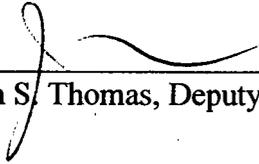


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
John S. Thomas, Deputy County Attorney

SUBMITTED BY:

Carol M. Ford, Director, Department of County Management



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (revised 09/22/08)

Board Clerk Use Only

Meeting Date: 06/11/09
Agenda Item #: R-10
Est. Start Time: 10:27 AM
Date Submitted: 05/27/09

Agenda Title: **RESOLUTION Authorizing Election to Receive O&C Land Related Safety-Net Payments for Federal Fiscal Year 2009**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date: June 11, 2009 **Amount of Time Needed:** 5 minutes
Department: County Management **Division:** Director's Office
Contact(s): Bob Thomas
Phone: (503) 988-6294 **Ext.** 06294 **I/O Address:** 274
Presenter(s): Bob Thomas

General Information

1. What action are you requesting from the Board?

The department is requesting Board approval of a Resolution electing the method of O&C Land Service Safety Net Payments to Multnomah County for Federal Fiscal Year 2009.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

In 2008, Congress and the President approved a modified extension of the Secure Rural Schools and Community Self-Determination Act of 2000 (PL106-393) that provides payments to forest counties for land held by the federal government. Originally, payments to counties represented shares of forest yields on those public lands, but as sale of timber has diminished the federal government has provided safety-net payments in lieu of actual sale proceeds. Within Multnomah County, the Bureau of Land Management owns acreage that formerly belonged to the Oregon & California Railroad (O&C Lands), for which this legislation applies.

The new legislation, Secure Rural Schools 2008 or "SRS 2008," provides for a decreasing payment schedule over the next four years of these safety-net payments. New to SRS 2008 is a tightening of funds available to Counties under Title III of the act, that now provides funding for a limited number

of eligible projects: Search, rescue and emergency services on public lands; Fire prevention and planning under the Firewise Communities program; and Development of community wildfire protection plans.

3. Explain the fiscal impact (current year and ongoing).

For federal fiscal year 2009, to be received approximately December 2009, Multnomah County is estimated to receive approximately \$1,024,982 in overall safety-net payments. The largest share of this total will be in Title I payment (up to 85% of total, or about \$871,235) that can be deposited within general county revenues (General Fund). This revenue has no restrictions as to its use by the County.

The remaining safety-net payments will be split between Multnomah County Title III projects (no more than 7% of total, about \$71,750) and the remainder (8%) must go to a Resource Advisory Committee managed by the US Forest Service for projects on national forests.

Overall payments to the County will decrease to an 81% level for Federal Fiscal Year 2009, then 73% for FFY 2010; and finally an estimate of 40-50% for FFY 2011.

4. Explain any legal and/or policy issues involved.

The annual resolutions are required by the Federal government for counties to participate in the Safety-Net program. There are no controversial issues regarding the two elections that these resolutions address. A decision will have to be made annually on how to expend the Title III funds.

5. Explain any citizen and/or other government participation that has or will take place.

Citizens will have the opportunity to provide written comments on the Multnomah County projects that will qualify under Title III. A 45-day comment period is required by the legislation and will begin when the list is published prior to the County's approval of Title III projects next summer.

Each County with National Forest and/or O&C lands is required to make these elections prior to sending their decision on to the Federal government. Multnomah County has participated with Association of Oregon Counties (AOC) in developing the processes and resolutions.

Required Signature

Elected Official or
Department/
Agency Director:

Carol M. Ford

Date: 05/27/09

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Authorizing Election to Receive **O&C Land** Related Safety Net Payments for Federal Fiscal Year 2009

The Multnomah County Board of Commissioners Finds:

- a. Congress enacted in 1937 and subsequently amended a law that requires 75 percent of the revenues derived from revested Oregon and California Railroad grant lands ("O&C Lands") be paid to counties in which the lands are situated, of which 50 percent has been available for use as general county funds.
- b. The principal source of revenues from O&C Lands is from the sale and removal of timber, which has been sharply curtailed, with a corresponding decline in revenues shared with counties.
- c. The United States Congress recognized a need to stabilize communities through predictable payments to the affected counties and to achieve that goal enacted the Secure Rural Schools and Community Self-Determination Act of 2000, which has been amended and reauthorized for FFY 2008-2011 ("SRS2008").
- d. SRS2008 provides for guaranteed minimum payments for the benefit of affected counties, as well as an opportunity to invest a portion of the guaranteed minimum payments in projects or activities on federal lands, or in county projects or activities.
- e. Title I of SRS2008 gives each eligible county the right to elect to receive either its traditional share of revenues from the O&C Lands ("50-percent payment"), or instead to receive the guaranteed minimum amount pursuant to Sections 102(a)(2)(B) and 103 ("full county payment amount").
- f. An election to receive a 50-percent payment is binding for two years, and an election to receive the guaranteed minimum full county payment amount is binding through FFY 2011.
- g. Any county electing to receive the full county payment amount must further elect to expend not less than 15 percent nor more than 20 percent of its full county payment amount as project funds.
- h. Title I, Section 102(d) requires that counties electing to receive the full county payment amount must allocate its project funds for expenditure between projects under Title II and Title III, and return the balance of project funds unspent under Title II and Title III to the

Treasury of the United States, and communicate such allocation to the Secretary of the United States Department of the Interior.

- i. Title II provides for special projects on federal lands or that benefit resources on federal lands, which projects are nominated by local resource advisory committees ("RACs").
- j. RACs recommend projects for consideration by the Secretary of the Interior, with project funding supplied in whole or in part out of monies allocated for Title II purposes by participating counties.
- k. Counties that allocate funding to projects under Title II, and are participants in more than one RAC, may further direct that their Title II project funds be divided between different RACs according to an allocation decided by each participating county, with such funds held in the Treasury of the United States under the name of the county with the amount allocated to each RAC.
- l. Title III provides for county projects or services, some of which are associated with federal lands, with Title III authorizing expenditures for search, rescue and emergency services, fire prevention and planning under the Firewise Communities program, and development of community wildfire protection plans.
- m. A county may allocate no more than 7 percent of its full county payment amount for Title III projects.

The Multnomah County Board of Commissioners Resolves:

1. Multnomah County elects to receive the guaranteed minimum full county payment amount pursuant to SRS2008 Sections 102(a)(2)(B) and 103.
2. Multnomah County allocates 15 percent of its full county payment amount for expenditure on projects under Title II and Title III. Multnomah County will return none (zero percent) of its full county payment amount to the Treasury of the United States.
3. Of the percent allocated to Title II and Title III projects above in paragraph 1, Multnomah County further allocates between such Titles for FFY 2009 (for expenditure after FFY 2009) on the following basis: eight percent of the full county payment amount for expenditure on Title II projects and seven percent of the full county payment amount for expenditure on Title III projects.
4. Of the amount of the full county payment amount allocated to Title II projects above in paragraph 3, Multnomah County further allocates between RACs as follows:

100 percent to the Salem District RAC.

5. The original or a certified copy of this Resolution shall be transmitted to Kevin Q. Davis, Attorney, sent to the following address: One SW Columbia Street, Suite 1600, Portland, OR 97258.

ADOPTED this 11th day of June 2009.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
John S. Thomas, Deputy County Attorney

SUBMITTED BY:

Carol M. Ford, Director, Department of County Management

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 09-081

Authorizing Election to Receive **O&C Land** Related Safety Net Payments for Federal Fiscal Year 2009

The Multnomah County Board of Commissioners Finds:

- a. Congress enacted in 1937 and subsequently amended a law that requires 75 percent of the revenues derived from revested Oregon and California Railroad grant lands ("O&C Lands") be paid to counties in which the lands are situated, of which 50 percent has been available for use as general county funds.
- b. The principal source of revenues from O&C Lands is from the sale and removal of timber, which has been sharply curtailed, with a corresponding decline in revenues shared with counties.
- c. The United States Congress recognized a need to stabilize communities through predictable payments to the affected counties and to achieve that goal enacted the Secure Rural Schools and Community Self-Determination Act of 2000, which has been amended and reauthorized for FFY 2008-2011 ("SRS2008").
- d. SRS2008 provides for guaranteed minimum payments for the benefit of affected counties, as well as an opportunity to invest a portion of the guaranteed minimum payments in projects or activities on federal lands, or in county projects or activities.
- e. Title I of SRS2008 gives each eligible county the right to elect to receive either its traditional share of revenues from the O&C Lands ("50-percent payment"), or instead to receive the guaranteed minimum amount pursuant to Sections 102(a)(2)(B) and 103 ("full county payment amount").
- f. An election to receive a 50-percent payment is binding for two years, and an election to receive the guaranteed minimum full county payment amount is binding through FFY 2011.
- g. Any county electing to receive the full county payment amount must further elect to expend not less than 15 percent nor more than 20 percent of its full county payment amount as project funds.
- h. Title I, Section 102(d) requires that counties electing to receive the full county payment amount must allocate its project funds for expenditure between projects under Title II and Title III, and return the balance of project funds unspent under Title II and Title III to the

Treasury of the United States, and communicate such allocation to the Secretary of the United States Department of the Interior.

- i. Title II provides for special projects on federal lands or that benefit resources on federal lands, which projects are nominated by local resource advisory committees ("RACs").
- j. RACs recommend projects for consideration by the Secretary of the Interior, with project funding supplied in whole or in part out of monies allocated for Title II purposes by participating counties.
- k. Counties that allocate funding to projects under Title II, and are participants in more than one RAC, may further direct that their Title II project funds be divided between different RACs according to an allocation decided by each participating county, with such funds held in the Treasury of the United States under the name of the county with the amount allocated to each RAC.
- l. Title III provides for county projects or services, some of which are associated with federal lands, with Title III authorizing expenditures for search, rescue and emergency services, fire prevention and planning under the Firewise Communities program, and development of community wildfire protection plans.
- m. A county may allocate no more than 7 percent of its full county payment amount for Title III projects.

The Multnomah County Board of Commissioners Resolves:

1. Multnomah County elects to receive the guaranteed minimum full county payment amount pursuant to SRS2008 Sections 102(a)(2)(B) and 103.
2. Multnomah County allocates 15 percent of its full county payment amount for expenditure on projects under Title II and Title III. Multnomah County will return none (zero percent) of its full county payment amount to the Treasury of the United States.
3. Of the percent allocated to Title II and Title III projects above in paragraph 1, Multnomah County further allocates between such Titles for FFY 2009 (for expenditure after FFY 2009) on the following basis: eight percent of the full county payment amount for expenditure on Title II projects and seven percent of the full county payment amount for expenditure on Title III projects.
4. Of the amount of the full county payment amount allocated to Title II projects above in paragraph 3, Multnomah County further allocates between RACs as follows:

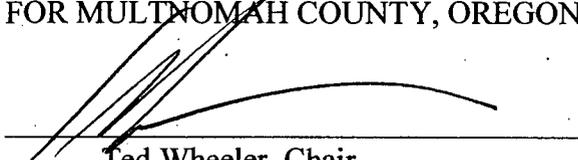
100 percent to the Salem District RAC.

5. The original or a certified copy of this Resolution shall be transmitted to Kevin Q. Davis, Attorney, sent to the following address: One SW Columbia Street, Suite 1600, Portland, OR 97258.

ADOPTED this 11th day of June 2009.

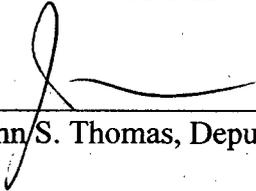


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
John S. Thomas, Deputy County Attorney

SUBMITTED BY:

Carol M. Ford, Director, Department of County Management



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # R-11 DATE 06-11-09
 DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 06/11/09
 Agenda Item #: R-11
 Est. Start Time: 10:29 AM
 Date Submitted: 05/20/09

BUDGET MODIFICATION: DCM - 13

Agenda Title: BUDGET MODIFICATION DCM-13 Appropriating \$5,100 in Flood Mitigation Assistance Grant Funds to Support the Flood Mitigation Planning Project

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date:	<u>June 11, 2009</u>	Amount of Time Needed:	<u>5 minutes</u>
Department:	<u>Non Departmental</u>	Division:	<u>Emergency Management</u>
Contact(s):	<u>Dave Houghton</u>		
Phone:	<u>503.988.4580</u>	Ext.: <u>84580</u>	I/O Address: <u>503/600</u>
Presenter(s):	<u>Dave Houghton</u>		

General Information

1. What action are you requesting from the Board?

Approval to spend \$5,100 in federal grant funds to support the flood mitigation planning project.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

This budget modification is related to the Board's 04/03/08 approval to apply for \$18,100 in FEMA Flood Mitigation Assistance grant funds and approval for the use of \$6,900 in existing General Fund for cost share. Funds are used to complete Local Flood Hazard Mitigation Plan Annexes for the Cities of Fairview, Troutdale and Wood Village.

3. Explain the fiscal impact (current year and ongoing).

\$6,900 total in General Fund match distributed from FY09 budget.

4. Explain any legal and/or policy issues involved.

No significant legal or policy issues.

5. Explain any citizen and/or other government participation that has or will take place.

Cities of Fairview, Troutdale and Wood Village have begun the planning process.

ATTACHMENT A

Budget Modification

If the request is a **Budget Modification**, please answer **all** of the following in detail:

- **What revenue is being changed and why?**
Adds \$5,100 of Federal Grant Fund revenue that had not been budget for FY09
- **What budgets are increased/decreased?**
Adds \$5,100 in professional services. Consultant contracted to assist in the flood mitigation project.
- **What do the changes accomplish?**
Permits the flood mitigation planning process to proceed on schedule.
- **Do any personnel actions result from this budget modification? Explain.**
No.
- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**
Indirect not covered by this grant.
- **Is the revenue one-time-only in nature? Will the function be ongoing? What plans are in place to identify a sufficient ongoing funding stream?**
This project requires only one-time-only funding.
- **If a grant, what period does the grant cover?**
This is a 24 month period of performance with project completion no later than June 24, 2011, although we anticipate completion by October 31, 2009.
- **If a grant, when the grant expires, what are funding plans?**
No additional funds will be needed.

NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.

ATTACHMENT B

BUDGET MODIFICATION: DCM - 13

Required Signatures

**Elected Official or
Department/
Agency Director:**

Carol M. Ford

Date: 05/19/09

Budget Analyst:

[Signature]

Date: 05/21/09

Department HR:

Date:

Countywide HR:

Date:

Budget Modification ID: DCM-13

EXPENDITURES & REVENUES

Please show an increase in revenue as a negative value and a decrease as a positive value for consistency with SAP.

Budget/Fiscal Year: 2009

Line No.	Fund Center	Fund Code	Program #	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
					Internal Order	Cost Center	WBS Element						
1		1505		20			EMFLDMIT			5,100	5,100		Flood mitigation assist grant
2		1505		20			EMFLDMIT			5,100	(5,100)		Flood mitigation assist grant
3										0			
4										0			
5										0			
6										0			
7										0			
8										0			
9										0			
10										0			
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											0	0	Total - Page 1
											0	0	GRAND TOTAL



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (Budget Modification)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # R-12 DATE 06-11-09
 DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 06/11/09
Agenda Item #: R-12
Est. Start Time: 10:30 AM
Date Submitted: 05/22/09

BUDGET MODIFICATION: HD-21

BUDGET MODIFICATION HD-21 Appropriating \$177,650 in Revenue from the State of Oregon, Department of Human Services, Office of Family Health, Title: Family Planning Services

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: June 11, 2009 **Amount of Time Needed:** 5 minutes
Department: Health **Division:** Integrated Clinical Services
Contact(s): Lester A. Walker, Finance and Budget Manager
Phone: (503) 988-3674 **Ext.** 26457 **I/O Address:** 167/2/210
Presenter(s): Susan Kirchoff, Health Centers Operations Director

General Information

1. What action are you requesting from the Board?

Approval of appropriation of \$177,650 in additional funding from the State of Oregon – Department of Human Services – Public Health Services FY2009 Financial Assistance Award: Family Planning Services.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

Since the early 1960's Multnomah County has been receiving annual funding from the Oregon Department of Human Services, Office of Family Health, to provide family planning services to low income citizens of reproductive age. Family Planning Services (FPS) are the educational, comprehensive medical and social services necessary to aid individuals to determine freely the number and spacing of their children. The Health Department has been awarded additional FY09 funding for FPS in the amount of \$143,448. Additionally, the Office of Family Health has provided two supplemental awards this fiscal year; \$18,411 to test for Chlamydia, which is a sexually transmitted infection that can cause infertility, and \$15,791 to pay for higher cost contraceptives.

This increase in funding affects Program Offer 40023 – East County Health Center. This action supports the Health Department's efforts to provide comprehensive primary care and behavioral health services to the diverse poor, underserved residents in East Multnomah County.

3. Explain the fiscal impact (current year and ongoing).

Approval of this budget modification will increase the Health Department's federal/state FY09 budget by \$177,650.

4. Explain any legal and/or policy issues involved.

None

5. Explain any citizen and/or other government participation that has or will take place.

The Health Department has a Community Health Council that meets monthly and gives citizens the opportunity to shape Departmental policy and direction. They will be advised of these awards.

ATTACHMENT A

Budget Modification

If the request is a **Budget Modification**, please answer **all** of the following in detail:

- **What revenue is being changed and why?**

The Health Department's federal/state revenue budget will increase by \$177,650 in FY09 as a result of the work performed under this award.

- **What budgets are increased/decreased?**

As a result of these changes the Health Department's budget will have the following changes:

- The budget for drugs will increase by \$163,929.
- Central indirect budget will increase by \$3,394.
- Departmental indirect budget will increase by \$10,327.

- **What do the changes accomplish?**

Health Department will be reimbursed for its ongoing program to screen asymptomatic women and men for Chlamydia and treat them before any damage is done to their reproductive organs. Additionally, this funding will offset the cost of providing higher cost contraceptives.

- **Do any personnel actions result from this budget modification? Explain.**

This budget modification will have no impact on Health Department FTE.

- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**

The revenue covers these costs.

- **Is the revenue one-time-only in nature? Will the function be ongoing? What plans are in place to identify a sufficient ongoing funding stream?**

This increase in funding is one-time only. However, additional funding for higher cost contraceptives may be awarded again in FY10, at which time a FY10 budget modification will be completed.

- **If a grant, what period does the grant cover?**

The grant covers budget period 7/1/08 – 06/30/09.

- **If a grant, when the grant expires, what are funding plans?**

Additional funding for higher cost contraceptives may be awarded in FY10. If the grant expires, the Department does not intend to backfill with County General Fund.

NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.

ATTACHMENT B

BUDGET MODIFICATION: HD - 21

Required Signatures

**Elected Official or
Department/
Agency Director:**

KaRin Johnson for

Date: 05/21/09

Lillian Shirley

Budget Analyst:

Date: 05/22/09

Angela Burdine

Department HR:

Date: _____

Countywide HR:

Date: _____

EXPENDITURES & REVENUES

Please show an increase in revenue as a negative value and a decrease as a positive value for consistency with SAP.

Budget/Fiscal Year: 2009

Line No.	Fund Center	Fund Code	Program #	Func. Area	Internal Order	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
						Cost Center	WBS Element						
1	40-70	26120	40023	30			4SA32-1	50190	(92,930)	(236,378)	(143,448)		LPHA ST Family Planning-General
2	40-70	26120	40023	30			4SA32-1	60310	0	132,369	132,369		Increase Drugs
3	40-70	26120	40023	30			4SA32-1	60350	1,775	4,515	2,740		Increase Central Indirect
4	40-70	26120	40023	30			4SA32-1	60355	5,402	13,741	8,339		Increase Departmental Indirect
5													
6	40-70	32320	40023	30			4SA86-1	50190	0	(18,411)	(18,411)		LPHA ST Family Planning-Chlamydia
7	40-70	32320	40023	30			4SA86-1	60310	0	16,989	16,989		Increase Drugs
8	40-70	32320	40023	30			4SA86-1	60350	0	352	352		Increase Central Indirect
9	40-70	32320	40023	30			4SA86-1	60355	0	1,070	1,070		Increase Departmental Indirect
10													
11	40-70	32320	40023	30			4SA87-1	50190	0	(15,791)	(15,791)		LPHA ST Family Planning-HCC
12	40-70	32320	40023	30			4SA87-1	60310	0	14,571	14,571		Increase Drugs
13	40-70	32320	40023	30			4SA87-1	60350	0	302	302		Increase Central Indirect
14	40-70	32320	40023	30			4SA87-1	60355	0	918	918		Increase Departmental Indirect
15													
16	19	1000	40023	20			9500001000	50310		(3,394)	(3,394)		Indirect reimbursement rev in GF
17	19	1000	40023	20			9500001000	60470		3,394	3,394		CGF Contingency expenditure
18													
19	40-90	1000	40023	30			409050	50370	(4,612,002)	(4,622,329)	(10,327)		Indirect dept reimbursement rev in GF
20	40-90	1000	40023	30			409001	60000	336,064	346,391	10,327		Off setting dept expenditure in GF
21													
22													
23													
24													
25													
26													
27													
28													
29													
											0	0	Total - Page 1
											0	0	GRAND TOTAL



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (Budget Modification)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # R-13 DATE 06-11-09
 DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only	
Meeting Date:	<u>06/11/09</u>
Agenda Item #:	<u>R-13</u>
Est. Start Time:	<u>10:32 AM</u>
Date Submitted:	<u>05/28/09</u>

BUDGET MODIFICATION: HD-22

<p>BUDGET MODIFICATION HD-22 Appropriating \$162,000 in Revenue from the Department of Health and Human Services, Health Resources and Services Administration, American Recovery and Reinvestment Act, Increased Demand for Health Services Initiative</p>
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Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date:	<u>June 11, 2009</u>	Amount of Time Needed:	<u>5 minutes</u>
Department:	<u>Health</u>	Division:	<u>Integrated Clinical Services</u>
Contact(s):	<u>Lester A. Walker, Finance and Budget Manager</u>		
Phone:	<u>(503) 988-3674</u>	Ext.	<u>26457</u>
Presenter(s):	<u>Susan Kirchoff, Health Centers Operations Director</u>		
I/O Address:	<u>167/2/210</u>		

General Information

1. What action are you requesting from the Board?

Approval of appropriation of \$162,000 in funding from the Health Resources and Services Administration to support an increased demand for health services in response to the President's strategy to implement the American Recovery and Reinvestment Act (ARRA) of 2009.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

The Health Department provides health care to more than 59,000 low income residents in the county each year. Funding to support health services is provided through multiple sources including the County general fund, third party reimbursements, and through Federal grant funding (Section 330 of Consolidated Health Services Act).

As a federal Section 330 grantee, the Health Department has been awarded \$854,098 through the American Recovery and Reinvestment Act of 2009 to support costs related to increased demand for

services. The subject area for this funding is east Multnomah County, which has experienced significant growth in terms poverty, lack of health insurance, size and composition of minority populations, and demand for access to primary care services in recent years. There is limited access to primary care services in east Multnomah County, with access points including three health centers operated by the Health Department, and acute care provided at three small nonprofit clinics operated on a part-time basis. Examples of unmet need in among east Multnomah County's health centers include the following:

- La Clinica de Buena Salud is a small neighborhood clinic served by a single medical team. Approximately 1,000 patients have been turned away in the past year due to lack of new appointments and lack of space on provider panels.
- East County Health Center serves over 8,800 patients. The health center is at capacity and unable to offer access to the growing number of uninsured clients in the Gresham area.
- Mid-County Health Center is the largest health center operated by the Department; serving approximately 9,300 clients. Providers exceed productivity expectations, however, demand for service outweighs the supply of appointments. All providers' panels are over 100% full. The center is also the Refugee Screening program site, which serves approximately 1,000 refugees annually, and the majority of refugees screened choose to continue to obtain their medical care at Mid County, resulting in tremendous growth pressure on the clinic.

This award will enable the Health Department to establish six new medical teams to deliver health services to uninsured and low income residents in need of health services at three health centers. These new teams will provide access to an additional 5,500 users and more than 31,750 visits (60% will be uninsured). Medical teams will consist of a physician, nurse (RN) and a medical assistant. Project staffing will also include support personnel to address the unique needs of underserved populations.

This budget modification is for \$162,000 to be spent in FY09. Additional funding from this award will be added next fiscal year through an FY10 budget modification. A notice of intent for this grant was approved by the Board of County Commissioners on April 9, 2009.

Facilities costs are not increased because the clinicians will be utilizing vacant or repurposed space that the Health Department is already paying for. The only new cost is for remodeling which has already occurred. Indirect costs are covered by this award.

This project will support the Health Department's efforts to meet the health care needs of low income residents as specified in FY 2009 Program Offers #40022 (Mid-County Health Center), #40023 (East County Health Center) and #25156A (La Clinica de la Buena Salud).

3. Explain the fiscal impact (current year and ongoing).

Approval of this budget modification will increase the Health Department's federal/state FY09 budget by \$162,000. Additional funds will be added in FY10 through another budget modification.

4. Explain any legal and/or policy issues involved.

None

5. Explain any citizen and/or other government participation that has or will take place.

This award will be presented to the Community Health Council prior to being implemented.

ATTACHMENT A

Budget Modification

If the request is a **Budget Modification**, please answer **all** of the following in detail:

- **What revenue is being changed and why?**

The Health Department's federal/state revenue budget will increase by \$162,000 in FY09 as a result of the work performed under this award.

- **What budgets are increased/decreased?**

As a result of these changes the Health Department's budget will have the following changes:

- Permanent Personnel budget will increase by \$72,207.
- Temporary Personnel budget will increase by \$20,433.
- Salary Related Expense budget will increase by \$22,467.
- Non Base Fringe budget will increase by \$6,384.
- Insurance budget will increase by \$21,668.
- Non Base Insurance budget will increase by \$4,318.
- Supplies budget will increase by \$2,011.
- Central indirect budget will increase by \$3,094.
- Departmental indirect budget will increase by \$9,418.

- **What do the changes accomplish?**

The proposed project will enable the Health Department to establish six new medical teams to deliver health services to uninsured and low income residents in need of health services at three health centers. These new teams will provide access to an additional 5,500 users and more than 31,750 visits (60% will be uninsured).

- **Do any personnel actions result from this budget modification? Explain.**

This budget modification will result in the creation of 16 new positions including nine Clinic Medical Assistants, two Nurse Practitioners, two Physicians, two Office Assistant 2s, and one Licensed Community Practical Nurse. The total new FTE added is 15.20.

- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**

The revenue covers these costs.

- **Is the revenue one-time-only in nature? Will the function be ongoing? What plans are in place to identify a sufficient ongoing funding stream?**

This is one time funding over a period of two years to support an increase in the demand for health services until the Nation's economy recovers. Federal grant funding will include third party billing to cover the cost of services.

- **If a grant, what period does the grant cover?**

The grant covers budget period 3/27/09 – 03/26/11.

- **If a grant, when the grant expires, what are funding plans?**

This is one time funding over a period of two years ending 3/26/2011. Federal grant funding will include third party billing to cover the cost of services.

ATTACHMENT B

BUDGET MODIFICATION: HD - 22

Required Signatures

**Elected Official or
Department/
Agency Director:**

Jillian Stuey/WS

Date: May 28, 2009

Budget Analyst:

Angela Bredine

Date: 05/28/09

Department HR:

Date:

Countywide HR:

Tami Graves

Date: 05/27/09

Budget Modification ID: **HD-09-22**

EXPENDITURES & REVENUES

Budget/Fiscal Year: 2009

Please show an increase in revenue as a negative value and a decrease as a positive value for consistency with SAP.

Line No.	Fund Center	Fund Code	Program #	Func. Area	Internal Order	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
						Cost Center	WBS Element						
30	40-70	32337	25156A	30			4FA57-01-3	60240	-	189	189		Increase Supplies
31	40-70	32337	25156A	30			4FA57-01-3	60350	-	361	361		Increase Central Indirect
32	40-70	32337	25156A	30			4FA57-01-3	60355	-	1,100	1,100		Increase Departmental Indirect
33													
34	19	1000	40035A	20		9500001000		50310	-	(3,094)	(3,094)		Indirect reimbursement rev in GF
35	19	1000	40035A	20		9500001000		60470	-	3,094	3,094		CGF Contingency expenditure
36													
37	40-90	1000	40035A	30				50370	(4,612,002)	(4,621,420)	(9,418)		Indirect dept reimbursement rev in GF
38	40-90	1000	40035A	30				60000	336,064	345,482	9,418		Off setting dept expenditure in GF
39													
40	72-10	3500	40035A	20				50316	-	(25,986)	(25,986)		Insurance Revenue
41	72-10	3500	40035A	20				60330	-	25,986	25,986		Offsetting Transaction
42													
43													
44													
45													
46													
47													
48													
49													
50													
51													
52													
53													
54													
55													
56													
57													
58													
											1,650	0	Total - Page 2
											0	0	GRAND TOTAL

ANNUALIZED PERSONNEL CHANGE

Change on a full year basis even though this action affects only a part of the fiscal year (FY).

							ANNUALIZED			
Fund	Job #	HR Org	CC/WBS/IO	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
32337	6001	TBD	4FA57-01-1	OFFICE ASSISTANT 2	TBD	0.10	3,102	975	1,297	5,374
32337	6012	TBD	4FA57-01-1	CLINIC MEDICAL ASSISTANT	TBD	0.10	3,487	1,096	1,322	5,905
32337	6012	TBD	4FA57-01-1	CLINIC MEDICAL ASSISTANT	TBD	0.10	3,487	1,096	1,322	5,905
32337	6012	TBD	4FA57-01-1	CLINIC MEDICAL ASSISTANT	TBD	0.10	3,487	1,096	1,322	5,905
32337	6012	TBD	4FA57-01-1	CLINIC MEDICAL ASSISTANT	TBD	0.10	3,487	1,096	1,322	5,905
32337	6012	TBD	4FA57-01-1	CLINIC MEDICAL ASSISTANT	TBD	0.10	3,487	1,096	1,322	5,905
32337	6012	TBD	4FA57-01-1	CLINIC MEDICAL ASSISTANT	TBD	0.10	3,487	1,096	1,322	5,905
32337	9490	TBD	4FA57-01-1	PHYSICIAN	TBD	0.07	9,524	2,994	1,577	14,095
32337	9490	TBD	4FA57-01-1	PHYSICIAN	TBD	0.07	9,524	2,994	1,577	14,095
32337	6314	TBD	4FA57-01-2	NURSE PRACTITIONER	TBD	0.07	5,868	1,845	1,339	9,052
32337	6303	TBD	4FA57-01-2	LICENSED COMM PRACTICAL NURSE	TBD	0.10	3,836	1,206	1,344	6,386
32337	6012	TBD	4FA57-01-2	CLINIC MEDICAL ASSISTANT	TBD	0.10	3,487	1,096	1,322	5,905
32337	6012	TBD	4FA57-01-2	CLINIC MEDICAL ASSISTANT	TBD	0.10	3,487	1,096	1,322	5,905
32337	6001	TBD	4FA57-01-2	OFFICE ASSISTANT 2	TBD	0.10	3,102	975	1,297	5,374
32337	6314	TBD	4FA57-01-3	NURSE PRACTITIONER	TBD	0.07	5,868	1,700	1,339	8,907
32337	6012	TBD	4FA57-01-3	CLINIC MEDICAL ASSISTANT	TBD	0.10	3,487	1,010	1,322	5,819
										0
										0
TOTAL ANNUALIZED CHANGES						1.48	72,207	22,467	21,668	116,342

Class Comp
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HD-HR
1203

CURRENT YEAR PERSONNEL DOLLAR CHANGE

Calculate costs/savings that will take place in this FY; these should explain the actual dollar amounts being changed by this Bud Mod.

							CURRENT YEAR			
Fund	Job #	HR Org	CC/WBS/IO	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
32337	6001	TBD	4FA57-01-1	OFFICE ASSISTANT 2	TBD	1.00	31,016	9,751	12,964	53,731
32337	6012	TBD	4FA57-01-1	CLINIC MEDICAL ASSISTANT	TBD	1.00	34,867	10,962	13,214	59,043
32337	6012	TBD	4FA57-01-1	CLINIC MEDICAL ASSISTANT	TBD	1.00	34,867	10,962	13,214	59,043
32337	6012	TBD	4FA57-01-1	CLINIC MEDICAL ASSISTANT	TBD	1.00	34,867	10,962	13,214	59,043
32337	6012	TBD	4FA57-01-1	CLINIC MEDICAL ASSISTANT	TBD	1.00	34,867	10,962	13,214	59,043
32337	6012	TBD	4FA57-01-1	CLINIC MEDICAL ASSISTANT	TBD	1.00	34,867	10,962	13,214	59,043
32337	6012	TBD	4FA57-01-1	CLINIC MEDICAL ASSISTANT	TBD	1.00	34,867	10,962	13,214	59,043
32337	9490	TBD	4FA57-01-1	PHYSICIAN	TBD	0.80	108,845	34,221	18,023	161,089
32337	9490	TBD	4FA57-01-1	PHYSICIAN	TBD	0.80	108,845	34,221	18,023	161,089
32337	6314	TBD	4FA57-01-2	NURSE PRACTITIONER	TBD	0.80	67,066	21,086	15,307	103,459
32337	6303	TBD	4FA57-01-2	LICENSED COMM PRACTICAL NURSE	TBD	1.00	38,360	12,060	13,441	63,861
32337	6012	TBD	4FA57-01-2	CLINIC MEDICAL ASSISTANT	TBD	1.00	34,867	10,962	13,214	59,043
32337	6012	TBD	4FA57-01-2	CLINIC MEDICAL ASSISTANT	TBD	1.00	34,867	10,962	13,214	59,043
32337	6001	TBD	4FA57-01-2	OFFICE ASSISTANT 2	TBD	1.00	31,016	9,751	12,964	53,731
32337	6314	TBD	4FA57-01-3	NURSE PRACTITIONER	TBD	0.80	67,066	19,429	15,307	101,802
32337	6012	TBD	4FA57-01-3	CLINIC MEDICAL ASSISTANT	TBD	1.00	34,867	10,101	13,214	58,182
										0
										0
TOTAL ANNUALIZED CHANGES						15.20	766,017	238,316	224,955	1,229,288

Class Comp
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HD-HR
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HD-HR
1203



Department of County Management
MULTNOMAH COUNTY OREGON
Human Resources

Multnomah Building
501 SE Hawthorne, Suite 400
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(503) 988-5015 Phone
(503) 988-3009 Fax

To: Deborah Cockrell, Health - ICS
From: Jude Tennant, Consultant, CWI Business Solutions
Joi Doi, Class/Comp Unit
Date: May 15, 2009
Subject: Reclassification Request #1201 (Vacant/New)

We have completed our review of your request and the decision is outlined below.

Request Information:

Date Request Received: April 10, 2009
Current Classification: NA
Job Class Number: NA
Pay Grade: NA

Position Number: New
Requested Classification: Office Assistant 2
Job Class Number: 6001
Pay Grade: 9

Request is: Approved as Requested
 Approved - Revised
 Denied

Effective Date: May 15, 2009

Allocated Classification: Office Assistant 2
Pay Range: Min \$14.43/hr Max \$17.73/hr

Job Class Number: 6001
Pay Grade: 9

Please note this classification decision is subject to all applicable requirements stated in MC Personnel Rule 5-50 and may require Board of County Commissioners' approval. This decision is considered preliminary until such approval is received.

Position Information:

Vacant - see New/Vacant Section
 Filled & incumbent reclassified - see Employee Information Section
 Filled & incumbent not reclassified with position See New/Vacant Section

New/Vacant Position Information:

If the position is vacant or incumbent is not reclassified with position, position must be filled in accordance with the normal appointment procedures. If position is reclassified due to reorganization, a limited recruitment process may be conducted. Please consult with the Department Human Resources Unit for assistance.

Reason for Classification Decision:

Under general supervision, this position plays a key role in support of the provider team by performing a variety of clerical functions. Essential functions include: process documentation for patient referrals; determine reimbursement source and obtain preauthorization; track referrals and provide weekly updates; coordinate/track PCP follow-up for no-show patients; order durable medical equipment; answer team phone and refer calls to appropriate clinical staff; update visit notes/messages and insurance information as needed; and troubleshoot/report equipment issues as needed to supervisor. These functions, and level of expected experience, are consistent with those of the Office Assistant 2 (6001) classification.

If you have any questions, please feel free to contact Joi Doi at 503-988-3241.

cc: Larry Brown, HR Analyst
Joan Sears, HR Maintainer
Local 88
Class Comp File Copy



Department of County Management
MULTNOMAH COUNTY OREGON
Human Resources

Multnomah Building
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Portland, Oregon 97214
(503) 988-5015 Phone
(503) 988-3009 Fax

To: Deborah Cockrell, Health Department, x24231
From: Melanie Stagnitti, Classification & Compensation Unit 503/4
Date: May 12, 2009
Subject: Reclassification Request #1202 (Clinic Medical Assistant x3 positions)

We have completed our review of your request and the decision is outlined below.

Request Information:

Date Request Received: March 17, 2009
Current Classification: N/A
Job Class Number: N/A
Pay Grade: N/A

Position Number: TBD
Requested Classification: Clinic Medical Assistant
Job Class Number: 6012
Pay Grade: 13

Request is: Approved as Requested
 Approved - Revised
 Denied

Effective Date: July 1, 2009

Allocated Classification: Clinic Medical Assistant
Pay Range: \$33,846.48 - \$41,676.48

Job Class Number: 6012
Pay Grade: 13

Please note this classification decision is subject to all applicable requirements stated in MC Personnel Rule 5-50 and may require Board of County Commissioners' approval. This decision is considered preliminary until such approval is received.

Position Information:

Vacant - see New/Vacant Section
 Filled & incumbent reclassified - see Employee Information Section
 Filled & incumbent not reclassified with position - see New/Vacant Section

New/Vacant Position Information:

If the position is vacant or incumbent not reclassified with position, position must be filled in accordance with the normal appointment procedures. If position is reclassified due to re-organization, a limited recruitment process may be conducted. Please consult with the Department Human Resources Unit for assistance.

Reason for Classification Decision:

As a result of expansion in the clinics, the MidCounty Health Center is adding three of these similar positions. The duties of these positions include: providing patient support and follow-up, including administering immunizations and approved injections; helping to ensure proper clinic work-flow; and ensuring equipment and supplies are available and working. These duties are aligned with the Clinic Medical Assistant (1206) classification.

If you have any questions, please feel free to contact me at 503-988-3102 or ext. 83102.

cc: Kathleen Fuller-Poe, HR Manager
Larry Brown, HR Analyst
Joan Sears, HR Maintainer
Bryan Lally, Local 88
Class Comp File Copy



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To: Robert Saum, Health Department, x24940
From: Melanie Stagnitti, Classification & Compensation Unit 503/4
Date: May 12, 2009
Subject: Reclassification Request #1203 (Clinic Medical Assistant)

We have completed our review of your request and the decision is outlined below.

Request Information:

Date Request Received: March 17, 2009
Current Classification: N/A
Job Class Number: N/A
Pay Grade: N/A

Position Number: TBD
Requested Classification: Clinic Medical Assistant
Job Class Number: 6012
Pay Grade: 13

Request is: Approved as Requested
 Approved - Revised
 Denied

Effective Date: July 1, 2009

Allocated Classification: Clinic Medical Assistant
Pay Range: \$33,846.48 - \$41,676.48

Job Class Number: 6012
Pay Grade: 13

Please note this classification decision is subject to all applicable requirements stated in MC Personnel Rule 5-50 and may require Board of County Commissioners' approval. This decision is considered preliminary until such approval is received.

Position Information:

Vacant - see New/Vacant Section
 Filled & incumbent reclassified - see Employee Information Section
 Filled & incumbent not reclassified with position - see New/Vacant Section

New/Vacant Position Information:

If the position is vacant or incumbent not reclassified with position, position must be filled in accordance with the normal appointment procedures. If position is reclassified due to re-organization, a limited recruitment process may be conducted. Please consult with the Department Human Resources Unit for assistance.

Reason for Classification Decision:

As a result of expansion in the clinics, the LaClinica clinic is adding this new position. The duties of this position include: providing patient support and follow-up, including administering immunizations and approved injections; helping to ensure proper clinic work-flow; and ensuring equipment and supplies are available and working. These duties are aligned with the Clinic Medical Assistant (6012) classification.

If you have any questions, please feel free to contact me at 503-988-3102 or ext. 83102.

cc: Kathleen Fuller-Poe, HR Manager
Larry Brown, HR Analyst
Joan Sears, HR Maintainer
Bryan Lally, Local 88
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To: Deborah Cockrell, Health Department, x24231
From: Melanie Stagnitti, Classification & Compensation Unit 503/4
Date: May 12, 2009
Subject: Reclassification Request #1204 (Clinic Medical Assistant x3 positions)

We have completed our review of your request and the decision is outlined below.

Request Information:

Date Request Received: March 17, 2009
Current Classification: N/A
Job Class Number: N/A
Pay Grade: N/A

Position Number: TBD
Requested Classification: Clinic Medical Assistant
Job Class Number: 6012
Pay Grade: 13

Request is: Approved as Requested
 Approved - Revised
 Denied

Effective Date: July 1, 2009

Allocated Classification: Clinic Medical Assistant
Pay Range: \$33,846.48 - \$41,676.48

Job Class Number: 6012
Pay Grade: 13

Please note this classification decision is subject to all applicable requirements stated in MC Personnel Rule 5-50 and may require Board of County Commissioners' approval. This decision is considered preliminary until such approval is received.

Position Information:

Vacant - see New/Vacant Section
 Filled & incumbent reclassified - see Employee Information Section
 Filled & incumbent not reclassified with position - see New/Vacant Section

New/Vacant Position Information:

If the position is vacant or incumbent not reclassified with position, position must be filled in accordance with the normal appointment procedures. If position is reclassified due to re-organization, a limited recruitment process may be conducted. Please consult with the Department Human Resources Unit for assistance.

Reason for Classification Decision:

As a result of expansion in the clinics, the MidCounty Health Center is adding three of these similar positions. The duties of these positions include: providing patient support and follow-up, including administering immunizations and approved injections; helping to ensure proper clinic work-flow; and ensuring equipment and supplies are available and working. These duties are aligned with the Clinic Medical Assistant (6012) classification.

If you have any questions, please feel free to contact me at 503-988-3102 or ext. 83102.

cc: Kathleen Fuller-Poe, HR Manager
Larry Brown, HR Analyst
Joan Sears, HR Maintainer
Bryan Lally, Local 88
Class Comp File Copy



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To: Marcia Morrow, Health Department, x24285
From: Melanie Stagnitti, Classification & Compensation Unit 503/4
Date: May 12, 2009
Subject: Reclassification Request #1207 (Clinic Medical Assistant x3 positions)

We have completed our review of your request and the decision is outlined below.

Request Information:

Date Request Received: March 17, 2009
Current Classification: N/A
Job Class Number: N/A
Pay Grade: N/A

Position Number: TBD
Requested Classification: Clinic Medical Assistant
Job Class Number: 6012
Pay Grade: 13

Request is: Approved as Requested
 Approved - Revised
 Denied

Effective Date: July 1, 2009

Allocated Classification: Clinic Medical Assistant
Pay Range: \$33,846.48 - \$41,676.48

Job Class Number: 6012
Pay Grade: 13

Please note this classification decision is subject to all applicable requirements stated in MC Personnel Rule 5-50 and may require Board of County Commissioners' approval. This decision is considered preliminary until such approval is received.

Position Information:

Vacant - see New/Vacant Section
 Filled & incumbent reclassified - see Employee Information Section
 Filled & incumbent not reclassified with position - see New/Vacant Section

New/Vacant Position Information:

If the position is vacant or incumbent not reclassified with position, position must be filled in accordance with the normal appointment procedures. If position is reclassified due to re-organization, a limited recruitment process may be conducted. Please consult with the Department Human Resources Unit for assistance.

Reason for Classification Decision:

As a result of expansion in the clinics, the East County Health Center is adding three of these similar positions. The duties of these positions include: providing patient support and follow-up, including administering immunizations and approved injections; helping to ensure proper clinic work-flow; and ensuring equipment and supplies are available and working. These duties are aligned with the Clinic Medical Assistant (6012) classification.

If you have any questions, please feel free to contact me at 503-988-3102 or ext. 83102.

cc: Kathleen Fuller-Poe, HR Manager
Larry Brown, HR Analyst
Joan Sears, HR Maintainer
Bryan Lally, Local 88
Class Comp File Copy



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(503) 988-3009 Fax

To: Marcia Morrow, Health - ICS
From: Jude Tennant, Consultant, CWI Business Solutions
Joi Doi, Class/Comp Unit
Date: May 15, 2009
Subject: Reclassification Request #1209 (Vacant/New)

We have completed our review of your request and the decision is outlined below.

Request Information:

Date Request Received: April 10, 2009
Current Classification: NA
Job Class Number: NA
Pay Grade: NA

Position Number: New
Requested Classification: Office Assistant 2
Job Class Number: 6001
Pay Grade: 9

Request is: Approved as Requested
 Approved - Revised
 Denied

Effective Date: May 15, 2009

Allocated Classification: Office Assistant 2
Pay Range: Min \$14.43/hr Max \$17.73/hr

Job Class Number: 6001
Pay Grade: 9

Please note this classification decision is subject to all applicable requirements stated in MC Personnel Rule 5-50 and may require Board of County Commissioners' approval. This decision is considered preliminary until such approval is received.

Position Information:

Vacant - see New/Vacant Section
 Filled & incumbent reclassified - see Employee Information Section
 Filled & incumbent not reclassified with position See New/Vacant Section

New/Vacant Position Information:

If the position is vacant or incumbent is not reclassified with position, position must be filled in accordance with the normal appointment procedures. If position is reclassified due to reorganization, a limited recruitment process may be conducted. Please consult with the Department Human Resources Unit for assistance.

Reason for Classification Decision:

Under general supervision, this position's primary focus is to answer and route incoming calls accordingly while providing information to clients and staff as needed, schedule established patient appointments, and perform additional clerical functions as needed. This position is expected to have 2 years of general clerical experience, including some experience in a healthcare office environment, and will exercise independent judgment when making decisions and resolving problems. Essential functions include: answer phone and refer calls to appropriate clinical staff; act as communication liaison with treatment staff; confirm insurance coverage and schedule appointments as indicated with Eligibility Services; receive, review, and distribute client documents; close patient referrals once report is received; review and resolve missing encounters on a weekly basis; and troubleshoot/report equipment issues as needed to supervisor. These functions, and level of expected experience, are consistent with those of the Office Assistant 2 (6001) classification.

If you have any questions, please feel free to contact Joi Doi at 503-988-3241.

cc: Larry Brown, HR Analyst
Joan Sears, HR Maintainer
Local 88
Class Comp File Copy



MULTNOMAH COUNTY OREGON
Reclassification & Classification Request

X Requested by Supervisor Deborah Cockrell Phone/mail stop ext. 24231/ 430/MCC
 Printed Name

Requested by Employee _____ Phone/mail stop _____
 Printed Name

X New Position Existing Position Re-Organization

POSITION INFORMATION			
DEPARTMENT	HEALTH	WORK UNIT	Mid County Health Center
CURRENT CLASS & CLASS NUMBER	NEW—2 POSITIONS	POSITION NUMBER	n/a
PROPOSED CLASS & CLASS NUMBER	PHYSICIAN/9490	POSITION INCUMBENT	MULTNOMAH COUNTY HEALTH DEPARTMENT
PROPOSED EFFECTIVE DATE	7/1/2009	TIME IN NEW CLASS DUTIES	MAR 02 2009

MULTNOMAH COUNTY HEALTH DEPARTMENT
 RECEIVED
 MAR 02 2009

A reclassification review is an analysis of a position's duties and responsibilities to determine the best classification fit for that position. Positions are reviewed and allocated as they are established. Positions are reclassified or abolished when job duties change significantly.

Allocation - Placement of a position in the best available classification fit. The process is used with new positions, and with positions affected by classification compensation studies.

Reclassification of a position - A budgetary action moving an existing position (upward, laterally, or downward) from one classification to another classification.

Reclassification of an employee - An incumbent employee may be reclassified when a position is reclassified if:

- o The knowledge, skills, and abilities of the two classifications are generally the same.
- o No Work out of Class appointment was made for the position
- o The majority of the incumbent's duties were characteristic of the new classification at least six months before the date the reclassification was requested.
- o The duties justifying the reclassification were added to the position gradually, and were added because of identifiable changes in the business plan described in the budget narrative.
- o Reclassification may or may not have an immediate affect on pay, but will affect an employee's class seniority date. *(Please refer to the appropriate Personnel Rules and/or collective bargaining agreement language governing the process.)*

A completed job description and organization chart must be submitted with this form. All documents must have required signatures and be in most updated versions. The blank job description form can be found on the MINT, Depts., Human Resources, Forms, job description.

Questions regarding the reclassification process can be directed to any member of the Classification & Compensation Team - ext. 85015.

EMPLOYEE SECTION Describe why the position should be reclassified:

- o If new duties and responsibilities were added to the position, what are they, and why were they added?
- o Date(s) the new duties and responsibilities were added/started: _____

EMPLOYEE SIGNATURE _____	DATE _____
--------------------------	------------

Employee's signature indicates that the employee has reviewed the presented above, and represents that facts presented are accurate, inaccurate or incomplete.

SUPERVISOR SECTION (To be completed by the exempt supervisor.)

1. Describe what change in plans or business requirements require the position to be reclassified or added, if new:
Clinic expansion requires adding positions
2. If new duties and responsibilities were added to the position, what are they, and why were they added?
Additional provider team support functions
3. Were all employees offered the opportunity to assume the new duties? If not, why?
n/a
4. Date(s) the new duties and responsibilities were added:
n/a
5. How does the incumbent meet the minimum qualifications outlined in the class specification of the requested class?
n/a

Supervisor: (PRINT)	Deborah Cockrell, Program Manager	Date
Supervisor	<i>Deborah Cockrell</i> Signature	3/2/09 Date
Supervisor's signature indicates that the request was reviewed and the facts presented above are <input type="checkbox"/> accurate or <input type="checkbox"/> inaccurate or incomplete.		
Department HR Manager: (PRINT)	For <i>[Signature]</i>	4/20/09 Date
Department HR Manager: (required, no designees)	Signature	Date
Department Director: (If required by the department)	<i>Susan Korchoff</i> Signature, Title	3/2/09 Date
Department HR signature indicates that the request was reviewed and the facts presented above describe all duties accurately and completely.		
<input type="checkbox"/> Desk Audit is requested by (print name)		

HR Comments:

Send Request form and signed position description to Department HR. Department HR then send to Central Human Resources Classification/Compensation.

Interoffice: 503/4/Olga Ward-Class/Comp
OR
Fax: 503-988-3009

REQUESTS MISSING ORGANIZATION CHARTS; ALL SIGNATURES AND/OR FORMS IMPROPERLY FILLED OUT WILL BE RETURNED TO THE SENDER FOR COMPLETION.



MULTNOMAH COUNTY OREGON
Reclassification & Classification Request

Requested by Supervisor Marcia Morrow Phone/mail stop ext. 24285/ 437/3
 Printed Name _____

Requested by Employee _____ Phone/mail stop _____
 Printed Name _____

New Position Existing Position Re-Organization

POSITION INFORMATION			
DEPARTMENT	HEALTH	WORK UNIT	East County Health Center
CURRENT CLASS & CLASS NUMBER	NEW (2 POSITIONS)	POSITION NUMBER	n/a
PROPOSED CLASS & CLASS NUMBER	LICENSED PRACTICAL NURSE/6303	POSITION INCUMBENT	n/a
PROPOSED EFFECTIVE DATE	7/1/2009	TIME IN NEW CLASS DUTIES:	

MULTNOMAH COUNTY HEALTH DEPARTMENT

MAR 02 2009

RECEIVED
HUMAN RESOURCES

A reclassification review is an analysis of a position's duties and responsibilities to determine the best classification fit for that position. Positions are reviewed and allocated as they are established. Positions are reclassified or abolished when job duties change significantly.

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Reclassification of a position - A budgetary action moving an existing position (upward, laterally, or downward) from one classification to another classification.

Reclassification of an employee - An incumbent employee may be reclassified when a position is reclassified if:

- o The knowledge, skills, and abilities of the two classifications are generally the same.
- o No Work out of Class appointment was made for the position
- o The majority of the incumbent's duties were characteristic of the new classification at least six months before the date the reclassification was requested.
- o The duties justifying the reclassification were added to the position gradually, and were added because of identifiable changes in the business plan described in the budget narrative.
- o Reclassification may or may not have an immediate affect on pay, but will affect an employee's class seniority date. *(Please refer to the appropriate Personnel Rules and/or collective bargaining agreement language governing the process.)*

A completed job description and organization chart must be submitted with this form. All documents must have required signatures and be in most updated versions. The blank job description form can be found on the MINT, Depts., Human Resources, Forms, job description.

Questions regarding the reclassification process can be directed to any member of the Classification & Compensation Team - ext. 85015.

EMPLOYEE SECTION Describe why the position should be reclassified:

- o If new duties and responsibilities were added to the position, what are they, and why were they added?
- o Date(s) the new duties and responsibilities were added/started: _____

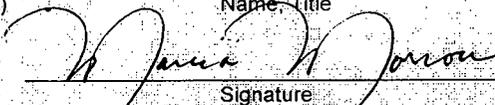
EMPLOYEE SIGNATURE _____	DATE _____
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Employee's signature indicates that the employee has reviewed the presented above, and represents that facts presented are accurate, inaccurate or incomplete.

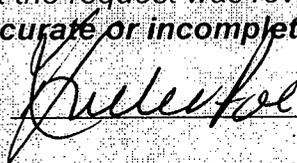
SUPERVISOR SECTION (To be completed by the exempt supervisor.)

1. Describe what change in plans or business requirements require the position to be reclassified or added, if new:
Expansion of services requiring additional staff
2. If new duties and responsibilities were added to the position, what are they, and why were they added?
n/a—new position
3. Were all employees offered the opportunity to assume the new duties? If not, why?
n/a
4. Date(s) the new duties and responsibilities were added:
n/a.
5. How does the incumbent meet the minimum qualifications outlined in the class specification of the requested class?
- 6.

Supervisor: Marcia Morrow, Program Manager
(PRINT) Name, Title Date

Supervisor  3-2-09
Signature Date

Supervisor's signature indicates that the request was reviewed and the facts presented above are accurate or inaccurate or incomplete.

Department HR Manager:  4/20/09
(PRINT) Signature Date

Department HR Manager: (required, no designees) Signature Date

Department Director:  3/2/09
(If required by the department) Signature, Title Date

Department HR signature indicates that the request was reviewed and the facts presented above describe all duties accurately and completely.

Desk Audit is requested by (print name)

HR Comments:

Send Request form and signed position description to Department HR. Department HR then send to Central Human Resources Classification/Compensation.

Interoffice: 503/4/Olga Ward-Class/Comp
OR
Fax: 503-988-3009

REQUESTS MISSING ORGANIZATION CHARTS, ALL SIGNATURES AND/OR FORMS IMPROPERLY FILLED OUT WILL BE RETURNED TO THE SENDER FOR COMPLETION.



MULTNOMAH COUNTY OREGON
Reclassification & Classification Request

Requested by Supervisor Marcia Morrow Phone/mail stop ext. 24285/ 437/3
 Printed Name

Requested by Employee _____ Phone/mail stop _____
 Printed Name

New Position Existing Position Re-Organization

POSITION INFORMATION			
DEPARTMENT	HEALTH	WORK UNIT	East County Health Center
CURRENT CLASS & CLASS NUMBER	NEW	POSITION NUMBER	n/a
PROPOSED CLASS & CLASS NUMBER	NURSE PRACTITIONER/6314	POSITION INCUMBENT	n/a
PROPOSED EFFECTIVE DATE	7/1/2009	TIME IN NEW CLASS DUTIES	

MULTNOMAH COUNTY
 HEALTH DEPARTMENT
 MAR 02 2009
 RECEIVED
 HUMAN RESOURCES

A reclassification review is an analysis of a position's duties and responsibilities to determine if a position's classification fit for that position. Positions are reviewed and allocated as they are established. Positions are reclassified or abolished when job duties change significantly.

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Reclassification of an employee - An incumbent employee may be reclassified when a position is reclassified if:

- o The knowledge, skills, and abilities of the two classifications are generally the same.
- o No Work out of Class appointment was made for the position
- o The majority of the incumbent's duties were characteristic of the new classification at least six months before the date the reclassification was requested.
- o The duties justifying the reclassification were added to the position gradually, and were added because of identifiable changes in the business plan described in the budget narrative.
- o Reclassification may or may not have an immediate affect on pay, but will affect an employee's class seniority date. *(Please refer to the appropriate Personnel Rules and/or collective bargaining agreement language governing the process.)*

A completed job description and organization chart must be submitted with this form. All documents must have required signatures and be in most updated versions. The blank job description form can be found on the MINT, Depts., Human Resources, Forms, job description.

Questions regarding the reclassification process can be directed to any member of the Classification & Compensation Team - ext. 85015.

EMPLOYEE SECTION Describe why the position should be reclassified:

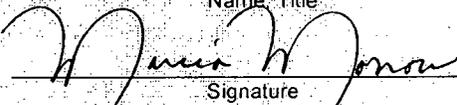
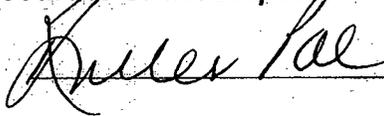
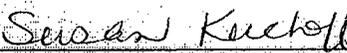
- o If new duties and responsibilities were added to the position, what are they, and why were they added?
- o Date(s) the new duties and responsibilities were added/started: _____

EMPLOYEE SIGNATURE _____	DATE _____
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Employee's signature indicates that the employee has reviewed the presented above, and represents that facts presented are accurate, inaccurate or incomplete.

SUPERVISOR SECTION (To be completed by the exempt supervisor.)

1. Describe what change in plans or business requirements require the position to be reclassified or added, if new:
Expansion of services requiring additional staff
2. If new duties and responsibilities were added to the position, what are they, and why were they added?
n/a—new position
3. Were all employees offered the opportunity to assume the new duties? If not, why?
n/a
4. Date(s) the new duties and responsibilities were added:
n/a
5. How does the incumbent meet the minimum qualifications outlined in the class specification of the requested class?
- 6.

Supervisor: (PRINT) Marcia Morrow, Program Manager	_____ Name, Title	_____ Date
Supervisor	 Signature	3-2-09 Date
Supervisor's signature indicates that the request was reviewed and the facts presented above are <input type="checkbox"/> accurate or <input type="checkbox"/> inaccurate or incomplete.		
Department HR Manager: (PRINT) _____	 Signature	4/20/09 Date
Department HR Manager: (required, no designees)	_____ Signature	_____ Date
Department Director: (If required by the department)	 Signature, Title	3/2/09 Date
Department HR signature indicates that the request was reviewed and the facts presented above describe all duties accurately and completely.		
<input type="checkbox"/> Desk Audit is requested by (print name)		

HR Comments:

Send Request form and signed position description to Department HR. Department HR then send to Central Human Resources Classification/Compensation.

Interoffice: 503/4/Olga Ward-Class/Comp
OR
Fax: 503-988-3009

REQUESTS MISSING ORGANIZATION CHARTS, ALL SIGNATURES AND/OR FORMS IMPROPERLY FILLED OUT WILL BE RETURNED TO THE SENDER FOR COMPLETION.



MULTNOMAH COUNTY OREGON
Reclassification & Classification Request

Requested by Supervisor Robert Saum Phone/mail stop ext. 24940/ 322 NEHC
 Printed Name

Requested by Employee _____ Phone/mail stop _____
 Printed Name

New Position Existing Position Re-Organization

POSITION INFORMATION			
DEPARTMENT	HEALTH	WORK UNIT	LaClinica
CURRENT CLASS & CLASS NUMBER	NEW	POSITION NUMBER	n/a
PROPOSED CLASS & CLASS NUMBER	NURSE PRACTITIONER/6314	POSITION INCUMBENT	
PROPOSED EFFECTIVE DATE	7/1/2009	TIME IN NEW CLASS DUTIES	

MULTNOMAH COUNTY
 HEALTH DEPARTMENT
 MAR 02 2009
RECEIVED
 HUMAN RESOURCES

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- o No Work out of Class appointment was made for the position
- o The majority of the incumbent's duties were characteristic of the new classification at least six months before the date the reclassification was requested.
- o The duties justifying the reclassification were added to the position gradually, and were added because of identifiable changes in the business plan described in the budget narrative.
- o Reclassification may or may not have an immediate affect on pay, but will affect an employee's class seniority date. *(Please refer to the appropriate Personnel Rules and/or collective bargaining agreement language governing the process.)*

A completed job description and organization chart must be submitted with this form. All documents must have required signatures and be in most updated versions. The blank job description form can be found on the MINT, Depts., Human Resources, Forms, job description.

Questions regarding the reclassification process can be directed to any member of the Classification & Compensation Team - ext. 85015.

EMPLOYEE SECTION Describe why the position should be reclassified:

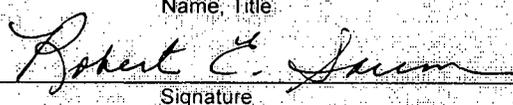
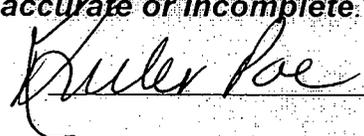
- o **If new duties and responsibilities were added to the position, what are they, and why were they added?**
- o **Date(s) the new duties and responsibilities were added/started:** _____

EMPLOYEE SIGNATURE _____	DATE _____
--------------------------	------------

Employee's signature indicates that the employee has reviewed the presented above, and represents that facts presented are accurate, inaccurate or incomplete.

SUPERVISOR SECTION (To be completed by the exempt supervisor.)

1. Describe what change in plans or business requirements require the position to be reclassified or added, if new:
Expansion requires adding additional positions
2. If new duties and responsibilities were added to the position, what are they, and why were they added?
n/a—new position
3. Were all employees offered the opportunity to assume the new duties? If not, why?
n/a
4. Date(s) the new duties and responsibilities were added:
n/a
5. How does the incumbent meet the minimum qualifications outlined in the class specification of the requested class?
n/a

Supervisor: (PRINT)	Robert Saum, Program Manager	3/2/09
	Name, Title	Date
Supervisor		3/2/09
	Signature	Date
Supervisor's signature indicates that the request was reviewed and the facts presented above are <input type="checkbox"/> accurate or <input type="checkbox"/> inaccurate or incomplete.		
Department HR Manager: (PRINT)		4/20/09
	Signature	Date
Department HR Manager: (required, no designees)		
	Signature	Date
Department Director: (If required by the department)	Susan Kucstoll	3/2/09
	Signature, Title	Date
Department HR signature indicates that the request was reviewed and the facts presented above describe all duties accurately and completely.		
<input type="checkbox"/> Desk Audit is requested by (print name)		

HR Comments:

Send Request form and signed position description to Department HR. Department HR then send to Central Human Resources Classification/Compensation.

Interoffice: 503/4/Olga Ward-Class/Comp
OR

Fax: 503-988-3009

REQUESTS MISSING ORGANIZATION CHARTS, ALL SIGNATURES AND/OR FORMS IMPROPERLY FILLED OUT WILL BE RETURNED TO THE SENDER FOR COMPLETION.



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (Budget Modification)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # R-14 DATE 06-11-09
 DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 06/11/09
 Agenda Item #: R-14
 Est. Start Time: 10:24 AM
 Date Submitted: 05/22/09

BUDGET MODIFICATION: HD-23

Agenda Title: BUDGET MODIFICATION HD-23 Appropriating \$200,000 in Revenue from CareOregon, Building Better Care Project

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: June 11, 2009 **Amount of Time Needed:** 5 minutes
Department: Health **Division:** Integrated Clinical Services
Contact(s): Lester A. Walker, Finance and Budget Manager
Phone: 503-988-3674 **Ext.** 26457 **I/O Address:** 167/2/210
Presenter(s): Susan Kirchoff, Health Centers Operations Director

General Information

1. What action are you requesting from the Board?

Approval of appropriation of \$200,000 in additional FY09 funding from CareOregon for the Health Department to continue participation in CareOregon's Care Support and System Innovation's Patient-Centered Care Initiative – Building Better Care Project.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

The Patient-Centered Care Initiative provides funding for the Health Department's *Building Better Care Project*. The purpose of this project is to strengthen and enhance previous work in primary care team-based care design and to achieve service delivery that is proactive, patient-centered, service oriented, accessible and cost-effective. The overarching goal is establishing a medical home model with an emphasis on preventative care, chronic disease management and health promotion and wellness.

This increase in funding affects Program Offer #40034 – Quality Assurance. This action supports the Health Department's efforts aimed at developing and implementing fiscal accountability

programs and access to health care, initiating and sustaining clinical and administrative quality and safety activities and improvements, and coordinating adherence to healthcare standards.

3. Explain the fiscal impact (current year and ongoing).

The Health Department's FY09 federal/state budget will increase by \$200,000 in FY09 for the period 2/1/09 – 6/30/09. Additional funding for this project carries over into the next fiscal year, which is reflected in the Health Department's submitted FY10 budget.

4. Explain any legal and/or policy issues involved.

There are none.

5. Explain any citizen and/or other government participation that has or will take place.

The Community Health Council, comprised of member users, will provide input on our work. The Health Department is a Federally Qualified Health Center (FQHC). The Federal Government requires every Federally Qualified Health Center to have a governing board. The Community Health Council serves as our governing board.

ATTACHMENT A

Budget Modification

If the request is a **Budget Modification**, please answer **all** of the following in detail:

• **What revenue is being changed and why?**

The Health Department's FY09 federal/state revenue will increase by \$200,000 as a result of the work performed under this grant.

• **What budgets are increased/decreased?**

As a result of these changes the Health Department's budget will have the following changes:

- Temporary personnel budget will increase by \$108,057.
- Premium personnel will increase by \$903.
- Non-base fringe expense budget will increase by \$33,077.
- Non-base insurance benefits budget will increase by \$25,285.
- Professional Services budget will increase by \$3,000.
- Printing will increase by \$381.
- Supplies budget will increase by \$7,923.
- Travel and Training budget will increase by \$4,500.
- Local Travel/Mileage budget will increase by \$500.
- Central indirect budget will increase by \$5,181.
- Departmental indirect budget will increase by \$4,343.
- Internal Service – Telephone budget will increase by \$2,000.
- Internal Service – Motor Pool budget will increase by \$250.
- Internal Service – Building Management budget will increase by \$4,500
- Internal Service – Distribution/Postage will increase by \$100.

• **What do the changes accomplish?**

The changes streamline access to health care, reduce barriers, and improve customer service by ensuring that physician caseloads are monitored and all patients are assigned to a primary care provider.

• **Do any personnel actions result from this budget modification? Explain.**

No additional FTE will result from this budget modification. Existing FTE will perform services.

• **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**

The grant has a 5% indirect cap. The Department will cover the balance for administering this grant using existing resources.

• **Is the revenue one-time-only in nature? Will the function be ongoing? What plans are in place to identify a sufficient ongoing funding stream?**

The revenue is not one-time-only in nature. The third year grant period is 2/1/10—1/31/11.

• **If a grant, what period does the grant cover?**

This grant covers the period 2/1/09—1/31/10.

- **If a grant, when the grant expires, what are funding plans?**

When the grant expires, the work will continue as part of the Primary Care program.

NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.

ATTACHMENT B

BUDGET MODIFICATION: HD-23

Required Signatures

**Elected Official or
Department/
Agency Director:**

KaRin Johnson for

Date: 05/21/09

Lillian Shirley

Budget Analyst:

Date: 05/22/09

Angela Burdine

Department HR:

Date:

Countywide HR:

Date:

Budget Modification ID: **HD-09-23**

EXPENDITURES & REVENUES

Budget/Fiscal Year: 2009

Please show an increase in revenue as a negative value and a decrease as a positive value for consistency with SAP.

Line No.	Fund Center	Fund Code	Program #	Func. Area	Internal Order	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
						Cost Center	WBS Element						
30	72-55	3501	40034	20		904100		50310	-	(250)	(250)		Budgets receipt of Motor Pool service rei
31	72-55	3501	40034	20		904100		60240	-	250	250		Budgets offsetting expenditure
32													
33	72-50	3505	40034	20		902575		50310	-	(4,500)	(4,500)		Budgets receipt of Building Management
34	72-50	3505	40034	20		902575		60170	-	4,500	4,500		Budgets offsetting expenditure
35													
36	72-55	3504	40034	20		904400		50310	-	(100)	(100)		Budgets receipt of service reimbursemen
37	72-55	3504	40034	20		904400		60230	-	100	100		Budgets offsetting expenditure
38													
39													
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57													
58													
											0	0	Total - Page 2
											0	0	GRAND TOTAL



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (Budget Modification)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # R-15 DATE 06-11-09
 DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 06/11/09
Agenda Item #: R-15
Est. Start Time: 10:36 AM
Date Submitted: 05/22/09

BUDGET MODIFICATION: HD-24

Agenda Title: BUDGET MODIFICATION HD-24 Appropriating \$90,000 in Revenue from CareOregon, Primary Care Renewal Project

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: June 11, 2009 **Amount of Time Needed:** 5 minutes
Department: Health **Division:** Integrated Clinical Services
Contact(s): Lester A. Walker, Finance and Budget Manager
Phone: 503-988-3674 **Ext.** 26457 **I/O Address:** 167/2/210
Presenter(s): Susan Kirchoff, Health Center Operations Director

General Information

1. What action are you requesting from the Board?

Approval of appropriation of \$90,000 in additional FY09 funding from CareOregon to the Health Department to support the Primary Care Renewal initiative at Mid-County Health Center.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

The Patient-Centered Care Initiative provides funding for the Health Department's *Building Better Care Project*. The purpose of this additional funding is to support specific quality improvement activities such as improving screening and management of chronic illnesses, expanding preventative care and health promotion activities. Additionally this funding will support efforts to increase client participation in clinic service delivery design.

The Department's *Building Better Care Project* includes defining provider panel structure, composition, and management; developing a care team model including integration of behavioral health, streamlining access to care, reducing barriers and improving customer service by ensuring that physician caseloads are monitored and all patients are assigned to a primary care provider. The

project conducts its work through a project steering committee as well as through a number of work groups. Group participants include representatives from primary care leadership, providers, nurses and support staff from the department primary care clinics. Initial planning for the project began in January 2007.

This increase in funding affects Program Offer #40034 – Quality Assurance. This action supports the Health Department's efforts aimed at developing and implementing fiscal accountability programs and access to health care, initiating and sustaining clinical and administrative quality and safety activities and improvements, and coordinating adherence to healthcare standards.

3. Explain the fiscal impact (current year and ongoing).

The Health Department's FY09 federal/state budget will increase by \$90,000 in FY09 for the period 1/1/09 – 6/30/09. Additional funds will be added in FY10 through another budget modification.

4. Explain any legal and/or policy issues involved.

There are none.

5. Explain any citizen and/or other government participation that has or will take place.

The Community Health Council, comprised of member users, will provide input on our work. The Health Department is a Federally Qualified Health Center (FQHC). The Federal Government requires every Federally Qualified Health Center to have a governing board. The Community Health Council serves as our governing board.

ATTACHMENT A

Budget Modification

If the request is a **Budget Modification**, please answer **all** of the following in detail:

- **What revenue is being changed and why?**

The Health Department's FY09 federal/state revenue will increase by \$90,000 as a result of the work performed under this grant.

- **What budgets are increased/decreased?**

As a result of these changes the Health Department's budget will have the following changes:

- Temporary personnel budget will increase by \$15,471.
- Non-base fringe expense budget will increase by \$1,282.
- Non-base insurance benefits budget will increase by \$465.
- Direct Client Assistance budget will increase by \$2,500.
- Professional Services budget will increase by \$42,000.
- Supplies budget will increase by \$6,331.
- Medical & Dental Supplies budget will increase by \$6,700.
- Drugs budget will increase by \$10,966.
- Central indirect budget will increase by \$1,774.
- Departmental indirect budget will increase by \$2,511.

- **What do the changes accomplish?**

The changes improve processes for chronic disease management and expands focus on preventative care activities.

- **Do any personnel actions result from this budget modification? Explain.**

No additional FTE will result from this budget modification.

- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**

The grant has a 5% indirect cap. The Department will cover the balance for administering this grant using existing resources.

- **Is the revenue one-time-only in nature? Will the function be ongoing? What plans are in place to identify a sufficient ongoing funding stream?**

The revenue is not one-time-only in nature. Additional funding for this project carries over into the next fiscal year; funds will be added in FY10 through another budget modification.

- **If a grant, what period does the grant cover?**

This grant covers the period 1/1/09—12/31/09.

- **If a grant, when the grant expires, what are funding plans?**

When the grant expires, the work will continue as part of the Primary Care program.

NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.

ATTACHMENT B

BUDGET MODIFICATION: HD-24

Required Signatures

**Elected Official or
Department/
Agency Director:**

KaRin Johnson for

Date: 05/21/09

Lillian Shirley

Budget Analyst:

Date: 05/22/09

Angela Burdine

Department HR:

Date: _____

Countywide HR:

Date: _____

Budget Modification ID: **HD-09-24**

EXPENDITURES & REVENUES

Please show an increase in revenue as a negative value and a decrease as a positive value for consistency with SAP.

Budget/Fiscal Year: 2009

Line No.	Fund Center	Fund Code	Program #	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
					Internal Order	Cost Center	WBS Element						
1	40-70	32299	40034	30			4CA117-3	50210	-	(90,000)	(90,000)		CareOregon
2	40-70	32299	40034	30			4CA117-3	60100	-	15,471	15,471		Increase Tempory Personnel
3	40-70	32299	40034	30			4CA117-3	60135	-	1,282	1,282		Increase Non Base Finge
4	40-70	32299	40034	30			4CA117-3	60145	-	465	465		Increase Non Base Insurance
5	40-70	32299	40034	30			4CA117-3	60155	-	2,500	2,500		Increase Direct Client Assistance
6	40-70	32299	40034	30			4CA117-3	60170	-	42,000	42,000		Increase Professional Services
7	40-70	32299	40034	30			4CA117-3	60240	-	6,331	6,331		Increase Supplies
8	40-70	32299	40034	30			4CA117-3	60246	-	6,700	6,700		Increase Med&Dental Supplies
9	40-70	32299	40034	30			4CA117-3	60310	-	10,966	10,966		Increase Drugs
10	40-70	32299	40034	30			4CA117-3	60350	-	1,774	1,774		Increase Central Indirect
11	40-70	32299	40034	30			4CA117-3	60355	-	2,511	2,511		Increase Departmental Indirect
12													
13	19	1000	40034	20		9500001000		50310	-	(1,774)	(1,774)		Indirect reimbursement rev in GF
14	19	1000	40034	20		9500001000		60470	-	1,774	1,774		CGF Contingency expenditure
15													
16	40-90	1000	40034	30		409050		50370	(4,612,002)	(4,614,513)	(2,511)		Indirect dept reimbursement rev in GF
17	40-90	1000	40034	30		409001		60000	336,064	338,575	2,511		Off setting dept expenditure in GF
18													
19	72-10	3500	40034	20		705210		50316	-	(465)	(465)		Insurance Revenue
20	72-10	3500	40034	20		705210		60330	-	465	465		Offsetting Transaction
21													
22													
23													
24													
25													
26													
27													
28													
29													
											0	0	Total - Page 1
											0	0	GRAND TOTAL



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (revised 09/22/08)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # R-16 DATE 06.11.09
 DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only	
Meeting Date:	<u>06/11/09</u>
Agenda Item #:	<u>R-16</u>
Est. Start Time:	<u>10:38 AM</u>
Date Submitted:	<u>06/03/09</u>

Agenda Title:	NOTICE OF INTENT to Submit a Proposal to the Robert Wood Johnson Foundation Healthy Eating Research: Building Evidence to Prevent Childhood Obesity Grant Competition
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Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date:	<u>June 11, 2009</u>	Amount of Time Needed:	<u>5 mins</u>
Department:	<u>Health</u>	Division:	<u>PDES</u>
Contact(s):	<u>Nicole Hermanns, Myde Boles</u>		
Phone:	<u>503-988-3663</u>	Ext.:	<u>26314</u>
		I/O Address:	<u>160/9</u>
Presenter(s):	<u>Nicole Hermanns, Myde Boles</u>		

General Information

1. What action are you requesting from the Board?

Authorization to submit a proposal to for up to \$400,000 to the Robert Wood Johnson Foundation Healthy Eating Research Grant Program to request one-time funding to expand the current evaluation of the chain restaurant nutrition labeling policy in Multnomah County.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

During the summer of 2008, Program Design & Evaluation Services (PDES) applied for and was awarded a grant for approximately \$150,000 through the Robert Wood Johnson Foundation (RWJF) to evaluate the impact of Multnomah County's chain restaurant nutrition labeling policy. This small research study, which is currently underway, includes a survey of customers at quick-serve establishments and a menu audit at two time points before the implementation of menu labeling.

To enhance the research study design and take into account the new statewide menu labeling law, PDES is now applying for additional funding through the RWJF to conduct additional customer surveys and menu data collection after the implementation of the two components of the statewide

menu labeling bill: written nutrition information (pamphlet) at the point of purchase (1/1/10) and calorie posting on menus/menu boards (1/1/11). Similar to the original grant application, the goals of the project are to:

- (1) determine the change in the percentage of customers who have (a) seen and (b) used nutrition information for food items sold in a sample of Quick-Service Establishments (QSEs) in Portland/Multnomah County after the statewide implementation of the pamphlet intervention and again after the implementation of the calorie posting intervention;
- (2) determine the change in average calories, saturated fat, trans fat, carbohydrates, and sodium of QSE purchases per person after the implementation of the pamphlet intervention and again after the implementation of the calorie posting intervention;
- (3) describe differences in outcomes by age, gender, education, race/ethnicity, neighborhood-level income, restaurant type (e.g., burger, sandwich, Mexican, or coffee), and restaurant location;
- (4) describe differences in outcomes by chronic disease status (diabetes and hypertension); and
- (5) describe changes in menu offerings and nutritional values of menu items at regulated QSEs in Multnomah County.

3. Explain the fiscal impact (current year and ongoing).

This grant opportunity will provide PDES with approximately \$400,000 to expand the evaluation of the impact of the chain restaurant nutrition labeling policy. This is a one-time funding opportunity with no-ongoing fiscal impact.

4. Explain any legal and/or policy issues involved.

There are no legal or policy issues related to the research/evaluation project.

5. Explain any citizen and/or other government participation that has or will take place.

Researchers will continue to monitor the finalization of the statewide law, and will modify and adapt the study design as necessary.

ATTACHMENT A

Grant Application/Notice of Intent

If the request is a Grant Application or Notice of Intent, please answer all of the following in detail:

- **Who is the granting agency?**

The Robert Wood Johnson Foundation
- **Specify grant (matching, reporting and other) requirements and goals.**

Healthy Eating Research is a national program of the Robert Wood Johnson Foundation that supports research on environmental and policy strategies to promote healthy eating among children to prevent childhood obesity, especially among low-income and racial/ethnic populations a highest risk for obesity. The grant has no matching requirements. Regular programmatic and fiscal reporting is required.
- **Explain grant funding detail – is this a one time only or long term commitment?**

This is a one-time only funding opportunity of approximately \$400,000 for a 30-month project period.
- **What are the estimated filing timelines?**

A brief proposal was due on February 24, 2009. Our brief proposal was accepted and we were asked to submit a full proposal, which is due on June 12, 2009.
- **If a grant, what period does the grant cover?**

If awarded, the grant will cover a 30-month project period, from November 1, 2009 through April 30, 2012.
- **When the grant expires, what are funding plans?**

When the grant expires the research project will have been completed and additional funding will not be required.
- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**

These costs, and any facilities/internal services costs that are not currently budgeted for, will be covered by the grant.

ATTACHMENT B

Required Signatures

**Elected Official or
Department/
Agency Director:**

Lillian Shirley

Date: 06/02/09

Budget Analyst:

Angela Burdine

Date: 06/03/09



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 06/11/09
Agenda Item #: R-17
Est. Start Time: 10:40 AM
Date Submitted: 04/13/09

Agenda Title: **First Reading of a Proposed ORDINANCE Amending Multnomah County Code Section 21.406, Ambulance Staffing**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: June 11, 2009 **Amount of Time Needed:** 10 minutes
Department: Health **Division:** Health Officer
Contact(s): William Collins
Phone: 503-988-3220 **Ext.** 22216 **I/O Address:** 160/7
Presenter(s): William Collins, Gary Oxman

General Information

1. What action are you requesting from the Board?

Approve first reading of ordinance amending MCC §21.406, Ambulance Staffing.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

The EMS Medical Director needs the flexibility to temporarily alter staffing necessary to meet public health needs during extraordinary circumstances. These circumstances could include emergencies putting unusual demands on the system, inclement weather, labor disputes, and other factors that could limit the availability of paramedic staffing.

3. Explain the fiscal impact (current year and ongoing).

None.

4. Explain any legal and/or policy issues involved.

Multnomah County Health Department is responsible for regulating emergency ambulance services under ORS 682.

5. Explain any citizen and/or other government participation that has or will take place.

None.

Required Signature

**Elected Official or
Department/
Agency Director:**

*Karin Jensen for
William Stultz*

Date: 04/13/09

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Amending MCC §21.406, Ambulance Staffing

(Language ~~stricken~~ is deleted; double underlined language is new.)

Multnomah County Ordains as follows:

Section 1. MCC 21.406 is amended as follows:

§ 21.406 Ambulance Staffing.

(A) ALS ambulances responding to emergency calls shall be staffed with two EMT-Paramedics.

(B) ALS ambulances transferring patients from hospitals to other facilities may be staffed at the minimum with one EMT-Paramedic and one EMT-Basic.

(C) The EMSMD shall specify staffing requirements for critical care ambulances if such a license is required under this subchapter.

(D) All other ambulances will be staffed with EMT-Basic or EMT-Intermediates whose orders and level of service will be specified by the EMSMD and which will allow for the medically appropriate transportation of patients with the most cost effective staffing.

(E) Notwithstanding subsections (A)-(D), the EMS Medical Director may temporarily alter staffing requirements as necessary to meet public health needs during extraordinary circumstances that would result in a shortage of ambulances. The duration of the staffing alteration shall be limited to the period of the circumstances that resulted in the need for the staffing alteration. Should extraordinary circumstances persist more than 15 days, the EMS Medical Director shall notify the Board of the continued alteration of staffing, the reasons for continuing the staffing change, and the estimated date of returning to regular staffing. The EMSMD will repeat this notification every 30 days until extraordinary circumstances are resolved.

In the event that extraordinary circumstances are related to a labor dispute involving a contracted ambulance provider, the EMSMD will respond to any alteration in staffing as dictated

by the terms of the contract with the ambulance provider, and shall make no change in staffing requirements that would impact the ability of any party in that labor dispute to engage in the free exercise of economic or other tools of negotiation.

FIRST READING:

June 11, 2009

SECOND READING AND ADOPTION:

June 18, 2009

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Jacqueline A. Weber, Assistant County Attorney

SUBMITTED BY:

Lillian Shirley, Director of the Department of Health

BOGSTAD Deborah L

From: BOWEN-BIGGS Tara C
Sent: Wednesday, June 10, 2009 2:02 PM
To: #ALL DISTRICT 1; #ALL DISTRICT 2; #ALL DISTRICT 3; #ALL DISTRICT 4; WHEELER Ted
Cc: BOGSTAD Deborah L; SOWLE Agnes; OXMAN Gary L; RINEHART Tom
Subject: Ambulance Staffing Ordinance R-17
Importance: High

FYI, Chair Wheeler is going to pull this off of tomorrow's agenda.

Tara Bowen-Biggs
Staff Assistant
Multnomah County Chair Ted Wheeler
501 SE Hawthorne, Suite 600
Portland, OR 97214
ph. (503)988-3953
fax (503)988-3093
tara.c.bowen-biggs@co.multnomah.or.us



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (revised 09/22/08)

REVISED

Board Clerk Use Only

Meeting Date: 06/11/09
Agenda Item #: R-18
Est. Start Time: 10:50 AM
Date Submitted: 06/03/09

Agenda Title: **Reappointment of Joe Barcott, Andrew Holtz and Greg Olson for One Year Terms, and Appointment of Roger Averbach, Carolyn Briggs, David Cary, Susan Dean, Nancy Keates, Bob Kellett and Stephanie Routh for Two Year Terms to the BICYCLE AND PEDESTRIAN CITIZEN ADVISORY COMMITTEE**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date: June 11, 2009 **Amount of Time Needed:** 10 minutes
Department: Department of Community Service **Division:** Land Use & Transportation
Contact(s): Jane McFarland/Karen Schilling
Phone: (503) 988-5050 **Ext.** 29620 **I/O Address:** 455/1/116
Presenter(s): Jane McFarland

General Information

1. What action are you requesting from the Board?

Appointment of 7 new members and Reappointment of 3 members.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

The Multnomah County Bicycle and Pedestrian Citizen Advisory Committee has a number of vacancies due to attrition. Transportation Planning staff has actively recruited new members since last fall, and presents the following candidates for appointment to two-year terms on the BPCAC: Roger Averbach, Carolyn Briggs, David Cary, Susan Dean, Bob Kellett, Nancy Keates, and Stephanie Routh. With the exception of Stephanie Routh, the executive director of the Willamette Pedestrian Coalition (WPC), each candidate has attended at least one B/PCAC meeting and met the current membership. The current members voted to recommend this slate of candidates (with the exception of Stephanie Routh) to the Board. The B/PCAC bylaws specifically provide for membership of the WPC.

The two-year terms of three of the current members have expired. These members include Joe

Barcott, Andrew Holtz and Greg Olson. Each has been an active contributing member, and is interested in continuing his membership on the committee. In order to stagger the term expirations, these reappointments are recommended for 1-year terms, with the members eligible for a 2-year appointment next year.

3. Explain the fiscal impact (current year and ongoing).

None

4. Explain any legal and/or policy issues involved.

None

5. Explain any citizen and/or other government participation that has or will take place.

The purpose of the Bicycle/Pedestrian Citizen Advisory Committee is to foster citizen involvement in transportation decisions made by the County, particularly concerning bicycle and pedestrian issues.

Transportation Planning staff actively recruited new members to fill current vacancies on the committee with press releases, outreach to East County cities, Sauvie Island/Corbett Springdale residents, advocacy groups and bloggers, and placed announcement and application materials on the County website. Current members of the B/PCAC recommend this slate of nominees to the Board for appointment and reappointment.

Required Signature

**Elected Official or
Department/
Agency Director:**



Date: 06/03/09



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (revised 09/22/08)

Board Clerk Use Only

Meeting Date: 06/11/09
Agenda Item #: R-18
Est. Start Time: 10:50 AM
Date Submitted: 06/03/09

Agenda Title: **Appointments to Multnomah County BICYCLE PEDESTRIAN CITIZEN ADVISORY COMMITTEE**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date: June 11, 2009 **Amount of Time Needed:** 10 minutes
Department: Department of Community Service **Division:** Land Use & Transportation
Contact(s): Jane McFarland/Karen Schilling
Phone: (503) 988-5050 **Ext.** 29620 **I/O Address:** 455/1/116
Presenter(s): Jane McFarland

General Information

1. What action are you requesting from the Board?

Appointment of 7 new members and Reappointment of 4 members.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

The Multnomah County Bicycle and Pedestrian Citizen Advisory Committee has a number of vacancies due to attrition. Transportation Planning staff has actively recruited new members since last fall, and presents the following candidates for appointment to two-year terms on the BPCAC: Roger Averbach, Carolyn Briggs, David Cary, Susan Dean, Bob Kellett, Nancy Keates, and Stephanie Routh. With the exception of Stephanie Routh, the executive director of the Willamette Pedestrian Coalition (WPC), each candidate has attended at least one B/PCAC meeting and met the current membership. The current members voted to recommend this slate of candidates (with the exception of Stephanie Routh) to the Board. The B/PCAC bylaws specifically provide for membership of the WPC.

The two-year terms of four of the current members have expired. These members include Joe Barcott, Andrew Holtz, Jef Kaiser and Greg Olson. Each has been an active contributing member,

and is interested in continuing his membership on the committee. In order to stagger the term expirations, these reappointments are recommended for 1-year terms, with the members eligible for a 2-year appointment next year.

3. Explain the fiscal impact (current year and ongoing).

None

4. Explain any legal and/or policy issues involved.

None

5. Explain any citizen and/or other government participation that has or will take place.

The purpose of the Bicycle/Pedestrian Citizen Advisory Committee is to foster citizen involvement in transportation decisions made by the County, particularly concerning bicycle and pedestrian issues.

Transportation Planning staff actively recruited new members to fill current vacancies on the committee with press releases, outreach to East County cities, Sauvie Island/Corbett Springdale residents, advocacy groups and bloggers, and placed announcement and application materials on the County website. Current members of the B/PCAC recommend this slate of nominees to the Board for appointment and reappointment.

Required Signature

**Elected Official or
Department/
Agency Director:**



Date: 06/03/09



MULTNOMAH COUNTY OREGON

**Transportation Planning Program
1600 SE 190th Avenue
Portland, Oregon 97233-5910
(503) 988-5050 x-29620**

June 2, 2009

To: Chair Wheeler

From: Jane McFarland

Re: Appointments to Bicycle and Pedestrian Citizen Advisory Committee

The Bicycle and Pedestrian Citizen Advisory Committee provides input to the County Transportation staff and the Board of County Commissioners on issues important to the pedestrian and cycling community. They also assist the County in distributing and collecting data in the community around these same issues.

The Multnomah County Bicycle and Pedestrian Citizen Advisory Committee (BPCAC) is comprised of a maximum of 14 volunteers. Due to attrition, there are a number of vacancies on the committee. The BPCAC members request the appointment of seven new members and the reappoint of four members to the Committee. The County began a recruitment process to fill the vacant positions in October, using a variety of resources. The County sent press releases, contacted advocacy groups and blogs, made announcements the County Road Shows, and posted recruitment information on the County website. Our staff also contacted the cities of Fairview, Troutdale and Wood Village for potential candidates.

Because we are recommending reappointing and appointing 11 members at this time, it is my recommendation that the four members nominated for reappointment serve a one-year term instead of the normal two-year term. This will help stagger the terms as is allowed in the bylaws. These appointments would be effective through June 2010, at which time the members would be eligible for a two-year term.

Members for Reappointment:

Joe Barcott - Member since May, 2007

Andrew Holtz – Member since April, 2002

Jef Kaiser – Member since April, 2004

Greg Olson – Member since April, 2004

The following Multnomah County citizens are recommended for appointment to the BPCAC. Each have been active in the community and are eager to serve on the BPCAC. Several have attended BPCAC meetings as a member of the public or advocacy group in the past:

- Roger Averbek– is an avid cyclist residing in SW Portland who believes in safe walking and biking as transportation as well as healthy activities that are necessary to livable communities. Roger recently attended courses and workshops at OSU and PSU in designing streets for bicyclists and pedestrians.

Memo to Chair Wheeler

June 2, 2009

Page Two

- Carolyn Briggs – lives in Northeast Portland. She is a mobility instructor for the blind, and is active in the Willamette Pedestrian Coalition.
- David Cary – is a Gresham resident and passionate recreational bicyclist who is interested in promoting bicycling, improving safety and increasing maintenance of bike facilities.
- Susan Dean – is an outer Southeast Portland resident who commutes 20 miles to OHSU where she works in pediatric research. She is very interested in transportation safety for children, and general bicycling safety issues.
- Nancy Keates – is an outer southwest Portland bike commuter who has written stories about commuter bicycling, having visited Amsterdam and Copenhagen to research their bicycling system.
- Bob Kellett - is an avid cyclist and walker living in Southeast Portland and a graduate student studying transportation planning at Portland State University. He is interested in helping the County make walking and cycling a viable transportation option for all of its citizens.
- Stephanie Routh – the executive director of the Willamette Pedestrian Coalition, an organization dedicated to promoting walking and making conditions for walking safe and attractive in the greater Portland area.

If appointed, these new members would serve a two year term, effective through June 2010. We are pleased at the range of geographical and occupational experience that each member can contribute to the BPCAC. As health and equity issues are rapidly gaining importance in transportation planning, we are looking forward to the appointment of these additional members to the committee.

Please don't hesitate to give me a call if you have any questions or need additional information. You can reach me at x-29620.

**Multnomah County Bicycle-Pedestrian Citizen Advisory Committee
Appointments/Reappointments – June, 2009**

Reappointed Member Contact Information

Joe Barcott
715 Viewmont Dr
Portland, Oregon 97255
(503) 292-1430
cheneyloon@aol.com

Andrew Holtz
4723 SW Humphrey Ct
Portland, Oregon 97221
W (503) 292-1699
holtzreport@juno.com

Geoffrey Kaiser
317 SE Paloma Ave
Gresham, Oregon 97080
(503) 449-0307
gwka@deainc.com

Greg Olson
2490 SE Cleveland Ave
Gresham, OR 97080
(503) 661-2781
kools8@peoplepc.com

New Member Contact Information

Averbeck, Roger
4907 SW Canterbury
Portland, Oregon 97214
503.679.1447
roger.averbeck@gmail.com

Carolyn Briggs
1509 NE 10th Avenue #304
Portland, Oregon 97232
503.544.4030
carolynlloydneighbor@hotmail.com

David Cary
4320 SE Salquist Road
Gresham OR 97080
503.663.6457
(h) 503.320.8246
dcary3133@hotmail.com

Susan Dean
3322 SE 118th Ave
Portland, Oregon 97266
503.761.2887
deansusan@gmail.com

Stephanie Routh
P.O. Box 2252
Portland OR 97208
503.223-1597
steph@wpcwalks.org

Nancy Keates
11411 SW Summerville Ave
Portland OR 97219
503.697.5989
nancy.keates@wsj.com

Bob Kellett
2237 SE Pine St
Portland OR 97214
503.901.4165
kellett.Bob@gmail.com

BOGSTAD Deborah L

From: MCFARLAND Jane
Sent: Monday, June 08, 2009 11:38 AM
To: LANGLOIS Ruth R; BOGSTAD Deborah L
Cc: SCHILLING Karen C
Subject: Bicycle/Ped CAC

Hi: I just received a phone call from a Bicycle/Pedestrian CAC member, Jef Kaiser, who wants to withdraw from reappointment, due to retirement. "Its time to move on to new things", per his voice mail.
Is there a way to get his name and information deleted from the Agenda Item scheduled for this Thursday morning?

Thanks - Jane

jane

Jane McFarland
Multnomah County Principal Transportation Planner
1600 S.E. 190th Avenue
Portland, OR 97233
t - (503) 988-5050 x- 29620#
f - (503) 988-3389
jane.mcfarland@co.multnomah.or.us



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (revised 09/22/08)

Board Clerk Use Only

Meeting Date: 06/11/09
Agenda Item #: R-19
Est. Start Time: 10:55 AM
Date Submitted: 05/27/09

Agenda Title: **First Reading of a Proposed ORDINANCE Amending MCC Chapters 37, Administration and Procedures, and 38, Columbia River Gorge National Scenic Area; and Re-adopting Certain Ordinances, Relating to Notice Requirements for Legislative Items Provided in ORS 203.045(5), 215.060 and 215.503**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date: June 11, 2009 **Amount of Time Needed:** 10 minutes
Department: DCS **Division:** Land Use & Transportation
Contact(s): Derrick Tokos, Chuck Beasley
Phone: 503-988-3043 **Ext.** 22682 **I/O Address:** 455/1/116
Presenter(s): Derrick Tokos

General Information

1. What action are you requesting from the Board?

Adoption of an ordinance amending Chapters 37 and 38 of the Multnomah County Code to include statutory newspaper notice requirements for Board of Commissioners legislative hearings, and the individual mail notice standards that apply when the County amends its Comprehensive Plan, adopts a new Comprehensive Plan or rezones properties. The ordinance also strikes language from Chapter 37 stating that the County has the standing to appeal Hearings Officer decisions to the Land Use Board of Appeals and re-adopts certain land use ordinances where newspaper notice of the Board of Commissioners meetings was not provided.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

Chapters 37 and 38 of the County code incorporate statutory land use procedures for both quasi-judicial and legislative actions to ensure that the processes the County follows complies with the law and that its constituents receive adequate notice. Legislative work, which is the subject of this proposal, is identified in the code as "PC reviews" and includes the adoption or amendment of the

County's land use regulations, comprehensive plan, map inventories, and other policy documents that affect the entire county, large areas, or multiple properties (MCC 37.0530(E)). Public hearings are required before the Planning Commission and Board of Commissioners (MCC 37.0710), and the code notes that newspaper notice is required at least 20 days prior to Planning Commission hearings (MCC 37.0720). Ten (10) day advance newspaper notice of Board of Commissioners hearings was included in Chapter 11.05 of the County code; however, the language was not carried over when the County consolidated its procedures into Chapter 37 in 2000 (Ord. #953).

In 2002 LUBA remanded Ord. #967 because the County failed to provide newspaper notice at least 10 days prior to the Board of Commissioners hearing as required by ORS 215.060. That statute applies to amendments to the County Comprehensive Plan. The ordinance in question amended the Comprehensive Plan and Zoning Ordinance for urban unincorporated areas, replacing County policies and regulations with City of Portland policies and regulations, as part of an agreement with the City to administer land use rules for these areas. The defect in the notice was corrected with Ord. #997. Because failure to provide notice required by ORS 215.060 nullifies the affected legislation, the County readopted a number of its prior ordinances at that same time as a precautionary step.

In addition to the newspaper notice requirements of ORS 215.060, which apply to amendments to the Comprehensive Plan, ORS 203.045(5) requires newspaper notice for all ordinances that are read by title only, which is the practice the Board follows in conducting its meetings. However, unlike ORS 215.060, this statute does not nullify legislation if the notice is inadequate.

Since Ord. #997 was adopted, the County has used its administrative processes to provide newspaper notice of Board hearings. Recently, we learned that this has not happened consistently, meaning the County will again need to readopt certain ordinances. Concurrent with that action, staff proposes to adopt the required notice provisions into its code to minimize the chance of this happening in the future. Providing newspaper notice 10 days in advance of a Board hearing satisfies both statutes. It is also consistent with Section 3.50(4) of the County Charter which requires that notice of Board meetings occur as provided by law.

ORS 215.503 requires individual mailed notice to affected property owners when the county amends its Comprehensive Plan, adopts a new Comprehensive Plan, or rezones property in a manner that limits or prohibits allowed uses. The notice must occur at least 20 days but not more than 40 days before the date of the first hearing (i.e. the Planning Commission hearing). This statute implements Measure 56, which was enacted in 1998, and is commonly referred to as "Measure 56" notice. The state provides notice for new state laws and administrative rules pursuant to ORS 197.047, which the County passes through to its constituents. The proposed changes to the County code address the portion of the law that applies to legislation initiated by local governments. The County has been implementing the statute directly since it was enacted.

Staff has reviewed County records for ordinances adopted since 2002 and has not been able to confirm that newspaper notice of Board of Commissioners hearings was provided for 14 of them. However, only three involved Comprehensive Plan amendments where the ramification is that the legislation is nullified. Those ordinances are highlighted in the table below. All of these ordinances should be readopted so that the public has notice of the Board meetings and opportunity to comment.

Ord. #	Adoption Date	Description
999	11/14/02	Made filming activities in EFU zones an allowed use
1007	2/6/03	Technical corrections in the scenic area
1025	1/15/04	Changed procedures and fees

1026	1/22/04	Amended Comprehensive Plan Policy 33C for bike and pedestrian systems
1027	1/22/04	Amended Comprehensive Plan Policy 34 for trafficways
1049	9/16/04	Building code fire flow standards
1065	6/23/05	Added Planning Director appeal process
1080	9/21/06	Related to unlawfully divided lots and parcels
1081	9/28/06	Reduced setbacks for certain agricultural buildings
1082	9/28/06	Related to variances and adjustments
1098	8/16/07	Updated EFU and CFU rules and notice requirements
1107	1/17/08	Related to transportation code enforcement
1114	5/29/08	Related to unlawfully divided parcels, lot sizes for parks, and biofuels
1114	5/29/08	Amended Comprehensive Plan Policy 38A related to surplus schools
1120	9/11/08	Related to flood hazard regulations

3. Explain the fiscal impact (current year and ongoing).

There are no fiscal impacts. The County budget includes funds for the purpose of providing public notice of it legislative hearings.

4. Explain any legal and/or policy issues involved.

The three ordinances involving Comprehensive Plan amendments are nullified and must be readopted for those policies to be effective. The re-adoption of the other ordinances provides citizens another opportunity to comment on them. As a matter of policy, the County values citizen participation in its land use processes so it is important that its codes include all of the public notice provisions required by statute.

5. Explain any citizen and/or other government participation that has or will take place.

Newspaper notice was provided for a Planning Commission work session held February 2, 2009 and hearing on March 2, 2009. Newspaper notice has also been provided for this hearing.

Required Signature

**Elected Official or
Department/
Agency Director:**



Date: 05/27/09

BEFORE THE PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. PC 09-001

Recommend to the Board of County Commissioners the adoption of an ordinance amending land use procedures in the County Code to include notice requirements for legislative items provided in ORS 203.045(5), 215.060, and 215.503.

The Planning Commission Finds:

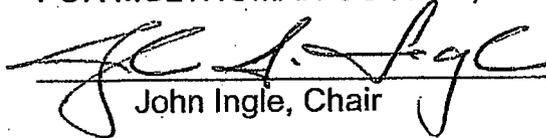
- a. The Planning Commission is authorized by Multnomah County Code and by ORS 215.110 to recommend to the Board of County Commissioners the adoption of Ordinances to implement the Multnomah County Comprehensive Plan.
- b. The County incorporates statutory land use procedures into its codes to ensure that its processes comply with the law and that its constituents receive adequate notice.
- c. These procedures include legislative work, such as the adoption or amendment of the County Comprehensive Plan, land use regulations, map inventories, and other policy documents that affect the entire county, large areas, or multiple properties.
- d. Public hearings are required before the Planning Commission and Board of Commissioners on all proposed legislation, for which the State has established minimum notice requirements.
- e. While the County Code contains some of the State notice requirements, it does not include all of them; specifically the newspaper notice provisions outlined in ORS 203.045(5) and 215.060 for Board of Commissioners hearings and the direct mail notice requirements of ORS 215.503.
- f. Implementing statutes directly has proven ineffective, and it is necessary to add these notice provisions to the Code to minimize the chances that notice is missed.
- g. The Board should re-notice land use ordinances where newspaper notice was not provided for the hearings, as identified by staff, so that public will have an opportunity to provide comments.
- h. In addition to adding the notice provisions, language authorizing the County to appeal Hearings Officer decisions should be deleted as it was replaced with a procedure in 2005 allowing the Planning Director to appeal the decisions to the Board of Commissioners.
- i. No regulations are being proposed that further restrict the use of property and no mailed notice to individual property owners is required ("Ballot Measure 56" notice).
- j. Notice of the Planning Commission hearing was published in the "Oregonian" newspaper and on the Land Use Program web site. The Planning Commission held a public hearing on March 2, 2009 where all interested persons were given an opportunity to appear and be heard.

The Planning Commission Resolves:

The proposed Ordinance amending land use procedures in the County Code is hereby recommended for adoption by the Board of County Commissioners.

ADOPTED this 2nd day of March, 2009.

PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON


John Ingle, Chair

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Amending MCC Chapters 37, Administration and Procedures, and 38, Columbia River Gorge National Scenic Area; and Re-adopting Certain Ordinances, Relating to Notice Requirements for Legislative Items Provided in ORS 203.045(5), 215.060 and 215.503

(Language ~~stricken~~ is deleted; double underlined language is new.)

The Multnomah County Board of Commissioners Finds:

- a. The County incorporates statutory land use procedures into its codes to ensure that its processes comply with state law and that its constituents receive adequate notice.
- b. These procedures include legislative work, such as the adoption or amendment of the County Comprehensive Plan, land use regulations, map inventories, and other policy documents that affect the entire county, large areas, or multiple properties.
- c. Public hearings are required before the Planning Commission and Board of Commissioners on all proposed legislation, for which the State has established minimum notice requirements.
- d. While the County Code contains some of the State notice requirements for county land use legislation, it does not include all of them; specifically the newspaper notice provisions outlined in ORS 203.045(5) and 215.060 for Board of Commissioners hearings and the direct mail notice requirements of ORS 215.503.
- e. Implementing state statutes directly has proven ineffective, and it is necessary to add these notice provisions to the Code to minimize the chance that a notice is missed.
- f. The Planning Commission is authorized by Multnomah County Code Section 33.0140 (and its counterparts) and by ORS 215.110 to recommend to the Board of County Commissioners the adoption of Ordinances to implement the Multnomah County Comprehensive Plan.
- g. On March 2, 2009, the Multnomah County Planning Commission held a public hearing regarding the amendment of the Multnomah County Code to provide for notice requirements consistent with state law.
- h. The Planning Commission, in its Resolution No. PC 09-001, recommended that the Board re-notice land use ordinances that were adopted by the Board where newspaper notice was not provided for the hearings, as identified by staff, so that the public will have an opportunity to provide comments.
- i. In addition to adding the notice provisions, the Planning Commission, in its Resolution No. PC 09-001, recommended that the language presently in the code authorizing the County to appeal Hearings Officer decisions should be deleted as it was replaced with a procedure in 2005 allowing the Planning Director to appeal the decisions to the Board of Commissioners.

- j. No regulations are being proposed that further restrict the use of property, therefore no mailed notice to an individual property owner is required ("Ballot Measure 56" notice).
- k. Notice of this Board of County Commissioners' hearing was published in the "Oregonian" newspaper and on the Land Use Program web site. The Board of County Commissioners held a public hearing on June 11, 2009 where all interested persons were given an opportunity to appear and be heard.

Multnomah County Ordains as follows:

Section 1. MCC §37.0720 is amended as follow:

§ 37.0720 Notice of ~~PC~~ Legislative Hearings.

(A) Notice of the date, time, place and subject of a legislative hearing before the Planning Commission shall be published in a newspaper of general circulation within the County at least 20 days prior to the hearing and as required by law. The Planning Director shall also notify the Oregon Department of Land Conservation and Development (DLCD) 45 days prior to the initial public hearing or as required by law.

(B) Notice of the date, time, place and subject of a legislative hearing before the Board of Commissioners shall be published in a newspaper of general circulation within the County at least 10 days prior to the hearing and as required by law.

(C) Individual notice of a legislative hearing before the Planning Commission that amends the Comprehensive Plan, adopts a new Comprehensive Plan, or rezones property shall be mailed at least 20 days but not more than 40 days prior to the hearing to the owners of all affected properties. Such notice shall adhere to the format provided in ORS 212.503.

(D) For the purpose of this section, property is rezoned when the County:

(1) Changes the base zoning classification of the property; or

(2) Adopts or amends an ordinance in a manner that limits or prohibits land uses previously allowed in the affected zone.

(E) The provisions of subsection (2) above do not apply to legislative acts by the County resulting from action by the Legislative Assembly or the Land Conservation and Development Commission for which notice is provided under ORS 197.047.

Section 2. MCC §38.0720 is amended as follow:

38.0720 Notice of PC hearings.

(A) Notice of the date, time, place and subject of a legislative hearing before the Planning Commission shall be published in a newspaper of general circulation within the County at least 20 days prior to the hearing and as required by law. The Planning Director shall also notify the Gorge Commission, the US Forest Service, the Indian tribal governments, the State Historic Preservation Office, and the Cultural Advisory Committee.

(B) Notice of the date, time, place and subject of a legislative hearing before the Board of Commissioners shall be published in a newspaper of general circulation within the County at least 10 days prior to the hearing and as required by law.

(C) Individual notice of a legislative hearing before the Planning Commission that amends the Comprehensive Plan, adopts a new Comprehensive Plan, or rezones property shall be mailed at least 20 days but not more than 40 days prior to the hearing to the owners of all affected properties. Such notice shall adhere to the format provided in ORS 212.503.

(D) For the purpose of this section, property is rezoned when the County:

(1) Changes the base zoning classification of the property; or

(2) Adopts or amends an ordinance in a manner that limits or prohibits land uses previously allowed in the affected zone.

(E) The provisions of subsection (2) above do not apply to legislative acts by the County resulting from action by the Legislative Assembly or the Land Conservation and Development Commission for which notice is provided under ORS 197.047.

Section 3. MCC §37.0640 is amended as follow:

37.0640 Appeals.

Appeals of any decisions of the county must comply with the requirements of this section.

(A) Appeals by applicants or opponents of an application.

* * *

~~(7) The county has the standing to appeal to LUBA any Hearings Officer decision. The county also has standing to intervene in any appeal to LUBA from a County Hearings Officer decision.~~

* * *

Section 4. The following Ordinances are readopted:

Ord. #	Adoption Date	Description
999	11/14/02	Made filing activities in EFU zones
1007	2/6/03	Technical corrections in the scenic area
1025	1/15/04	Changed procedures and fees
1026	1/22/04	Amended Comprehensive Plan Policy 22 C for bike and pedestrian systems
1027	1/22/04	Amended Comprehensive Plan Policy 34 for the trafficways
1049	9/16/04	Building code fire flow standards
1065	6/23/05	Added Planning Director appeal process
1080	9/21/06	Related to unlawfully divided lots and parcels

Ord. #	Adoption Date	Description
1081	9/28/06	Reduced setbacks for certain agricultural buildings
1082	9/28/06	Related to variances and adjustments
1098	8/16/07	Updated EFU and CFU rules and notice requirements
1107	1/17/08	Related to transportation code enforcement
1114	5/29/08	Related to unlawfully divided parcels, lot sizes for parks and biofuels and Amended Comprehensive Plan Policy 38A related to surplus schools
1120	9/11/08	Related to flood hazard regulations

Section 5. The amendments to Chapter 38 Columbia River Gorge National Scenic Area shall be effective upon notification of approval by the Columbia River Gorge Commission and, if necessary, concurrence by the Secretary of Agriculture.

FIRST READING:

June 11, 2009

SECOND READING AND ADOPTION:

June 18, 2009

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Sandra N. Duffy, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Department of Community Services



**MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST**

Board Clerk Use Only

Meeting Date: 06/11/09
Agenda Item #: R-20
Est. Start Time: 11:00 AM
Date Submitted: 05/27/09

Agenda Title:	First Reading and Possible Adoption of an ORDINANCE Amending County Land Use Code, Plans and Maps to Adopt Portland's Recent Land Use Code, Plan and Map Revisions Related to Extend for a Limited Period the Expiration Date for Approved Land Use Decisions and Related Land Use Actions in Compliance with Metro's Functional Plan, and Declaring an Emergency
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Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Date Requested:	<u>June 11, 2009</u>	Time Requested:	<u>5 minutes</u>
Department:	<u>Community Services</u>	Program:	<u>Land Use & Transportation</u>
Contact(s):	<u>Adam Barber</u>		
Phone:	<u>503-988-3043</u>	Ext.	<u>22599</u>
		I/O Address:	<u>455/116</u>
Presenter(s):	<u>Don Kienholz</u>		

General Information

1. What action are you requesting from the Board?

Adopt the ordinance as recommended by the Portland Planning Commission and Portland City Council.

2. Please provide sufficient background information for the Board and the public to understand this issue.

On October 11, 2001 the Board adopted Ordinance 967 (effective date January 1, 2002) adopting, in summary, the Portland Comprehensive Plan and zoning ordinance. The County and the City of Portland have been engaged in agreements enabling the City of Portland to provide planning services to achieve compliance with the Metro Functional Plan for those areas outside the City limits, but within the urban growth boundary and urban service boundary of Portland. Since the adoption of Ordinance 967 and subsequently Ordinance 997, the attached ordinances have been passed by the Portland City Council and therefore the County must adopt them pursuant to our intergovernmental agreement to keep the code up to date. Multnomah County and the City of

Portland entered into an Intergovernmental Agreement (IGA) to transfer land use planning responsibilities on January 1, 2002. The IGA lays out a process requiring the County to ensure that any amendments to the City's comprehensive plan, zoning code and other regulations adopted by the City Council will be considered by the County Board of Commissioners at the earliest possible meeting. It also states "The County Board of Commissioners shall enact all comprehensive plan and code amendments so that they take effect on the same date specified by the City's enacting ordinance" (unless adopted by emergency). The City will have taken action on all of the above items by the hearing date of this ordinance. If the County does not adopt these amendments, the IGA will be void and the County will be required to resume responsibility for planning and zoning administration within the affected areas.

3. Explain the fiscal impact (current year and ongoing).

NA

4. Explain any legal and/or policy issues involved.

State law requires a notice be placed in a newspaper of general circulation 10 days prior (6/01/09) to the BCC hearing. We request adoption of this ordinance by emergency to closely align with the City of Portland effective date (6/27/09) as stated in the IGA. The County Attorney's office was involved in the drafting of the original IGA and has been involved in coordinating our compliance effort through adoption of these code amendments.

5. Explain any citizen and/or other government participation that has or will take place.

The City included the County affected property owners in their noticing for these code revisions when required pursuant to the IGA and directed them to the City legislative process.

Required Signatures

**Department/
Agency Director:**



Date: 05/27/09

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Amending County Land Use Code, Plans and Maps to Adopt Portland's Recent Land Use Code, Plan and Map Revisions Related to Extend for a Limited Period the Expiration Date for Approved Land Use Decisions and Related Land Use Actions in Compliance with Metro's Functional Plan and Declaring an Emergency

The Multnomah County Board of Commissioners Finds:

- a. The Board of County Commissioners (Board) adopted Resolution A in 1983 which directed the County services towards rural services rather than urban.
- b. In 1996, Metro adopted the Functional Plan for the region, mandating that jurisdictions comply with the goals and policies adopted by the Metro Council.
- c. In 1998, the County and the City of Portland (City) amended the Urban Planning Area Agreement to include an agreement that the City would provide planning services to achieve compliance with the Functional Plan for those areas outside the City limits, but within the Urban Growth Boundary and Portland's Urban Services Boundary.
- d. It is impracticable to have the County Planning Commission conduct hearings and make recommendations on land use legislative actions pursuant to MCC 37.0710, within unincorporated areas inside the Urban Growth Boundary for which the City provides urban planning and permitting services. The Board intends to exempt these areas from the requirements of MCC 37.0710, and will instead consider the recommendations of the Portland Planning Commission and City Council when legislative matters for these areas are brought before the Board for action as required by intergovernmental agreement (County Contract #4600002792) (IGA).
- e. On February 12, 2009, the Board amended County land use codes, plans and maps to adopt the City's land use codes, plans and map amendments in compliance with Metro's Functional Plan by Ordinance 1130.
- f. Since the adoption of Ordinance 1130, the City's Planning Commission recommended land use code, plan and map amendments to the City Council through duly noticed public hearings.
- g. The City notified affected County property owners as required by the IGA.
- h. The City Council adopted the land use code, plan and map amendments set out in Section 1 below and attached as Exhibits 1 through 3. The IGA requires that the County adopt these amendments for the City planning and zoning administration within the affected areas.

Multnomah County Ordains as follows:

Section 1. The County Comprehensive Framework Plan, community plans, rural area plans, sectional zoning maps and land use code chapters are amended to include the City land use code, plan and map amendments, attached as Exhibits 1 through 3, effective on the same date as the respective Portland ordinance:

Exhibit No.	Description	Date
1	Ordinance to extend for a limited period the expiration date for approved land use decisions and related land use actions amending the Code Chapters 33.730.050, 33.730.130 and 33.663.110 (PDX Ord. #182810)	5/27/09
2	Portland Planning Commission Report 0506091 Title 33 Ordinance Exhibit 1	3/13/09
3	Title 33 Attachment A	3/13/09

Section 2. In accordance with ORS 215.427(3), the changes resulting from Section 1 of this ordinance shall not apply to any decision on an application that is submitted before the applicable effective date of this ordinance and that is made complete prior to the applicable effective date of this ordinance or within 180 days of the initial submission of the application.

Section 3. In accordance with ORS 92.040(2), for any subdivisions for which the initial application is submitted before the applicable effective date of this ordinance, the subdivision application and any subsequent application for construction shall be governed by the County's land use regulations in effect as of the date the subdivision application is first submitted.

Section 4. Any future amendments to the legislative matters listed in Section 1 above, are exempt from the requirements of MCC 37.0710. The Board acknowledges, authorizes and agrees that the Portland Planning Commission will act instead of the Multnomah Planning Commission in the subject unincorporated areas using the City's own procedures, to include notice to and participation by County citizens. The Board will consider the recommendations of the Portland Planning Commission when legislative matters for County unincorporated areas are before the Board for action.

Section 5. An emergency is declared in that it is necessary for the health, safety and general welfare of the people of Multnomah County for this ordinance to take effect concurrent with the City code, plan and map amendments. Under section 5.50 of the Charter of Multnomah County, this ordinance will take effect in accordance with Section 1.

FIRST READING AND ADOPTION:

June 11, 2009

BOARD OF COUNTY COMMISSIONERS,
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Sandra N. Duffy, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Department of Community Services

EXHIBIT LIST FOR ORDINANCE

1. Ordinance to extend for a limited period the expiration date for approved land use decisions and related land use actions amending the Code Chapters 33.730.050, 33.730.130 and 33.663.110 (**PDX Ord. #182810**).
2. Portland Planning Commission Report 0506091 Title 33 Ordinance Exhibit1.
3. Title 33 Attachment A

Prior to adoption, this information is available electronically or for viewing at the Multnomah County Board of Commissioners and Agenda website (www.co.multnomah.or.us/cc/WeeklyAgendaPacket/). To obtain the adopted ordinance and exhibits electronically, please contact the Board Clerk at 503-988-3277. These documents may also be purchased on CD-Rom from the Land Use and Transportation Program. Contact the Planning Program at 503-988-3043 for further information.

ORDINANCE No. 1 8 2 8 1 0 As Amended

*Amend Title 33, Planning and Zoning, to extend for a limited period the expiration date for approved land use decisions and related land use actions (Ordinance; amend Code Chapters 33.730.050, 33.730.130 and 33.663.110)

The City of Portland Ordains:

Section 1. The Council finds:

General Findings

1. Title 33, Planning and Zoning, specifies when approved land use decisions expire. Typically, if a building permit is not issued within three years of the final land use decision, the land use decision expires.
2. Title 33 also states that the preliminary plan approval for a land division expires if a final plat application has not been submitted within three years of the decision on the preliminary plan. Additionally, for final plat applications, if the Bureau of Development Services (BDS) has requested additional information from the applicant and the information is not submitted within 180 days of when the request was made, the application is voided.
3. Title 33 also specifies that pre-application conferences, which must be attended by applicants prior to submitting a Type III land use review application, expire if the land use review application is not submitted within one year of when the pre-application conference was held.
4. In the current economic climate, applicants are not pursuing, or have delayed requesting, building permits for development, and the number of commercial and residential building permit applications submitted for review to the BDS has decreased significantly. In April 2008, the number of building permit applications (for any type of development) submitted to BDS declined 22 percent compared to April 2007. By the end of 2008, building permit applications were down nearly a third compared to the previous year. Residential permits showed an even sharper decline. In April 2008 there was a 57 percent decline in the number of permit applications submitted for new residential development compared to the number of such permit applications submitted in April 2007. By December 2008, there were 64 percent fewer applications submitted for new residential development than that seen in December 2007. Similarly, applications for land use reviews are down an estimated 36 percent from FY 2006/2007 to FY 2008/2009.
5. In stable economic conditions, development projects typically can meet the existing expiration periods identified in the Zoning Code. However, projects that would otherwise have proceeded to completion in a better economy are now delayed, and face the expiration of their approvals. Once expired, these projects must go through the entire land use review process again at substantial cost and further delay. This cost and delay could further slow the City's economic recovery. Additionally, conducting such land use reviews for a second time would divert City staff resources from other priority projects.
6. The proposed amendment to Title 33 (Planning and Zoning) will extend the timelines for land use approvals and related actions for a limited period of time (Attachment A of Exhibit 1). By limiting the proposed extension to a limited period, the amendment acknowledges that the existing timelines in Title 33 are intended to better ensure that regulations and policies that were applied at the time of

land use approval (or considered at the pre-application conference) continue to be valid at the time the project is built. The longer the period between approval and actual construction, the greater the chance regulations and policies will change. Additionally, substantive changes in the neighborhood surrounding the site are more likely to occur with longer expiration periods. The proposed amendment respects the value of the existing timeframes in the Zoning Code, but acknowledges that the current economic downturn supports extending these timelines for a limited period for this rare event.

Findings on Statewide Planning Goals

7. State planning statutes require cities to adopt and amend comprehensive plans and land use regulations in compliance with state land use goals. Only the state goals addressed below apply.
8. **Goal 1, Citizen Involvement**, requires the provision of opportunities for citizens to be involved in all phases of the planning process. The preparation of these amendments has provided numerous opportunities for public involvement:
 - On February 5, 2009, notice of the proposed amendment was mailed to the Department of Land Conservation and Development. The notice summarized the proposed amendment, identified applicable statewide planning goals, and included text for the proposed amendment.
 - On February 20, 2009, notice announcing the Planning Commission public hearing on this proposed amendment was mailed to all neighborhood associations and district coalitions, applicants who have attended a pre-application conference within the past year, applicants who have a land use approval that will expire shortly, and other interested persons.
 - A notice of the hearing was published in *The Oregonian*, and an article appeared in the *Daily Journal of Commerce*. Notice was also published in the March/April 2009 issue of the *Plans Examiner*, a bi-monthly BDS publication intended to inform the building-design and construction community.
 - Information was posted on the websites of both the Bureau of Development Services and the Bureau of Planning and Sustainability.
 - The proposal was discussed at the Regulatory Improvement Stakeholder Advisory Team (RISAT) meeting on March 5, 2009. RISAT membership includes representatives from neighborhoods, housing providers, developers, the business community, and City bureaus.
 - On March 24, 2009, the Planning Commission held a hearing to discuss and take testimony on the proposed amendment. Staff presented the proposal and public testimony was received. Planning Commission closed the hearing, but as there was not a quorum, the vote on the proposed amendment was delayed until April 14, 2009.
 - On April 14, 2009, the Planning Commission voted unanimously to recommend that City Council adopt the staff recommendation for the proposed code amendment (Exhibit 1).
 - On April 22, 2009, notice announcing the City Council public hearing on the proposed amendment was mailed to those who provided testimony at the Planning Commission hearing, and all district coalitions.

9. **Goal 2, Land Use Planning**, requires the development of a process and policy framework that acts as a basis for all land use decisions and assures that decisions and actions are based on an understanding of the facts relevant to the decision. The amendment supports this goal as development of the recommendations followed established City procedures for legislative actions.
10. **Goal 9, Economic Development**, requires the provision of adequate opportunities for a variety of economic activities vital to public health, welfare and prosperity. The proposed amendment supports this goal by providing additional time for projects approved through the land use review process to continue through to completion. Without the limited extensions to the expiration periods that are proposed in the amendment, projects approved through the land use review process would not be able to move forward. The time delay and additional costs associated with reviewing these projects a second time through a subsequent land use review procedure would further hamper to City's ability to weather the current economic downturn.
11. **Goal 10, Housing**, requires provision for the housing needs of citizens of the state. The proposed amendment is supportive of this goal. Many of the previously approved land use reviews that will be expiring in the near future include projects that expand the City's housing stock, or provide potential housing development sites (in the case of residential land division cases). Allowing these approvals to expire will delay these new housing opportunities. See also findings for Portland Comprehensive Plan Goal 4 (Housing), and Metro Title 1.
12. **Goal 11, Public Facilities and Services**, requires planning and development of a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for development. While the proposed amendment will extend the expiration date for some land use approvals by as much as three years, these approved projects will still be subject to the City's rules and regulations regarding public facilities and services that are in effect at the time the applicant submits the building permit application. As such, the City's most current rules and regulations on public facilities and services will still be applied to projects.
13. **Goal 12, Transportation**, requires provision of a safe, convenient, and economic transportation system. The Oregon Transportation Planning Rule (TPR) was adopted in 1991 and amended in 1996 and 2005 to implement State Goal 12. The TPR requires certain findings if the proposed regulation will significantly affect an existing or planned transportation facility. The proposed amendment is consistent with this goal as it does not change the policy or intent of any of the existing regulations pertaining to transportation.

Findings on Metro Urban Growth Management Functional Plan

14. The following element of the Metro Urban Growth Management Functional Plan is relevant and applicable to the proposed Zoning Code amendment:
15. **Title 1, Requirements for Housing and Employment Accommodation**, requires that each jurisdiction contribute its fair share to increasing the development capacity of land within the Urban Growth Boundary. This requirement is to be generally implemented through citywide analysis based on calculated capacities from land use designations. The proposed amendment facilitates achieving the goals of this title by ensuring that land use decisions that approved residential and commercial development are not forced to expire due to the current economic situation. The proposed amendment provides land use applicants the opportunity to pursue building permit applications (and subsequent land use review approvals) that are needed for these projects to be a reality and to contribute to the City's economic health and expanding residential base.

Findings on Portland's Comprehensive Plan Goals

16. The City's Comprehensive Plan was adopted by the Portland City Council on October 16, 1980, and was acknowledged as being in conformance with the statewide planning goals by the Land Conservation and Development Commission on May 1, 1981. On May 26, 1995, the LCDC completed its review of the City's final local periodic review order and periodic review work program, and reaffirmed the plan's compliance with statewide planning goals.
17. The following goals, policies, and objectives of the Portland Comprehensive Plan are relevant and applicable to the proposed Zoning Code amendment.
18. **Goal 1, Metropolitan Coordination**, calls for the Comprehensive Plan to be coordinated with federal and state law and to support regional goals, objectives and plans. In general, the amendment is consistent with this goal because they do not change policy or intent of existing regulations relating to metropolitan coordination and regional goals.

Policy 1.4, Intergovernmental Coordination, requires continuous participation in intergovernmental affairs with public agencies to coordinate metropolitan planning and project development and maximize the efficient use of public funds. The amendment supports this policy because other government agencies were notified of this proposal and given the opportunity to comment. These agencies include Metro, Multnomah County Planning, and the Oregon Department of Land Conservation and Development.
19. **Goal 2, Urban Development**, calls for maintaining Portland's role as the major regional employment and population center by expanding opportunities for housing and jobs, while retaining the character of established residential neighborhoods and business centers.

The amendment supports this goal by allowing projects that have been approved through the City's public land use review process to proceed to development despite the current economic conditions. The amendment provides applicants with additional time to receive a building permit (or apply for subsequent needed land use reviews). Without the extension, commercial and residential projects that would enhance the City's role as an employment and population center would be stopped or delayed.
20. **Goal 4, Housing**, calls for enhancing Portland's vitality as a community at the center of the region's housing market by providing housing of different types, density, sizes, costs and locations that accommodates the needs, preferences, and financial capabilities of current and future households. The proposed Zoning Code amendment supports this goal by extending the expiration date of approved land use actions, many of which include housing development. See also findings for Statewide Planning Goal 10, Housing.
21. **Goal 5, Economic Development**, calls for the promotion of a strong and diverse economy that provides a full range of employment and economic choices for individuals and families in all parts of the city. The proposed amendment supports this goal by providing additional time for projects approved through the land use review process to continue through to completion. Without the limited extensions to the expiration periods that are proposed in the amendment, projects approved through the land use review process would not be able to move forward. The time delay and additional costs associated with reviewing these projects a second time through a subsequent land use review procedure would further hamper to City's ability to weather the current economic downturn.

22. **Goal 9, Citizen Involvement**, calls for improved methods and ongoing opportunities for citizen involvement in the land use decision-making process, and the implementation, review, and amendment of the Comprehensive Plan. This project followed the process and requirements specified in Chapter 33.740, Legislative Procedure. The amendments support this goal for the reasons found in the findings for Statewide Planning Goal 1, Citizen Involvement.
23. **Goal 10, Plan Review and Administration**, includes several policies and objectives. Policy 10.10, Amendments to the Zoning and Subdivision Regulations, directs that amendments to the zoning and subdivision regulations should be clear, concise, and applicable to the broad range of development situations faced by a growing, urban city. The proposed amendment is consistent with this policy by making the Zoning Code more flexible in dealing with the current economic downturn. Because existing regulations provide no opportunity for an applicant to request an extension of the expiration period for a land use approval or related land use action, development projects that will contribute to a growing City will not be possible, or will be significantly delayed. The proposed amendment provides the additional time necessary to allow these projects to proceed.
24. **Goal 12, Urban Design**, calls for enhancing Portland as a livable city, attractive in its setting and dynamic in its urban character by preserving its history and building a substantial legacy of quality private developments and public improvements for future generations. The proposed amendment is intended to allow those projects that have received approval through the land use review process, often through the Design Review process, to proceed to construction and contribute to the City's urban vitality.

NOW, THEREFORE, the Council directs:

- a. Adopt the memorandum from the Bureau of Development Services and the Bureau of Planning and Sustainability to the Planning Commission, dated March 13, 2009, which outlines the purpose for the proposed Zoning Code amendment (Exhibit 1); and
- b. Amend Title 33, Planning and Zoning, as shown in Attachment A of Exhibit 1.

Section 2: The Council declares an emergency exists because there should be no delay in the implementation of the proposed amendment; therefore, this Ordinance shall be in full force and effect seven days from its passage by the Council.

Passed by the Council: **MAY 20 2009**

Mayor Sam Adams
Commissioner Randy Leonard

Prepared by:
Douglas Hardy, Bureau of Development Services
April 23, 2009

LaVonne Griffin-Valade
Auditor of the City of Portland
By



Deputy



EXHIBIT 1

MEMORANDUM

Date: March 13, 2009

To: Portland Planning Commission

From: Douglas Hardy, Senior Planner
Bureau of Development Services/Land Use Services Division

Jessica Richman, Senior Planner
Bureau of Planning and Sustainability

Re: Proposed Amendment to the Zoning Code: Extension of Expiration Date for
Land Use Approvals and Related Actions

This memo outlines a proposed amendment to the Zoning Code to extend the expiration date for land use review approvals and related actions, explains the purpose of the amendment, and details the alternatives considered. The Bureau of Planning and Sustainability and the Bureau of Development Services worked together on this project, bringing it forward on a compressed timeline that limited opportunities for in-depth analysis and public discussion, but tried to provide for those to the extent possible.

THE PROBLEM

Portland, like the rest of the state and nation, is facing a significant economic downturn that has directly affected the construction industry. The impacts are reflected in a variety of economic indicators at the state and local level. Housing starts, a freeze in the credit markets, significant decreases in construction employment, and a large decline in the number of applications for building permits and land use reviews are all indicators of the state of our economy.¹

¹ According to the March 2009 *Oregon Economic and Revenue Forecast*, prepared by the Oregon Office of Economic Analysis, housing starts in the State of Oregon declined 48% between 2008 and the peak in 2006-2007, with housing starts estimated to drop another 47% between 2008 and 2009. The decline in housing starts, in combination with a freezing up of the credit markets, has resulted in a 9.2% reduction in the State's construction employment in 2008, with a projected decline of 16% in 2009. The Oregon Office of Economic Analysis forecasts declines in construction employment to continue well into 2010.

The local construction picture reflects that of the State. In April 2008, the number of building permit applications for any type of development submitted to BDS declined 22% compared to April 2007. By the end of 2008, building permit applications were down nearly a third compared to the previous year. Permits for new residential development showed an even sharper decline, with a 57% decrease in the number of such permits submitted compared to the number submitted in April 2007. By December 2008, there were 64% fewer permits for new residential development submitted than that seen in December 2007. Similarly, applications for land use reviews are down 36% from FY 2006/2007 to FY 2008/2009.

Most land use approvals (such as conditional uses, adjustments, land divisions, etc.) and related land use actions expire if a building permit is not issued by a specified deadline or, in some cases, if an application for a land use review is not submitted. These expirations are causing problems for applicants; the problems are directly related to the current economic climate.

The four types of timelines that are causing problems are:

- *Land Use Review Approvals* expire if a building permit for the project is not issued within three years of the final land use decision.
- *Pre-Application Conferences*, which are required before submitting many land use review applications, expire one year after the conference is held.
- *Preliminary Plan Approvals* for land divisions expire if a final plat application is not submitted within three years of the final decision on the preliminary plan.
- *Final Plat Applications* expire if information requested by the City is not submitted within 180 days of the request.

ANALYSIS/IMPACT ASSESSMENT

An impact assessment is conducted for legislative projects to identify and evaluate positive and negative impacts of regulations that are proposed. The impact assessment follows the procedures outlined in the Bureau of Planning and Sustainability's Model Impact Assessment Process.

Issues and Desired Outcomes

The purpose of this project and the proposed amendment is to directly address the current economic downturn by extending the expiration period for land use approvals and related land use actions.

In stable economic conditions, development projects typically can meet the deadlines in the current code. However, projects that would otherwise have proceeded to completion in a better economy are now delayed, and face the expiration of their approvals. Once expired, these projects have to go through the entire land use review process again at substantial cost and further delay. This cost and delay could further slow the City's economic recovery. Additionally, conducting such land use reviews for a second time would divert City staff resources from other priority projects.

The goal of the proposed extension is to allow sufficient time for approved projects to weather the current market situation, while also limiting the length of the extension so that conditions and regulations considered at the time of the approval remain valid.

Approaches Considered

More than a dozen solutions were discussed. We finally focused on three principal Zoning Code amendment approaches that we thought would best achieve the desired outcome.

- *Option 1: Extend the expiration date for land use review approvals and related land use actions for a limited period of time.* The existing expiration periods in the Zoning Code are intended to better ensure that regulations and policies that were applied at the time of land use approval (or considered at the pre-application conference) continue to be valid at the time the project is built. The longer the period between approval and actual construction, the greater the chance regulations and policies will change. Additionally, substantive changes in the neighborhood surrounding the site are more likely to occur with longer expiration periods; the neighborhood characteristics are often considered during land use approvals. Option 1 respects the value of the existing timeframes in the Zoning Code, but acknowledges that the current economic downturn supports extending these timelines for a limited period for this rare event.
- *Option 2: Permanently change the expiration period for land use review approvals and related land use actions.* This option would change the expiration for all land use review approvals, without a sunset date. For example, land use review approvals would expire in five years instead of three, pre-application conferences would be valid for two years instead of one, and so on. The most significant difference between Option 1 and Option 2 would be that the extensions allowed under Option 2 would be permanent, with no sunset date.

The extensions proposed under Option 2 would not be limited to the current economic downturn, but would be based on a conclusion that the existing timelines are inadequate. We felt that a conclusion this broad would require more analysis and public discussion, as would exploration of the impacts of further delaying the application of new rules and regulations to previously approved projects.

- *Option 3: Extend the expiration periods on a case-by-case basis if standards or discretionary approval criteria are met.* Option 3 would allow individual applicants to request an extension of the expiration period on a case by case basis. This approach acknowledges that there may be reasons beyond the current economic downturn to consider extensions. Before 1991, Portland had such a process; approvals were generally good for two years, and an additional year could be requested. Because such extensions were always granted, the code was amended to allow approvals to be valid for three years, and deleted the extension process. Many jurisdictions in the Metro area have an extension process. However, they also initially approve land use reviews and related actions for a period of one or two years, and then allow for a one-year extension.

Developing meaningful standards or discretionary criteria for an extension was of concern to us; we would have to develop standards or criteria that would be able to address the positive or negative impacts of granting an extension, that would not be so broad that they would always result in approval, but would not be so narrow that they wouldn't address a wide range of possible situations. We would also need to create a new process for these requests, which would require additional discussions with permitting/service bureaus, and additional consideration of budget impacts. Without

greater input from applicants, neighbors, and those who would review the requests, those goals cannot be met.

The considerable public discussion that is needed to pursue this approach—and the time that would take—in combination with the immediate need to implement extensions for current land use approvals affected by the economic situation, were factors we considered in not recommending Option 3.

Public Involvement

- On February 5, 2009, notice of the proposed amendment was mailed to the Department of Land Conservation and Development. The notice summarized the proposed amendment, identified applicable statewide planning goals, and included text for the proposed amendment.
- On February 20, 2009, notice announcing the Planning Commission public hearing on this project and the availability of this memo was mailed to all neighborhood associations and district coalitions, applicants who have attended a pre-application conference within the past year, applicants who have a land use approval that will expire shortly, and other interested persons.
- A notice of the hearing was published in *The Oregonian*, and an article appeared in the *Daily Journal of Commerce*. Notice was also published in the March/April 2009 issue of the *Plans Examiner*, a bi-monthly BDS publication intended to inform the building-design and construction community.
- Information was posted on the websites of both the Bureau of Development Services and the Bureau of Planning and Sustainability.
- The proposal was discussed at the Regulatory Improvement Stakeholder Advisory Team (RISAT) meeting on March 5, 2009. RISAT membership includes representatives from neighborhoods, housing providers, developers, the business community, and City bureaus.

STAFF RECOMMENDATION

Staff of the Bureau of Development Services and the Bureau of Planning and Sustainability recommend Option 1. We ask that the Planning Commission recommend that City Council adopt this memo and amend the Zoning Code to implement Option 1, as shown in Attachment A.

Option 1 extends the expiration date for a limited period of time, and covers only those land use approvals and related land use actions that are most affected by the current economic climate. Generally, these are instances where the applications were filed before the economic downturn. How the proposed Code language would affect the different timelines is summarized below:

- *Land Use Review Approvals:* Projects that received a land use approval between April 2006 (or three years prior to adoption of this Code amendment) and December 31, 2008 would have until June 30, 2012 to get a building permit for the approved project. The 2012 date was chosen to balance several factors. Staff wanted to pick a date far

enough in the future to allow time for the economy to recover, after which the applicant must secure financing, prepare building plans, and receive a building permit. On the other hand, land use approvals are vested in the zoning regulations in place on the date of initial approval; we did not want to unreasonably delay implementation of newer regulations that might apply to these projects.

- *Preliminary Plans:* Similar to the timeline identified above, preliminary plans for a land division that received approval between April 2006 and December 31, 2008 would have until June 30, 2012 to file an application for Final Plat approval.
- *Pre-Application Conferences:* We recommend breaking the expiration approach into two periods. This allows pre-application conferences to remain valid through the duration of the economic downturn while not extending the timeframe to the point where information provided at the conference is outdated.
 - Pre-application conferences held during 2009 would be valid for two years.
 - Pre-application conferences held between April 1, 2007, and December 31, 2008, would be valid until December 31, 2010. We chose the April 2007 date because conferences held that month would have expired in April 2008, which marked the beginning of a substantial decline in applications for land use reviews and building permits.
- *Final Plat Applications:* For those submitted before December 31, 2009, the applicant would have a year to submit information requested by BDS. This would apply only to applications that have not expired or been voided.

Staff of the Bureau of Development Services and the Bureau of Planning and Sustainability also ask that the Planning Commission direct staff to continue to refine the recommended language as necessary.

**ATTACHMENT A:
Proposed Amendments to the Zoning Code**

Language to be added to the Zoning Code is underlined. Language to be deleted is shown in ~~strike through~~.

**CHAPTER 33.730
QUASI-JUDICIAL PROCEDURES**

33.730.050 Pre-Application Conference

A - F. [No Change]

G. Time limit.

1. Generally. A pre-application conference is valid for ~~up to~~ one year. If more than one year has elapsed between the date of the pre-application conference and the date the land use review application is submitted, a new pre-application conference is required.
2. Exceptions.
 - a. Pre-application conferences held between April 1, 2007, and December 31, 2008 are valid through December 31, 2010. If a land use review application is not submitted by December 31, 2010, a new pre-application conference is required.
 - b. Pre-application conferences held between January 1, 2009, and December 31, 2009, are valid for two years. If more than two years has elapsed between the date of the pre-application conference and the date the land use review application is submitted, a new pre-application conference is required.

33.730.130 Expiration of an Approval

A. Expiration of unused land use approvals issued prior to 1979. [No change]

B. When approved decisions expire.

1. Land use approvals, except as otherwise specified in this section, expire if:
 - a. Generally.
 1. Within 3 years of the date of the final decision a City permit has not been issued for approved development; or

8. Large industrial sites. Where the Preliminary Plan is approved under the provisions of Chapter 33.664, Review of Land Divisions on Large Sites in Industrial Zones, the following applies:
 - a. Generally.
 1. The approved Preliminary Plan expires if within 3 years of the final decision an application for approval of a Final Plat for part or all of the site has not been submitted.
 2. Applications for approval of a Final Plat for the entire site must be submitted within 5 years of the date of final approval of the Preliminary Plan. Where Final Plat approval has not been requested for portions of the site within this time limit, the Preliminary Plan approval does not expire, but can no longer be used as a basis for Final Plats; all conditions continue to apply, but no new lots may be created without another Preliminary Plan Review.
 - b. Exception. Final decisions for Preliminary Plans that became effective between [three years before the effective date of this regulation] and December 31, 2008, expire if an application for approval of a Final Plat for part or all of the site has not been submitted by June 30, 2012. Where Final Plat approval has not been requested for portions of the site within this time limit, the Preliminary Plan approval does not expire, but can no longer be used as a basis for Final Plats; all conditions continue to apply, but no new lots may be created without another Preliminary Plan Review.
9. Staged Final Plats. Where the Preliminary Plan is approved under the provisions of Sections 33.633.200 through :220, Staged Final Plats, the following applies:
 - a. Application for approval of a Final Plat for part or all of the site.
 1. Generally. The approved Preliminary Plan expires if within 3 years of the final decision an application for approval of a Final Plat for part or all of the site has not been submitted.
 2. Exception. Final decisions for Preliminary Plans that became effective between [three years before the effective date of this regulation] and December 31, 2008, expire if an application for approval of a Final Plat for part or all of the site has not been submitted by June 30, 2012.
 - b. Applications for approval of a Final Plat for the entire site. Applications for approval of a Final Plat for the entire site must be submitted within 5 years of the date of submittal of the first Final Plat application. Where Final Plat approval has not been requested for portions of the site within this time limit, the Preliminary Plan approval does not expire, but can no longer be used as a basis for Final Plats; all conditions continue to apply, but no new lots may be created without another Preliminary Plan Review.

10. Land use approvals in conjunction with a land division. Land use approvals reviewed concurrently with a land division do not expire if they meet all of the following. This includes Planned Unit Developments (PUDs) and Planned Developments (PDs) reviewed in conjunction with a land division. This also includes amendments made to land use approvals where the original approval was reviewed concurrently with a land division:

- a. The decision and findings for the land division specify that the land use approval was necessary in order for the land division to be approved;
- b. The final plat of the land division has not expired; and
- c. Development or other improvements have been made to the site. Improvements include buildings, streets, utilities, grading, and mitigation enhancements. The improvements must have been made within three 3 years of approval of the final plat. For final plats approved between [three years before the effective date of this regulation] and December 31, 2008, the improvements must have been made by June 30, 2012.

11. Land use approvals in conjunction with a Planned Unit Development (PUD) or Planned Development (PD). Land use approvals reviewed concurrently with a PUD or PD do not expire if they meet all of the following. If the PUD or PD is as described in Paragraph B.5, the land use approvals reviewed in conjunction with the PUD or PD do not expire, but no additional development may occur without another review.

Land use approvals reviewed in conjunction with a PUD or PD and a land division are subject to Paragraph B.10 rather than the regulations of this paragraph:

- a. The decision and findings for the PUD or PD specify that the land use approval was necessary in order for the PUD or PD to be approved;
- b. The PUD or PD has not expired;
- c. Development or other improvements have been made to the site. Improvements include buildings, streets, utilities, grading, and mitigation enhancements. The improvements must have been made within three 3 years of final approval of the PUD or PD. For a PUD or PD receiving final approval between [three years before the effective date of this regulation] and December 31, 2008, the improvements must have been made by June 30, 2012.

12. Expedited Land Divisions. Land Divisions reviewed through the Expedited Land Division procedure in 33.730.013, are subject to the regulations of ORS 197.365 through .375. When the regulations of ORS 197.365 through .375 conflict with the regulations of this section, the regulations in ORS supercede the regulations of this section.

**CHAPTER 33.663
FINAL PLATS**

33.663.110 Voiding of Final Plat Application

A. Generally. An complete application for Final Plat review will be voided where:

A. 1. The Director of BDS has sent written comments to the applicant, requesting additional information or identifying outstanding requirements that must be completed prior to final plat approval; and

B. ~~The applicant has not provided the requested information within 180 days of the date the Director's letter was mailed.~~

2. The final plat review has remained inactive for 180 days from the date the Director's letter was mailed. The plat is considered inactive if the applicant has not provided any of the requested information, or completed steps toward meeting any of the outstanding requirements for final plat approval.

B. Exception. For final plat applications that were submitted before December 31, 2009, the 180 day period identified in B.2, above, is extended to 365 days. This exception applies only to applications that have not expired or been voided as of [effective date of this regulation].

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 1137

Amending County Land Use Code, Plans and Maps to Adopt Portland's Recent Land Use Code, Plan and Map Revisions Related to Extend for a Limited Period the Expiration Date for Approved Land Use Decisions and Related Land Use Actions in Compliance with Metro's Functional Plan and Declaring an Emergency

The Multnomah County Board of Commissioners Finds:

- a. The Board of County Commissioners (Board) adopted Resolution A in 1983 which directed the County services towards rural services rather than urban.
- b. In 1996, Metro adopted the Functional Plan for the region, mandating that jurisdictions comply with the goals and policies adopted by the Metro Council.
- c. In 1998, the County and the City of Portland (City) amended the Urban Planning Area Agreement to include an agreement that the City would provide planning services to achieve compliance with the Functional Plan for those areas outside the City limits, but within the Urban Growth Boundary and Portland's Urban Services Boundary.
- d. It is impracticable to have the County Planning Commission conduct hearings and make recommendations on land use legislative actions pursuant to MCC 37.0710, within unincorporated areas inside the Urban Growth Boundary for which the City provides urban planning and permitting services. The Board intends to exempt these areas from the requirements of MCC 37.0710, and will instead consider the recommendations of the Portland Planning Commission and City Council when legislative matters for these areas are brought before the Board for action as required by intergovernmental agreement (County Contract #4600002792) (IGA).
- e. On February 12, 2009, the Board amended County land use codes, plans and maps to adopt the City's land use codes, plans and map amendments in compliance with Metro's Functional Plan by Ordinance 1130.
- f. Since the adoption of Ordinance 1130, the City's Planning Commission recommended land use code, plan and map amendments to the City Council through duly noticed public hearings.
- g. The City notified affected County property owners as required by the IGA.
- h. The City Council adopted the land use code, plan and map amendments set out in Section 1 below and attached as Exhibits 1 through 3. The IGA requires that the County adopt these amendments for the City planning and zoning administration within the affected areas.

Multnomah County Ordains as follows:

Section 1. The County Comprehensive Framework Plan, community plans, rural area plans, sectional zoning maps and land use code chapters are amended to include the City land use code, plan and map amendments, attached as Exhibits 1 through 3, effective on the same date as the respective Portland ordinance:

Exhibit No.	Description	Date
1	Ordinance to extend for a limited period the expiration date for approved land use decisions and related land use actions amending the Code Chapters 33.730.050, 33.730.130 and 33.663.110 (PDX Ord. #182810)	5/27/09
2	Portland Planning Commission Report 0506091 Title 33 Ordinance Exhibit 1	3/13/09
3	Title 33 Attachment A	3/13/09

Section 2. In accordance with ORS 215.427(3), the changes resulting from Section 1 of this ordinance shall not apply to any decision on an application that is submitted before the applicable effective date of this ordinance and that is made complete prior to the applicable effective date of this ordinance or within 180 days of the initial submission of the application.

Section 3. In accordance with ORS 92.040(2), for any subdivisions for which the initial application is submitted before the applicable effective date of this ordinance, the subdivision application and any subsequent application for construction shall be governed by the County's land use regulations in effect as of the date the subdivision application is first submitted.

Section 4. Any future amendments to the legislative matters listed in Section 1 above, are exempt from the requirements of MCC 37.0710. The Board acknowledges, authorizes and agrees that the Portland Planning Commission will act instead of the Multnomah Planning Commission in the subject unincorporated areas using the City's own procedures, to include notice to and participation by County citizens. The Board will consider the recommendations of the Portland Planning Commission when legislative matters for County unincorporated areas are before the Board for action.

Section 5. An emergency is declared in that it is necessary for the health, safety and general welfare of the people of Multnomah County for this ordinance to take effect concurrent with the City code, plan and map amendments. Under section 5.50 of the Charter of Multnomah County, this ordinance will take effect in accordance with Section 1.

FIRST READING AND ADOPTION:

June 11, 2009



BOARD OF COUNTY COMMISSIONERS,
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By

Sandra N. Duffy
Sandra N. Duffy, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Department of Community Services

Page 2 of 3 – Ordinance 1137 Amending Land Use Code, Plans and Maps

EXHIBIT LIST FOR ORDINANCE

1. Ordinance to extend for a limited period the expiration date for approved land use decisions and related land use actions amending the Code Chapters 33.730.050, 33.730.130 and 33.663.110 (**PDX Ord. #182810**).
2. Portland Planning Commission Report 0506091 Title 33 Ordinance Exhibit1.
3. Title 33 Attachment A

Prior to adoption, this information is available electronically or for viewing at the Multnomah County Board of Commissioners and Agenda website (www.co.multnomah.or.us/cc/WeeklyAgendaPacket/). To obtain the adopted ordinance and exhibits electronically, please contact the Board Clerk at 503-988-3277. These documents may also be purchased on CD-Rom from the Land Use and Transportation Program. Contact the Planning Program at 503-988-3043 for further information.

ORDINANCE No. **1 8 2 8 1 0** As Amended

*Amend Title 33, Planning and Zoning, to extend for a limited period the expiration date for approved land use decisions and related land use actions (Ordinance; amend Code Chapters 33.730.050, 33.730.130 and 33.663.110)

The City of Portland Ordains:

Section 1. The Council finds:

General Findings

1. Title 33, Planning and Zoning, specifies when approved land use decisions expire. Typically, if a building permit is not issued within three years of the final land use decision, the land use decision expires.
2. Title 33 also states that the preliminary plan approval for a land division expires if a final plat application has not been submitted within three years of the decision on the preliminary plan. Additionally, for final plat applications, if the Bureau of Development Services (BDS) has requested additional information from the applicant and the information is not submitted within 180 days of when the request was made, the application is voided.
3. Title 33 also specifies that pre-application conferences, which must be attended by applicants prior to submitting a Type III land use review application, expire if the land use review application is not submitted within one year of when the pre-application conference was held.
4. In the current economic climate, applicants are not pursuing, or have delayed requesting, building permits for development, and the number of commercial and residential building permit applications submitted for review to the BDS has decreased significantly. In April 2008, the number of building permit applications (for any type of development) submitted to BDS declined 22 percent compared to April 2007. By the end of 2008, building permit applications were down nearly a third compared to the previous year. Residential permits showed an even sharper decline. In April 2008 there was a 57 percent decline in the number of permit applications submitted for new residential development compared to the number of such permit applications submitted in April 2007. By December 2008, there were 64 percent fewer applications submitted for new residential development than that seen in December 2007. Similarly, applications for land use reviews are down an estimated 36 percent from FY 2006/2007 to FY 2008/2009.
5. In stable economic conditions, development projects typically can meet the existing expiration periods identified in the Zoning Code. However, projects that would otherwise have proceeded to completion in a better economy are now delayed, and face the expiration of their approvals. Once expired, these projects must go through the entire land use review process again at substantial cost and further delay. This cost and delay could further slow the City's economic recovery. Additionally, conducting such land use reviews for a second time would divert City staff resources from other priority projects.
6. The proposed amendment to Title 33 (Planning and Zoning) will extend the timelines for land use approvals and related actions for a limited period of time (Attachment A of Exhibit 1). By limiting the proposed extension to a limited period, the amendment acknowledges that the existing timelines in Title 33 are intended to better ensure that regulations and policies that were applied at the time of

land use approval (or considered at the pre-application conference) continue to be valid at the time the project is built. The longer the period between approval and actual construction, the greater the chance regulations and policies will change. Additionally, substantive changes in the neighborhood surrounding the site are more likely to occur with longer expiration periods. The proposed amendment respects the value of the existing timeframes in the Zoning Code, but acknowledges that the current economic downturn supports extending these timelines for a limited period for this rare event.

Findings on Statewide Planning Goals

7. State planning statutes require cities to adopt and amend comprehensive plans and land use regulations in compliance with state land use goals. Only the state goals addressed below apply.
8. **Goal 1, Citizen Involvement**, requires the provision of opportunities for citizens to be involved in all phases of the planning process. The preparation of these amendments has provided numerous opportunities for public involvement:
 - On February 5, 2009, notice of the proposed amendment was mailed to the Department of Land Conservation and Development. The notice summarized the proposed amendment, identified applicable statewide planning goals, and included text for the proposed amendment.
 - On February 20, 2009, notice announcing the Planning Commission public hearing on this proposed amendment was mailed to all neighborhood associations and district coalitions, applicants who have attended a pre-application conference within the past year, applicants who have a land use approval that will expire shortly, and other interested persons.
 - A notice of the hearing was published in *The Oregonian*, and an article appeared in the *Daily Journal of Commerce*. Notice was also published in the March/April 2009 issue of the *Plans Examiner*, a bi-monthly BDS publication intended to inform the building-design and construction community.
 - Information was posted on the websites of both the Bureau of Development Services and the Bureau of Planning and Sustainability.
 - The proposal was discussed at the Regulatory Improvement Stakeholder Advisory Team (RISAT) meeting on March 5, 2009. RISAT membership includes representatives from neighborhoods, housing providers, developers, the business community, and City bureaus.
 - On March 24, 2009, the Planning Commission held a hearing to discuss and take testimony on the proposed amendment. Staff presented the proposal and public testimony was received. Planning Commission closed the hearing, but as there was not a quorum, the vote on the proposed amendment was delayed until April 14, 2009.
 - On April 14, 2009, the Planning Commission voted unanimously to recommend that City Council adopt the staff recommendation for the proposed code amendment (Exhibit 1).
 - On April 22, 2009, notice announcing the City Council public hearing on the proposed amendment was mailed to those who provided testimony at the Planning Commission hearing, and all district coalitions.

9. **Goal 2, Land Use Planning**, requires the development of a process and policy framework that acts as a basis for all land use decisions and assures that decisions and actions are based on an understanding of the facts relevant to the decision. The amendment supports this goal as development of the recommendations followed established City procedures for legislative actions.
10. **Goal 9, Economic Development**, requires the provision of adequate opportunities for a variety of economic activities vital to public health, welfare and prosperity. The proposed amendment supports this goal by providing additional time for projects approved through the land use review process to continue through to completion. Without the limited extensions to the expiration periods that are proposed in the amendment, projects approved through the land use review process would not be able to move forward. The time delay and additional costs associated with reviewing these projects a second time through a subsequent land use review procedure would further hamper to City's ability to weather the current economic downturn.
11. **Goal 10, Housing**, requires provision for the housing needs of citizens of the state. The proposed amendment is supportive of this goal. Many of the previously approved land use reviews that will be expiring in the near future include projects that expand the City's housing stock, or provide potential housing development sites (in the case of residential land division cases). Allowing these approvals to expire will delay these new housing opportunities. See also findings for Portland Comprehensive Plan Goal 4 (Housing), and Metro Title 1.
12. **Goal 11, Public Facilities and Services**, requires planning and development of a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for development. While the proposed amendment will extend the expiration date for some land use approvals by as much as three years, these approved projects will still be subject to the City's rules and regulations regarding public facilities and services that are in effect at the time the applicant submits the building permit application. As such, the City's most current rules and regulations on public facilities and services will still be applied to projects.
13. **Goal 12, Transportation**, requires provision of a safe, convenient, and economic transportation system. The Oregon Transportation Planning Rule (TPR) was adopted in 1991 and amended in 1996 and 2005 to implement State Goal 12. The TPR requires certain findings if the proposed regulation will significantly affect an existing or planned transportation facility. The proposed amendment is consistent with this goal as it does not change the policy or intent of any of the existing regulations pertaining to transportation.

Findings on Metro Urban Growth Management Functional Plan

14. The following element of the Metro Urban Growth Management Functional Plan is relevant and applicable to the proposed Zoning Code amendment:
15. **Title 1, Requirements for Housing and Employment Accommodation**, requires that each jurisdiction contribute its fair share to increasing the development capacity of land within the Urban Growth Boundary. This requirement is to be generally implemented through citywide analysis based on calculated capacities from land use designations. The proposed amendment facilitates achieving the goals of this title by ensuring that land use decisions that approved residential and commercial development are not forced to expire due to the current economic situation. The proposed amendment provides land use applicants the opportunity to pursue building permit applications (and subsequent land use review approvals) that are needed for these projects to be a reality and to contribute to the City's economic health and expanding residential base.

Findings on Portland's Comprehensive Plan Goals

16. The City's Comprehensive Plan was adopted by the Portland City Council on October 16, 1980, and was acknowledged as being in conformance with the statewide planning goals by the Land Conservation and Development Commission on May 1, 1981. On May 26, 1995, the LCDC completed its review of the City's final local periodic review order and periodic review work program, and reaffirmed the plan's compliance with statewide planning goals.
17. The following goals, policies, and objectives of the Portland Comprehensive Plan are relevant and applicable to the proposed Zoning Code amendment.
18. **Goal 1, Metropolitan Coordination**, calls for the Comprehensive Plan to be coordinated with federal and state law and to support regional goals, objectives and plans. In general, the amendment is consistent with this goal because they do not change policy or intent of existing regulations relating to metropolitan coordination and regional goals.

Policy 1.4, Intergovernmental Coordination, requires continuous participation in intergovernmental affairs with public agencies to coordinate metropolitan planning and project development and maximize the efficient use of public funds. The amendment supports this policy because other government agencies were notified of this proposal and given the opportunity to comment. These agencies include Metro, Multnomah County Planning, and the Oregon Department of Land Conservation and Development.

19. **Goal 2, Urban Development**, calls for maintaining Portland's role as the major regional employment and population center by expanding opportunities for housing and jobs, while retaining the character of established residential neighborhoods and business centers.

The amendment supports this goal by allowing projects that have been approved through the City's public land use review process to proceed to development despite the current economic conditions. The amendment provides applicants with additional time to receive a building permit (or apply for subsequent needed land use reviews). Without the extension, commercial and residential projects that would enhance the City's role as an employment and population center would be stopped or delayed.

20. **Goal 4, Housing**, calls for enhancing Portland's vitality as a community at the center of the region's housing market by providing housing of different types, density, sizes, costs and locations that accommodates the needs, preferences, and financial capabilities of current and future households. The proposed Zoning Code amendment supports this goal by extending the expiration date of approved land use actions, many of which include housing development. See also findings for Statewide Planning Goal 10, Housing.
21. **Goal 5, Economic Development**, calls for the promotion of a strong and diverse economy that provides a full range of employment and economic choices for individuals and families in all parts of the city. The proposed amendment supports this goal by providing additional time for projects approved through the land use review process to continue through to completion. Without the limited extensions to the expiration periods that are proposed in the amendment, projects approved through the land use review process would not be able to move forward. The time delay and additional costs associated with reviewing these projects a second time through a subsequent land use review procedure would further hamper to City's ability to weather the current economic downturn.

22. **Goal 9, Citizen Involvement**, calls for improved methods and ongoing opportunities for citizen involvement in the land use decision-making process, and the implementation, review, and amendment of the Comprehensive Plan. This project followed the process and requirements specified in Chapter 33.740, Legislative Procedure. The amendments support this goal for the reasons found in the findings for Statewide Planning Goal 1, Citizen Involvement.
23. **Goal 10, Plan Review and Administration**, includes several policies and objectives. Policy 10.10, Amendments to the Zoning and Subdivision Regulations, directs that amendments to the zoning and subdivision regulations should be clear, concise, and applicable to the broad range of development situations faced by a growing, urban city. The proposed amendment is consistent with this policy by making the Zoning Code more flexible in dealing with the current economic downturn. Because existing regulations provide no opportunity for an applicant to request an extension of the expiration period for a land use approval or related land use action, development projects that will contribute to a growing City will not be possible, or will be significantly delayed. The proposed amendment provides the additional time necessary to allow these projects to proceed.
24. **Goal 12, Urban Design**, calls for enhancing Portland as a livable city, attractive in its setting and dynamic in its urban character by preserving its history and building a substantial legacy of quality private developments and public improvements for future generations. The proposed amendment is intended to allow those projects that have received approval through the land use review process, often through the Design Review process, to proceed to construction and contribute to the City's urban vitality.

NOW, THEREFORE, the Council directs:

- a. Adopt the memorandum from the Bureau of Development Services and the Bureau of Planning and Sustainability to the Planning Commission, dated March 13, 2009, which outlines the purpose for the proposed Zoning Code amendment (Exhibit 1); and
- b. Amend Title 33, Planning and Zoning, as shown in Attachment A of Exhibit 1.

Section 2: The Council declares an emergency exists because there should be no delay in the implementation of the proposed amendment; therefore, this Ordinance shall be in full force and effect seven days from its passage by the Council.

Passed by the Council: **MAY 20 2009**

Mayor Sam Adams
Commissioner Randy Leonard

LaVonne Griffin-Valade
Auditor of the City of Portland

By



Deputy

Prepared by:
Douglas Hardy, Bureau of Development Services
April 23, 2009



EXHIBIT 1

MEMORANDUM

Date: March 13, 2009

To: Portland Planning Commission

From: Douglas Hardy, Senior Planner
Bureau of Development Services/Land Use Services Division

Jessica Richman, Senior Planner
Bureau of Planning and Sustainability

Re: Proposed Amendment to the Zoning Code: Extension of Expiration Date for
Land Use Approvals and Related Actions

This memo outlines a proposed amendment to the Zoning Code to extend the expiration date for land use review approvals and related actions, explains the purpose of the amendment, and details the alternatives considered. The Bureau of Planning and Sustainability and the Bureau of Development Services worked together on this project, bringing it forward on a compressed timeline that limited opportunities for in-depth analysis and public discussion, but tried to provide for those to the extent possible.

THE PROBLEM

Portland, like the rest of the state and nation, is facing a significant economic downturn that has directly affected the construction industry. The impacts are reflected in a variety of economic indicators at the state and local level. Housing starts, a freeze in the credit markets, significant decreases in construction employment, and a large decline in the number of applications for building permits and land use reviews are all indicators of the state of our economy.¹

¹ According to the March 2009 *Oregon Economic and Revenue Forecast*, prepared by the Oregon Office of Economic Analysis, housing starts in the State of Oregon declined 48% between 2008 and the peak in 2006-2007, with housing starts estimated to drop another 47% between 2008 and 2009. The decline in housing starts, in combination with a freezing up of the credit markets, has resulted in a 9.2% reduction in the State's construction employment in 2008, with a projected decline of 16% in 2009. The Oregon Office of Economic Analysis forecasts declines in construction employment to continue well into 2010.

The local construction picture reflects that of the State. In April 2008, the number of building permit applications for any type of development submitted to BDS declined 22% compared to April 2007. By the end of 2008, building permit applications were down nearly a third compared to the previous year. Permits for new residential development showed an even sharper decline, with a 57% decrease in the number of such permits submitted compared to the number submitted in April 2007. By December 2008, there were 64% fewer permits for new residential development submitted than that seen in December 2007. Similarly, applications for land use reviews are down 36% from FY 2006/2007 to FY 2008/2009.

Most land use approvals (such as conditional uses, adjustments, land divisions, etc.) and related land use actions expire if a building permit is not issued by a specified deadline or, in some cases, if an application for a land use review is not submitted. These expirations are causing problems for applicants; the problems are directly related to the current economic climate.

The four types of timelines that are causing problems are:

- ❑ *Land Use Review Approvals* expire if a building permit for the project is not issued within three years of the final land use decision.
- ❑ *Pre-Application Conferences*, which are required before submitting many land use review applications, expire one year after the conference is held.
- ❑ *Preliminary Plan Approvals* for land divisions expire if a final plat application is not submitted within three years of the final decision on the preliminary plan.
- ❑ *Final Plat Applications* expire if information requested by the City is not submitted within 180 days of the request.

ANALYSIS/IMPACT ASSESSMENT

An impact assessment is conducted for legislative projects to identify and evaluate positive and negative impacts of regulations that are proposed. The impact assessment follows the procedures outlined in the Bureau of Planning and Sustainability's Model Impact Assessment Process.

Issues and Desired Outcomes

The purpose of this project and the proposed amendment is to directly address the current economic downturn by extending the expiration period for land use approvals and related land use actions.

In stable economic conditions, development projects typically can meet the deadlines in the current code. However, projects that would otherwise have proceeded to completion in a better economy are now delayed, and face the expiration of their approvals. Once expired, these projects have to go through the entire land use review process again at substantial cost and further delay. This cost and delay could further slow the City's economic recovery. Additionally, conducting such land use reviews for a second time would divert City staff resources from other priority projects.

The goal of the proposed extension is to allow sufficient time for approved projects to weather the current market situation, while also limiting the length of the extension so that conditions and regulations considered at the time of the approval remain valid.

Approaches Considered

More than a dozen solutions were discussed. We finally focused on three principal Zoning Code amendment approaches that we thought would best achieve the desired outcome.

- *Option 1: Extend the expiration date for land use review approvals and related land use actions for a limited period of time.* The existing expiration periods in the Zoning Code are intended to better ensure that regulations and policies that were applied at the time of land use approval (or considered at the pre-application conference) continue to be valid at the time the project is built. The longer the period between approval and actual construction, the greater the chance regulations and policies will change. Additionally, substantive changes in the neighborhood surrounding the site are more likely to occur with longer expiration periods; the neighborhood characteristics are often considered during land use approvals. Option 1 respects the value of the existing timeframes in the Zoning Code, but acknowledges that the current economic downturn supports extending these timelines for a limited period for this rare event.
- *Option 2: Permanently change the expiration period for land use review approvals and related land use actions.* This option would change the expiration for all land use review approvals, without a sunset date. For example, land use review approvals would expire in five years instead of three, pre-application conferences would be valid for two years instead of one, and so on. The most significant difference between Option 1 and Option 2 would be that the extensions allowed under Option 2 would be permanent, with no sunset date.

The extensions proposed under Option 2 would not be limited to the current economic downturn, but would be based on a conclusion that the existing timelines are inadequate. We felt that a conclusion this broad would require more analysis and public discussion, as would exploration of the impacts of further delaying the application of new rules and regulations to previously approved projects.

- *Option 3: Extend the expiration periods on a case-by-case basis if standards or discretionary approval criteria are met.* Option 3 would allow individual applicants to request an extension of the expiration period on a case by case basis. This approach acknowledges that there may be reasons beyond the current economic downturn to consider extensions. Before 1991, Portland had such a process; approvals were generally good for two years, and an additional year could be requested. Because such extensions were always granted, the code was amended to allow approvals to be valid for three years, and deleted the extension process. Many jurisdictions in the Metro area have an extension process. However, they also initially approve land use reviews and related actions for a period of one or two years, and then allow for a one-year extension.

Developing meaningful standards or discretionary criteria for an extension was of concern to us; we would have to develop standards or criteria that would be able to address the positive or negative impacts of granting an extension, that would not be so broad that they would always result in approval, but would not be so narrow that they wouldn't address a wide range of possible situations. We would also need to create a new process for these requests, which would require additional discussions with permitting/service bureaus, and additional consideration of budget impacts. Without

greater input from applicants, neighbors, and those who would review the requests, those goals cannot be met.

The considerable public discussion that is needed to pursue this approach—and the time that would take—in combination with the immediate need to implement extensions for current land use approvals affected by the economic situation, were factors we considered in not recommending Option 3.

Public Involvement

- On February 5, 2009, notice of the proposed amendment was mailed to the Department of Land Conservation and Development. The notice summarized the proposed amendment, identified applicable statewide planning goals, and included text for the proposed amendment.
- On February 20, 2009, notice announcing the Planning Commission public hearing on this project and the availability of this memo was mailed to all neighborhood associations and district coalitions, applicants who have attended a pre-application conference within the past year, applicants who have a land use approval that will expire shortly, and other interested persons.
- A notice of the hearing was published in *The Oregonian*, and an article appeared in the *Daily Journal of Commerce*. Notice was also published in the March/April 2009 issue of the *Plans Examiner*, a bi-monthly BDS publication intended to inform the building-design and construction community.
- Information was posted on the websites of both the Bureau of Development Services and the Bureau of Planning and Sustainability.
- The proposal was discussed at the Regulatory Improvement Stakeholder Advisory Team (RISAT) meeting on March 5, 2009. RISAT membership includes representatives from neighborhoods, housing providers, developers, the business community, and City bureaus.

STAFF RECOMMENDATION

Staff of the Bureau of Development Services and the Bureau of Planning and Sustainability recommend Option 1. We ask that the Planning Commission recommend that City Council adopt this memo and amend the Zoning Code to implement Option 1, as shown in Attachment A.

Option 1 extends the expiration date for a limited period of time, and covers only those land use approvals and related land use actions that are most affected by the current economic climate. Generally, these are instances where the applications were filed before the economic downturn. How the proposed Code language would affect the different timelines is summarized below:

- *Land Use Review Approvals:* Projects that received a land use approval between April 2006 (or three years prior to adoption of this Code amendment) and December 31, 2008 would have until June 30, 2012 to get a building permit for the approved project. The 2012 date was chosen to balance several factors. Staff wanted to pick a date far

enough in the future to allow time for the economy to recover, after which the applicant must secure financing, prepare building plans, and receive a building permit. On the other hand, land use approvals are vested in the zoning regulations in place on the date of initial approval; we did not want to unreasonably delay implementation of newer regulations that might apply to these projects.

- *Preliminary Plans:* Similar to the timeline identified above, preliminary plans for a land division that received approval between April 2006 and December 31, 2008 would have until June 30, 2012 to file an application for Final Plat approval.
- *Pre-Application Conferences:* We recommend breaking the expiration approach into two periods. This allows pre-application conferences to remain valid through the duration of the economic downturn while not extending the timeframe to the point where information provided at the conference is outdated.
 - Pre-application conferences held during 2009 would be valid for two years.
 - Pre-application conferences held between April 1, 2007, and December 31, 2008, would be valid until December 31, 2010. We chose the April 2007 date because conferences held that month would have expired in April 2008, which marked the beginning of a substantial decline in applications for land use reviews and building permits.
- *Final Plat Applications:* For those submitted before December 31, 2009, the applicant would have a year to submit information requested by BDS. This would apply only to applications that have not expired or been voided.

Staff of the Bureau of Development Services and the Bureau of Planning and Sustainability also ask that the Planning Commission direct staff to continue to refine the recommended language as necessary.

**ATTACHMENT A:
Proposed Amendments to the Zoning Code**

Language to be added to the Zoning Code is underlined. Language to be deleted is shown in ~~strike-through~~.

**CHAPTER 33.730
QUASI-JUDICIAL PROCEDURES**

33.730.050 Pre-Application Conference

A - F. [No Change]

G. Time limit.

1. Generally. A pre-application conference is valid for ~~up to~~ one year. If more than one year has elapsed between the date of the pre-application conference and the date the land use review application is submitted, a new pre-application conference is required.
2. Exceptions.
 - a. Pre-application conferences held between April 1, 2007, and December 31, 2008 are valid through December 31, 2010. If a land use review application is not submitted by December 31, 2010, a new pre-application conference is required.
 - b. Pre-application conferences held between January 1, 2009, and December 31, 2009, are valid for two years. If more than two years has elapsed between the date of the pre-application conference and the date the land use review application is submitted, a new pre-application conference is required.

33.730.130 Expiration of an Approval

A. Expiration of unused land use approvals issued prior to 1979. [No change]

B. When approved decisions expire.

1. Land use approvals, except as otherwise specified in this section, expire if:
 - a. Generally.
 1. Within 3 years of the date of the final decision a City permit has not been issued for approved development; or

8. Large industrial sites. Where the Preliminary Plan is approved under the provisions of Chapter 33.664, Review of Land Divisions on Large Sites in Industrial Zones, the following applies:
- a. Generally.
 1. The approved Preliminary Plan expires if within 3 years of the final decision an application for approval of a Final Plat for part or all of the site has not been submitted.
 2. Applications for approval of a Final Plat for the entire site must be submitted within 5 years of the date of final approval of the Preliminary Plan. Where Final Plat approval has not been requested for portions of the site within this time limit, the Preliminary Plan approval does not expire, but can no longer be used as a basis for Final Plats; all conditions continue to apply, but no new lots may be created without another Preliminary Plan Review.
 - b. Exception. Final decisions for Preliminary Plans that became effective between [three years before the effective date of this regulation] and December 31, 2008, expire if an application for approval of a Final Plat for part or all of the site has not been submitted by June 30, 2012. Where Final Plat approval has not been requested for portions of the site within this time limit, the Preliminary Plan approval does not expire, but can no longer be used as a basis for Final Plats; all conditions continue to apply, but no new lots may be created without another Preliminary Plan Review.
9. Staged Final Plats. Where the Preliminary Plan is approved under the provisions of Sections 33.633.200 through .220, Staged Final Plats, the following applies:
- a. Application for approval of a Final Plat for part or all of the site.
 1. Generally. The approved Preliminary Plan expires if within 3 years of the final decision an application for approval of a Final Plat for part or all of the site has not been submitted.
 2. Exception. Final decisions for Preliminary Plans that became effective between [three years before the effective date of this regulation] and December 31, 2008, expire if an application for approval of a Final Plat for part or all of the site has not been submitted by June 30, 2012.
 - b. Applications for approval of a Final Plat for the entire site. Applications for approval of a Final Plat for the entire site must be submitted within 5 years of the date of submittal of the first Final Plat application. Where Final Plat approval has not been requested for portions of the site within this time limit, the Preliminary Plan approval does not expire, but can no longer be used as a basis for Final Plats; all conditions continue to apply, but no new lots may be created without another Preliminary Plan Review.

10. Land use approvals in conjunction with a land division. Land use approvals reviewed concurrently with a land division do not expire if they meet all of the following. This includes Planned Unit Developments (PUDs) and Planned Developments (PDs) reviewed in conjunction with a land division. This also includes amendments made to land use approvals where the original approval was reviewed concurrently with a land division:
- a. The decision and findings for the land division specify that the land use approval was necessary in order for the land division to be approved;
 - b. The final plat of the land division has not expired; and
 - c. Development or other improvements have been made to the site. Improvements include buildings, streets, utilities, grading, and mitigation enhancements. The improvements must have been made within ~~three~~ 3 years of approval of the final plat. For final plats approved between [three years before the effective date of this regulation] and December 31, 2008, the improvements must have been made by June 30, 2012.
11. Land use approvals in conjunction with a Planned Unit Development (PUD) or Planned Development (PD). Land use approvals reviewed concurrently with a PUD or PD do not expire if they meet all of the following. If the PUD or PD is as described in Paragraph B.5, the land use approvals reviewed in conjunction with the PUD or PD do not expire, but no additional development may occur without another review.

Land use approvals reviewed in conjunction with a PUD or PD and a land division are subject to Paragraph B.10 rather than the regulations of this paragraph:

- a. The decision and findings for the PUD or PD specify that the land use approval was necessary in order for the PUD or PD to be approved;
 - b. The PUD or PD has not expired;
 - c. Development or other improvements have been made to the site. Improvements include buildings, streets, utilities, grading, and mitigation enhancements. The improvements must have been within ~~three~~ 3 years of final approval of the PUD or PD. For a PUD or PD receiving final approval between [three years before the effective date of this regulation] and December 31, 2008, the improvements must have been made by June 30, 2012.
12. Expedited Land Divisions. Land Divisions reviewed through the Expedited Land Division procedure in 33.730.013, are subject to the regulations of ORS 197.365 through .375. When the regulations of ORS 197.365 through .375 conflict with the regulations of this section, the regulations in ORS supercede the regulations of this section.

**CHAPTER 33.663
FINAL PLATS**

33.663.110 Voiding of Final Plat Application

A. Generally. An complete application for Final Plat review will be voided where:

A. 1. The Director of BDS has sent written comments to the applicant, requesting additional information or identifying outstanding requirements that must be completed prior to final plat approval; and

B. The applicant has not provided the requested information within 180 days of the date the Director's letter was mailed.

2. The final plat review has remained inactive for 180 days from the date the Director's letter was mailed. The plat is considered inactive if the applicant has not provided any of the requested information, or completed steps toward meeting any of the outstanding requirements for final plat approval.

B. Exception. For final plat applications that were submitted before December 31, 2009, the 180 day period identified in B.2, above, is extended to 365 days. This exception applies only to applications that have not expired or been voided as of [effective date of this regulation].



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (revised 09/22/08)

Board Clerk Use Only

Meeting Date: 06/11/09
Agenda Item #: R-21
Est. Start Time: 11:05 AM
Date Submitted: 06/02/09

Agenda Title: **Four Cities Peer Court Program Briefing**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date: June 11, 2009 **Amount of Time Needed:** 10 minutes
Department: Non-Departmental **Division:** Commissioner Diane McKeel, District 4
Contact(s): Sam Peterson
Phone: 503 988-5213 **Ext.** 22738 **I/O Address:** 503/600
Presenter(s): Four Cities Peer Court Participants

General Information

1. What action are you requesting from the Board?

No action, Board briefing only.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

Youth Peer Court is a newly developed community based diversion program designed to give youth with first-time, low-level law violations a chance to repair harm and show accountability for their actions without involvement in the juvenile justice system.

Sanctioned by the Multnomah County Juvenile Department the program operates under a Drug Free Communities grant; the Greater Gresham Area Prevention Partnership, [GGAPP] serving the communities of Fairview, Gresham, Troutdale and Wood Village and working specifically within the Reynolds, Centennial and Gresham-Barlow school districts. The focus of the grant program is to reduce substance abuse among teens. The Peer Court provides a community based accountability for misdemeanor law violations of Minor in Possession of Alcohol and Possession of Less than an Ounce of Marijuana, in addition to other misdemeanor crimes.

Police officers offer youth the option to enter the Peer Court instead of the juvenile justice system at the time of the incident. The youth must agree to make an admission to the law violation. Youth are required to engage a parent, guardian or other pro-social adult in their pre-court interview and Peer Court proceeding. While in Peer Court the youth will be assigned a volunteer (peer) student defense attorney and a student prosecuting attorney. Once the case is heard, the jury (also peers) decides what type of accountability fits the law violation. The presiding judge, an adult attorney who is licensed in Oregon, maintains order, guides the process and oversees sentencing. Records of the case and tracking of accountability is provided by Portland State Criminal Justice Interns completing degree requirements. Once the youth has completed the accountability they are eligible at the age of eighteen to petition the Juvenile Department for expungement of their record.

3. Explain the fiscal impact (current year and ongoing).

The Peer Court program has no direct fiscal impact on the Juvenile Department budget.

Indirectly it is envisioned that youth who are provided a diversion program and the opportunity to accept responsibility and make restitution for an error in judgment will be less likely to participate in future juvenile or criminal justice services and programs.

4. Explain any legal and/or policy issues involved.

419C.225 Authorized diversion programs.

(1) Following a review of a police report and other relevant information, a county juvenile department may refer a youth to an authorized diversion program if the youth is eligible to enter into a formal accountability agreement under ORS 419C.230.

(2) An authorized diversion program may include a youth court, mediation program, crime prevention or chemical substance abuse education program or other program established for the purpose of providing consequences and reformation and preventing future delinquent acts. [2001 c.485 §5]

(3) All cases sent to Peer Court under go review via the Multnomah DA for legal sufficiency.

(4) Specific violations have been delineated and allowed to be diverted to the Peer Court under the direction of the juvenile department.

5. Explain any citizen and/or other government participation that has or will take place.

Over the previous two years in development of the court and it's implementation the program has involved and engaged youth defendants, adults (parents, pro-social adults), law enforcement, district attorneys offices, juvenile department staff, community services organizations, Portland State University Interns, middle and high schools, licensed Oregon attorneys as volunteer judges, and youth as peer attorneys, jurors, bailiffs and clerks.

Required Signature

**Elected Official
or Department/
Agency Director:**

Diane McKel

Date: 06/02/09

MISSION STATEMENT

The Four Cities Peer Court Program is a community partnership for restorative justice that involves, supports, educates and holds youth accountable in their community.



GOALS

- To keep youth in school
- Support drug / alcohol free community.
- Deter high risk behavior and re-offending youth
- Educate youth about the legal system

COURT SCHEDULE

Sessions I: September to December

Session II: January to March

Session III: April to June

The Alternative to Juvenile Court

The Four Cities Youth Peer Court is a community based diversion program. The goal of Peer Court is to deter youth from re-offending by delivering quick and fair consequences decided by their peers. The Peer Court provides opportunities for youth to take care of law violations without involvement in the juvenile justice system. In Peer Court the youth;

- Must be under the age of 18
- Have no prior law violation or offenses
- Is required to admit to the violation / plead guilty
- Will appear in court with parent/guardian or pro-social adult
- Agrees to complete the Peer Court sentence
- Will serve as a juror one time in the court
- Participates in one Cost of Crime class

Clearing Your Record

Youth who finish their Peer Court Sanctions will not have to be Involved in the Juvenile Justice System for the law violations handled in Peer Court. However, youth who do not comply with the Peer Court requirements will have the case referred back to the juvenile justice system. The hope is that the offender will realize their mistake, give back to the community, not offend again and hopefully never enter the justice system. Youth who participate in Peer Court will be eligible to have their juvenile records erased later. This process is called expunction. To apply for expunction, contact the Multnomah County Juvenile Services Division at

(503) 988-3460.

Giving a Second Chance to First Time Offenders

Youth Peer Court is a diversion program that is designed to give youth with first-time, low-level law violations a chance to repair harm and show accountability for their actions without involvement in the juvenile justice system. When a youth is cited for a first-time low-level law violation in Fairview, Gresham, Troutdale and Wood Village, the officer will offer the option to enter the Youth Peer Court instead of the juvenile justice system.

The youth must agree to make an admission to the law violation. Youth are required to engage a parent, guardian or other pro-social adult in their pre-court interview and/or Peer Court proceeding. While in Peer Court the youth will have a volunteer student attorney (a peer). Once the circumstances of the case are heard, the jury (students and Peer Court participants) will decide what type of accountability fits the law violation.

The presiding judge is an attorney licensed to practice in Oregon that will maintain order, guide the process and oversee sentencing. Every defendant will participate in a cost crime class and one jury duty session. Further accountability may consist of essays, written apologies, and community service. Youth who fail to comply with Peer Court requirements will be referred back to the juvenile justice system and required to complete additional mandates.

A Program for Everyone

Youth

The program provides an opportunity for youth who have made an error in judgment to accept responsibility and make restitution.

Community

Peer Court involves adults, law enforcement, community organizations, parents schools, volunteers, and youth peers in its process.

You

This is your chance to learn about the justice system, help youth and our community.

For information on the court or to volunteer contact the Youth Peer Court at:

449 NE Emerson
Portland, OR 97211
Phone: 503-823-0250
Info@www.ggapp.org



The City of Fairview
<http://www.ci.fairview.or.us/index.html>

City of Gresham Oregon
<http://www.ci.gresham.or.us>

City of Troutdale
<http://www.ci.troutdale.or.us>

City of Wood Village
<http://www.ci.wood-village.or.us>

Special Thanks To

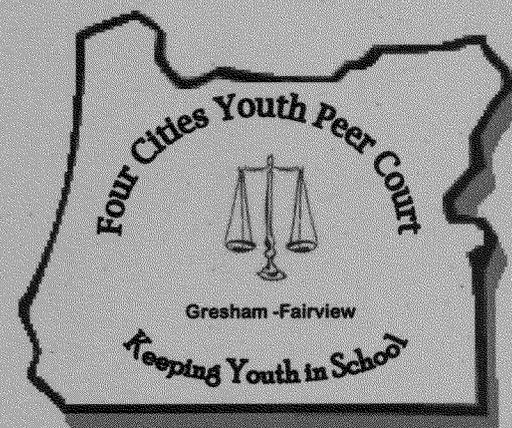
- Multnomah County Juvenile Offices
- Multnomah County District Attorney
- Portland State University Criminal Justice Program students

Additional Community Partners

- Multnomah County Animal Control
- Loaves and Fishes
- Reynolds District
- Gresham Barlow District
- MADD
- East Metro Mediation
- El Programma Hispano
-

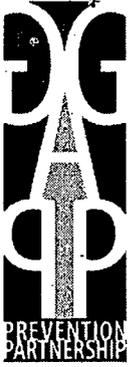


Four Cities Peer Court



Creating a
Second Chance
for Youth

503-823-0250



"We are a group of diverse leaders and organizations committed to integrating and aligning our resources to make our community safer and healthier. We have established a coalition that is dedicated to engaging our entire community in this endeavor. By moving in this direction, we work smart, spend smart and strive to reduce our tax burden as we focus on preventing such costly problems as drug abuse, violence, teen pregnancy, juvenile delinquency, crime and school drop outs. Our prevention efforts are results focused, identifying and implementing proven cost effective programs policies and activities the bottom line is that the work of our coalition is a common sense smart spending sound investment in the future of our youth and community."

Patrick G. Aaby, Ed.D

Policy Advisor to the Executive Director, Committee for Children

Greater Gresham Area Prevention Partnership [GGAPP] is a community coalition designed to serve the suburban East Multnomah County area (of almost **140,000**), that includes **all three school districts** serving Gresham, Troutdale, Fairview, Wood Village and unincorporated Multnomah County through Centennial's **6401 students, Gresham Barlow 2,033 students and Reynolds 10,899 students.**

The goals of the GGAPP Coalition are to:

- 1) Reduce substance abuse among youth and, over time, among adults by addressing the factors in a community that increase the risk of substance abuse and promoting the factors that minimize the risk of substance abuse;
- 2) Strengthen collaboration among the East Multnomah County's and surrounding communities' private nonprofit agencies and Federal, State, and local governments to support the efforts of community coalitions to prevent and reduce substance abuse among youth.

Measured by

- Oregon Healthy Teens survey data
- Current evaluation process of the coalition / surveys on line etc.
- National Comet Reporting system

How will the coalition do this? The coalition members will identify *community specific* issues and concerns that lead to alcohol and substance abuse. Working together coalition members will create a social change effort to address these issues. They will work with seven strategic tools for lasting community change:

- Enhance skills
- Provide Support
- Reduce barriers or enhance access
- Change Incentives or Disincentives
- Change the Physical Design of the environment
- Modify Policies and Broader systems

Through this highly energized and cooperative community participation parent knowledge about drug abuse prevention will increase. Youth in the community will feel supported to make healthy lifestyle choices. Policy makers and educators will work cooperatively to institute community systems that support families and the community. Messages about community livability and choice will be consistent and clear.

What does success look like? Success is a future community where the drinking of alcohol among youth is on the decline because the community has changed their view of alcohol use;

- Teens will grow up to be responsible adults who choose whether or not to drink, and if they do, drink responsibly. *There will be less teen drinking and driving, fewer teen alcohol deaths.*
- Where crime, poverty, and the abuse of other substances decreases in the face of strategic and cost effective community involvement. *Fewer drug deals, fewer crimes.*



A community partnership for restorative justice.



Youth Court Policy

ORS 419C.226 Youth courts (1) An organization may establish and operate a youth court only with the agreement and cooperation of a county juvenile department. To establish a youth court, the organization and the county juvenile department must enter into a written agreement.

Multnomah County [419C.225] Authorized diversion programs.

- (1) Following a review of a police report and other relevant information, a county juvenile department may refer a youth to an authorized diversion program if the youth is eligible to enter into a formal accountability agreement under ORS 419C.230.
- (2) An authorized diversion program may include a youth court, mediation program, crime prevention or chemical substance abuse education program or other program established for the purpose of providing consequences and reformation and preventing future delinquent acts. [2001 c.485 §5]



GREATER GRESHAM AREA PREVENTION PARTNERSHIP

Building a Drug Free Community Future

www.ggapp.org

CATHY SHERICK

Project Manager

c_sherick@yahoo.com

POLICE ACTIVITIES LEAGUE

424 NE Emerson, Portland, OR 97211

Ph:503-823-0250 FAX: 503-823-5841

Multnomah County Juvenile System

- Peer Courts fall under the enabling statutes, allowing them to exist under the Multnomah County System.
The Peer court can assist an over-burdened juvenile justice system.
- The actions of a Peer Court fall under formal accountability agreements.
Current Juvenile Court systems in Multnomah County list this under diversion programs
- The authorizing MOU agreement includes:
Police Departments in City of Fairview, City of Gresham, City of Troutdale to enable officers to issue citations.
The Police Activities League / GGAPP to provide operations of the court.
Multnomah County Juvenile to provide legal over-site, periodic review.

Why do a Peer Court?

- East County youth seem to think there are few consequences and no accountability for drug and alcohol violations.
- Many of today's parent's cannot handle youth issues and are seeking local assistance.
- Youth are highly influenced by peers and the potential for lasting impact is increased with peer court programs.
- Law Enforcement - SRO's requested a Peer Court to provide more community accountability.
- Juvenile Department believes youth can benefit from a diversion program.

Why do Youth Like Peer Court?

- Youth can learn about the legal and judicial system.
- Youth practice and enhance job skills.
- A positive way for youth to build ties in their community.
- First-time offenders can be held accountable.
- Misdemeanor, alcohol and drug violations support prevention efforts.
- Youth voluntarily participate in the program.
- Requires parents to be involved and teens want to know parents care.
- Youth want options in juvenile services.
- Diversion programs help youth make changes.

The 'Nuts and Bolts'

"Youth Judge Model"

Youth Volunteers

Defense Attorneys & Prosecuting Attorneys
From all demographics – all interests -Receive training and recognition
Clerks
Bailiffs
Jurors

Adult Volunteers

- Judge – Licensed Oregon Attorney
- Act as judges, manage procedures and protocol in the courts
- Court Monitors

Police Officers

Utilize the court programs initially through schools
Could be assigned to assist / attend court or to teach cost of crime classes

How does the Peer Court Work?

Specific Misdemeanor Offences Juveniles 12 to 18

1. Two offences (MIP –LTO) are focus of GGAPP project
2. These will be agreed by all parties collaborating on the court.
3. have been selected because if youth fail accountability, juvenile can follow-up without additional resources.

Youth agree to be held accountable

1. Custody report can be sent directly to Peer court system by the officer.
2. It must be the first time offence for the youth.
3. DA reviews for legal sufficiency & Juvenile provides o.k. (no priors) to proceed.

The Peer court

1. Opens the case file with citation copy
2. Assigns the case to attorneys
3. Peer court schedules hearing date
4. Gets approval from Juvenile

Youth is contacted by Peer Court

1. Receives a pre-hearing appointment with the court.
2. Agrees (signs) to participate and undertakes an interview with parent or pro-social adult
3. Receives hearing date

Youth has scheduled hearing in Peer Court.

1. Youth meets with attorney
2. Peer Court hears the case - Youth is assigned accountability
3. Youth is required to attend a community crime course & provide one jury time

How is Peer Court Managed?

Court Coordination is through GGAPP - Accountable, transparent, efficient system

- Secure records: Data management - reporting to secure/ justify future funding
- Recruits, trains and recognizes youth volunteers, youth and community
- Funded for the next three years
- Provides management & partnership with Portland State University Criminal Justice Interns
- Provides a list of community services opportunities for youth accountability
- Insures that liability concerns are addressed
- Provides community resource information to parents and youth on assessment for drug, alcohol and mental health services.
- Maintains the court calendar
- Monitors accountability until sentence is complete

Court is held in consistent central locations

- Currently we are using Fairview City Hall, Troutdale City Hall.

Court has a consistent schedule

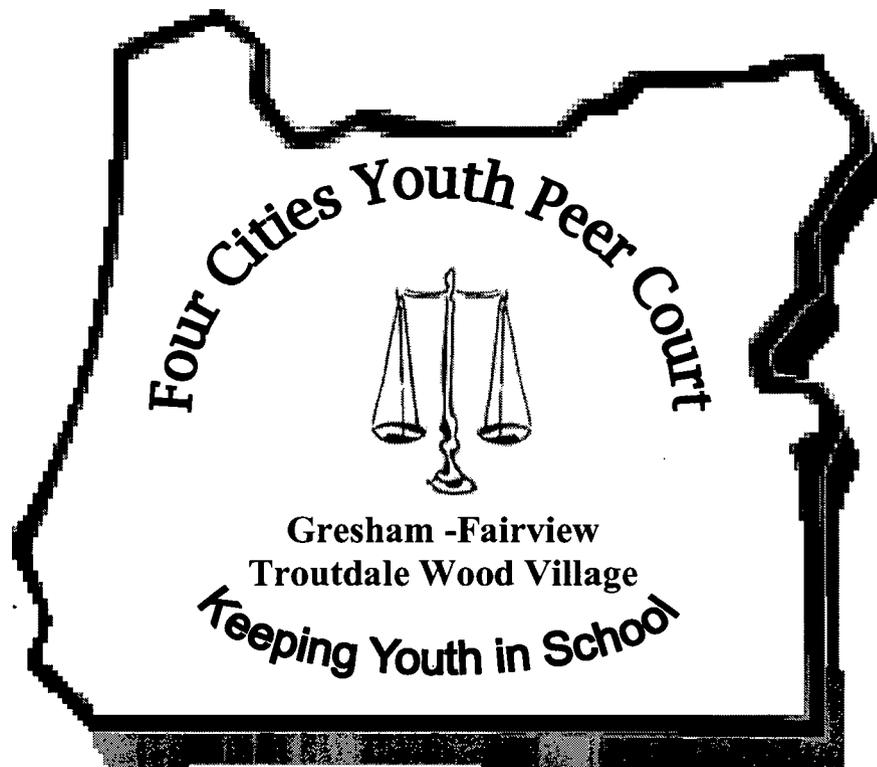
- Typically one afternoon per week and we hope to grow to include additional weeknight and/or Saturday (s) per month.
- There are usually two cases heard per afternoon between 4-6 p.m.

What is Happening?

- Engaging three school districts.
- Local mental health and drug treatment resources are being linked.
- Local community agencies are being recruited for service.
- On going recruitment of volunteers.
- Youth Training programs scheduled.
- Approval is complete to operate the court.
- Approval is complete with Fairview to utilize facilities for the court.
- Training Officers how the court works.

Where are the Resources?

- GGAPP - Drug Free Communities over-site coordination for two more years.
- Communities support: Law Enforcement resources (time) – Cities office & court space.
- Small fines can be levied and those can be utilized for some court costs.
- County can support via Juvenile & District Attorney's Office, (time/knowledge).
- Federal grant funds for the future.



Information Manual

*A community partnership for restorative justice
that involves, supports, educates
and holds youth accountable in their community.*

Four Cities Peer Court
449 NE Emerson
Portland, OR 97211

Phone: 503-823-0250
Info@www.ggapp.org



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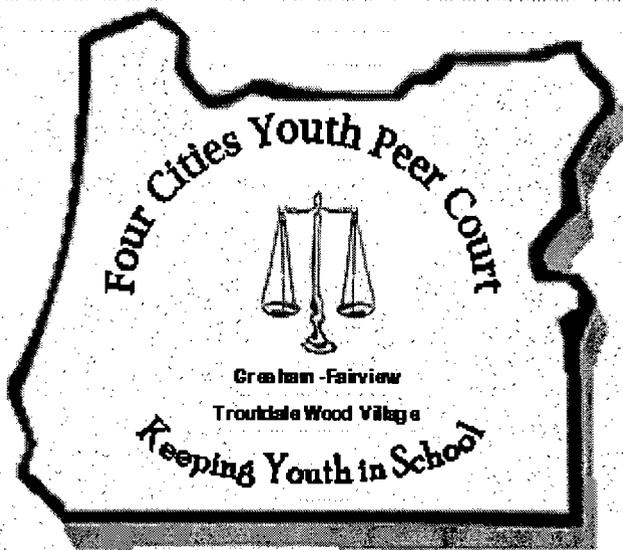
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The Four Cities Peer Court

Mission Statement

The Four Cities Peer Court Program is a community partnership for restorative justice that involves, supports, educates and holds youth accountable in their community.

Vision

To provide an effective youth court program that works collaboratively with the schools, the Multnomah County Juvenile Department, Law Enforcement, social services providers, parents and teens.

Goals

1. Keep Youth in School
2. Support drug/alcohol free youth
3. Deter high risk behavior and re-offending youth
4. Educate youth about the legal system

BACKGROUND

The Four Cities Peer Court Program is the result of innovation and support from the cities of Gresham, Troutdale, Wood Village & Fairview. Also involved are the school districts of Gresham, Barlow, Reynolds and Centennial, the local police departments, Multnomah County Juvenile Department and the Multnomah District Attorneys offices.

In the Spring of 2007, members in the Law Enforcement community gathered to discuss options for reducing substance abuse among teens as part of a federally funded five- year Drug Free Communities grant. Officers had become aware that many of today's youth do not realize or believe that there are consequences for their actions. The problem was described as; "local juveniles are detained for a misdemeanor or violation, nothing happens to them or they have a punishment that amounts to a slap on the wrist."

This belief is often founded in the perception that many youth were not being held accountable for their mistakes by the Juvenile Department and without sustainable deterrents from the community; many youth will make poor choices that will not only affect the community, but will adversely affect their future.

The Juvenile Department works diligently to manage offenders within the constraints of budget cuts and few resources and with the understanding that young people make mistakes and poor choices. Considering each case on its own merits, and each youth as an individual, the Juvenile Department wants to ensure youth were not too severely punished for misdemeanor crimes. Youth should be allowed to make mistakes and the consequences and remedies should be adapted to best fit the situation and be of benefit to the young person involved. Often this includes parents and families managing the consequences, hence first offenders are often mailed a letter. The net effect of all of these considerations was that low level offences were not typically prosecuted in the juvenile system and/or other approaches were used.

In an effort to provide a remedy to the situation, the Four Cities Peer Court was developed as a method of holding youth accountable in their community in a very visible way, while ensuring that youth were treated fairly and appropriately to their age, their criminal act and history. With the assistance of Portland State University Interns, the DFC Coalition coordinator was able to create the court. Youth courts from across the nation have been studied and contacts were made with Peer Courts from Oregon to New York.

Among the contacts were the Tigard and Beaverton Peer Courts. The Four Cities Peer Court has observed these courts carefully, utilizing many ideas and concepts to get started. The success of these youth courts have contributed to a reduced juvenile delinquency rate in their communities and local youth have taken the opportunity to be involved in the justice system on both sides. The youth court volunteers have the opportunity to spend their free time developing an understanding of the state's legal system while being involved in a meaningful community project.

They are interns, attorneys, police officers and judges who have volunteered their time to train young people interested in the peer court program. The training program involves instruction on legal procedures, research techniques, court conduct, mock trials and a quiz at the end to ensure basic understanding. In addition, attorneys, judges and other adult volunteers in the legal field are volunteering their time to sit as judge for the trial. The judge will be there to rule on questions of the law and make sure the court proceeds smoothly. At all times, the volunteers must adhere to the confidentiality requirements as to the identity of the defendant and the facts of his/her case.

The jury consists of six to twelve youth. A portion of the jury will typically consist of past defendants who are serving their required duty to the Peer Court. At the hearing, both attorneys present opening statements and then the prosecution presents its case. At this time, the defense may make a Motion to Dismiss. If the motion is denied, then the defense makes its case. After closing arguments, the presiding judge instructs the jury on the rules of the law and the jurors' responsibilities toward the case. After the jury withdraws, the jury chooses a foreperson, deliberates the case and decides on a unanimous verdict. When court reconvenes for the case, the jury foreperson announces the sentence and an explanation for their decision. After the hearing, the Peer Court Exit Interviewer will meet with each defendant to explain the sentence.

The success of the Four Cities Peer Court depends on combined effort of the youth attorneys, bailiffs, clerks, the local police departments from the four local cities, Multnomah County Juvenile Department, adult volunteers who work in the legal field, college interns and other volunteers interested in learning more about the legal system through hands-on experience. The community will benefit from the program's success as fewer second-time offenders can translate to lower misdemeanor crime rates and volunteer work includes helping the community. Youth who are active community members grow up to be active in the community, and defendants gain respect for the law when held accountable for their actions by their peers.

MEMORANDUM OF UNDERSTANDING BETWEEN FOUR CITIES PEER COURT AND THE MULTNOMAH COUNTY JUVENILE DEPARTMENT.

Multnomah County Juvenile Department supports the philosophy and procedures of the Four Cities Peer Court, and recognizes the purposes of the peer court to divert youths residing within the Greater Gresham area and provide effective community sanctions and services. The peer court incorporates standards essential to effective diversion. (1) Sponsorship by an official law enforcement agency; (2) Voluntary participation by youth referred; (3) A plan for recruitment and training of adult and student participants; (4) Broad community support.

This memorandum of understanding allows for the diversion of youth referred to the Juvenile Department to the Four Cities Peer Court in accord with the following procedures:

- (1) All cases must be initially referred to the Juvenile Department. Police reports may include a written recommendation that the case be diverted to the Youth Peer Court.
- (2) The Juvenile Department will assign one of their employees to review police reports and determine, in consultation with the peer court, which cases may be diverted. Cases diverted may include both those recommended for diversion and others deemed appropriate. Criteria for diversion decisions are in accord with Oregon Law.
- (3) In cases diverted to Youth Peer Court, the Juvenile Department will recommend expunction of juvenile records to the Multnomah County Circuit Court upon successful completion of the peer court process and the requirements imposed by the peer court.
- (4) The Youth Peer Court may report noncompliance with the Peer Court requirements to the Juvenile Department for review and action.

The Juvenile Department agrees that the official law enforcement agencies within the Greater Gresham area may divert to the Peer Court first time referrals of youth under age 18 charged with the following Oregon Revised Statutes:

<u>ORS</u>	<u>TITLE</u>
339.65	Truancy
471.430	Minor in possession of alcohol
475.992	Possession of less than one ounce of marijuana
475.999	Possession of less than one ounce of marijuana within 1000ft of a school
164.243	Criminal Trespass II
164.043	Theft III
164.245	Theft II
164.345	Criminal mischief III
164.365	Criminal mischief II
166.065	Harassment
166.090	Telephone harassment
166.025	Disorderly conduct
163.160	Assault IV

MEMORANDUM OF UNDERSTANDING BETWEEN FOUR CITIES PEER COURT AND THE
MULTNOMAH COUNTY JUVENILE DEPARTMENT.

The Youth Peer Court will provide annual reports to the Juvenile Department that will include the number of cases heard, the tally of offenses and the sentences imposed. Reports to the Juvenile Department on noncompliance with Peer Court requirements or on new charges involving Peer Court youth will include a statement that the youth has been referred to Peer Court. The Juvenile Department and the Peer Court will review the memorandum of understanding annually to ensure that the Peer Court continues to provide the service to the community for which it was intended.

YOUTH COURTS - PHILOSOPHY

The Four Cities Peer Court is based upon the traditional court system wherein those who violate the law are entitled to a hearing before a jury of their peers. Youth courts in Oregon are allowed by statute under the direction of the county juvenile system. Modeled after the American judicial system all youth courts follow the same legal and court protocols. In the court there is a judge, in Oregon this must be a licensed attorney, who monitors and validates the proceedings. The bailiff, the clerk, the attorneys and the jurors are all peers from 12 through 17 years of age. Records of the hearing and sanctions are maintained so that youth may apply

In the Four Cities Peer Court youth must agree to be held accountable in the peer court program at the time of the citation. The defendants have agreed to participate and thus willing to participate in the 'hearing', where they will be held accountable by a jury of their peers. They are young people who have committed first time misdemeanors or violations that have been determined by the Juvenile Department to be appropriate for Peer Court. Youth cannot participate if they have a prior record.

The process begins when a recommendation is written on a police officer's citation. The officer, at the time of the infraction discusses the options for the Youth, which are either; entering the Juvenile Court System or entering the Four Cities Peer Court. Instead of arresting the juvenile, the citation is issued and signed by the juvenile stating that he or she agrees to meet with his or her parents and go through the Peer Court process. The citation then goes to the Juvenile Department for a legal sufficiency review.

A copy of the citation is also provided to the Peer Court and the youth is called for an interview. Once a parent and/or pro-social adult and the youth are interviewed a hearing is scheduled *pending release* by the Juvenile Department. By choosing the Peer Court option, the juvenile is agreeing to accept the court's decision as a final binding. Once cleared for hearing the case is put on the final docket and the defendant will then appear with his/her parent for the youth trial.

The Four Cities Peer Court requires all participants to; a minimum of one future Jury Duty and attendance at a regularly scheduled Cost of Crime Class. Additional sentencing may include any of the following selected by the jury from the Accountability Guidelines:

ACCOUNTABILITY GUIDELINES

CRIME	Jury Session	Essay	Comm. Service	Recommended Area (** See below)	Court Fees
Theft II & III	1-3	250 500 1,000	4-8 8-10 10-16	-Class presentation -Family class	\$15 \$20 \$50
Criminal Mischief II & III	1-3	250 500 1,000	4-8 8-10 10-16	-GRT team -Animal shelter	\$15 \$20 \$50
Disorderly Conduct II	1-3	250 500 1,000	4-8 8-10 10-16	-Parks/schools clean-up -Conflict res. class	\$15 \$20 \$50
MIP I	1-3	250 500 1,000	4-8 8-10 10-16	-MADD panel -AA meetings	\$15 \$20 \$50
LTO I	1-3	250 500 1,000	4-8 8-10 10-16	-Essay on effects of marijuana on brain	\$15 \$20 \$50
Harassment (Non DV/Non Sexual)	1-3	250 500 1,000	4-8 8-10 10-16	-D.V. shelter -Anger management class	\$15 \$20 \$50
School Graffiti	1-3	250 500 1,000	4-8 8-10 10-16	-Saturday work crew	\$15 \$20 \$50
Initiating a False Report	1-3	250 500 1,000	4-8 8-10 10-16	-Job shadow school resource officer	\$15 \$20 \$50

****Recommended Area:**

Client spends community service hours doing something positive that counteracts the crime committed. For example, if client is charged with spraying graffiti, client will spend community service hours painting over graffiti around a selected area.

<>Exchange Mechanism:

Essay and restitution fees can be exchanged for something listed in the *recommended area* column.

- <> Exchange Options:** -Family class -Conflict resolution class -Anger management class
 -Essay exchange for MADD forum and/or AA meetings with form signed
 -Court fees exchange for community service work in youth court

PEER COURT ROLES AND RESPONSIBILITIES

SCHOOL RESOURCE OFFICERS/LAW ENFORCEMENT

- Helps with the program and offers suggestions for improvements to the court.
- When a crime is committed, they can issue a citation and work with the youth to become involved in the Peer Court.
- Can provide critical outreach for the program to other officers and community members.
- Valuable role model and friend to the defendants.

JUVENILE DEPARTMENT LIAISON

- Helps to move cases through the juvenile system.
- Provides Legal Sufficiency Review (LSR) clearance from the DA's office.
- Assists the court in determining protocols, standards and practices.
- Review records and proceedings periodically.

YOUTH PEER COURT JUDGE

- Member of the Multnomah County Bar Association/Oregon Bar Association.
- Follows courtroom protocol as described in standard courtroom procedures.
- Answer legal questions during trial in an administrative manner.
- May help train youth to be attorneys and teach youth about the law and courtroom procedures
- Volunteers are asked to commit to approximately 2 hours a month. A monthly commitment during weekdays from 4:00 to 6:00, for hearings.
- The judge rules on questions of the law in an administrative manner/ all relevant evidence may be admitted. As the defendant has already agreed to be held accountable, it is just a matter of finding the appropriate accountability.

YOUTH PEER COURT ADVISOR

- Advisors assist in running of the Peer Court.
- Assists to coordinate training and education.
- Responsibilities are divided among the Advisors to:
 1. Schedule training sessions.
 2. Assign cases to attorneys, bailiffs, clerks, and jurors.
 3. Make sure court proceedings and classroom instructions run smoothly.
 4. Complete reports of the Youth Peer Court's number of cases, types of offenses and related sentences, etc.
 5. Maintain a current Peer Court Jurors list.
- Two Advisors should be present at each hearing to help court proceedings run smoothly.
- It is preferred that at least one Advisor be present at the 'Cost of Crime' Class to assist in the needs of the classroom.

PROSECUTING ATTORNEY

- Youth 14-17 years of age
- Trained on legal research and concepts
- Treats the court with respect (Dress Appropriate, Arrive on Time, Be Prepared)
- Obtain written statement or other evidence
- Prepare Opening Statements, questions, and closing arguments
- Present a competent, well-prepared case
- Interview defendant and potential witnesses
- Prosecute the defendant and try to show that the defendant needs a harsher sentence than the mandatory minimum

DEFENSE ATTORNEY

- Youth 14-17 years of age
- Trained on legal research and concepts
- Treats the court with respect (Dress Appropriate, Arrive on Time, Be Prepared)
- Represents and advises the defendant
- Interview defendant and potential witnesses
- Obtain written statement or other evidence
- Prepare Opening Statements, questions, and closing arguments
- Present a competent, well-prepared case
- Tries to show, through evidence, that the defendant deserves the mandatory minimum sentence

BAILIFFS

- Youth 12-17 years of age
- Trained on legal research and concepts
- Treats the court with respect (Dress Appropriate, Arrive on Time, Be Prepared)
- Swear in witnesses
- Direct the jury in and out of the courtroom
- Act as messenger between judge and jury
- Assist the Judge in maintaining order

JURORS

- Youth 12-17 years of age
- Combination of volunteers and past defendants
- Treats the court with respect (Dress Appropriate, Arrive on Time, Be Prepared)
- Give full attention and respect to each trial
- Speak their conscience during deliberations
- Deliberate in a manner that is fair to both the defendant and the community

PEER COURT STEERING TEAM

- Meets quarterly to trouble shoot issues with the court and provide oversight.
- Provides a liaison to the Police Activities League Board.
- Reviews case files, records and procedures in keeping with MOU agreements.

DEFENDANTS

- Responsible for attending a 'Cost of Crime' class and serving as a juror in a future Peer Court Hearing.
- Treats the court with respect (Dress Appropriate, Arrive on Time, Be Prepared)
- Failure to show up for hearing or complete accountability without reasonable cause, will result in the case being referred to the Multnomah County Juvenile Court.

ADDITIONAL BENEFITS

For the defendants

- Peer Court offers an alternative to Juvenile Court for youth who have committed first time misdemeanors or violations.
- The jury duty requirement allows the defendant to switch to the other side of the legal process. This restores self-esteem and promotes accountability for their actions.
- Attending a 'Cost of Crime' Class provides useful skills for the defendant to make responsible decisions in the future.
- The Peer Court experience generates a respect for the legal system and the consequences of one's actions.

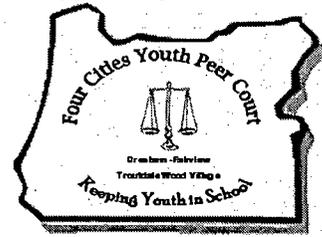
For the Volunteers

- Volunteers to the Peer Court are provided training they might not otherwise access.
- Volunteers receive positive support and recognition for their involvement in the court.
- The constant interaction between volunteers and other community members fosters a community culture of cooperation and respect.
- Volunteers may develop empathy as they become more aware of the problems facing their peers, and perhaps, themselves.

For the Community

- The community service aspect of the court provides defendant volunteer services.
- Adults working with the court can build relationships with youth outside of school and work that can be positive and supportive to both defendants and court volunteers.
- Peer Court can potentially lower the number of cases tried in Juvenile Court and may save resources and allow more efficient prosecution of more serious crimes.
- Nationally, communities report that Youth Court programs have been significant in reducing second-time offenses.

Custody Report Process



When a youth is caught committing one of the ten offenses that the Peer Court can hear;

- Theft II & III
- Criminal Mischief II & III
- Disorderly Conduct II
- MIP I
- LTO I
- Harassment (Non DV/Non Sexual)
- School Graffiti
- Initiating a False Report

The officer will explain to the youth about participation in the peer court program. If the youth agrees to be held accountable to the offense he can participate. Once the youth is cited by the Police Officer the youth agrees appear in court

The Police Officer will then write the custody report, the officer will write in capital letters
"PEER COURT"

- Copy 1 is sent to Juvenile system**
- Copy 2 is sent to Peer Court**
- Copy 3 is for officer records**

The Peer court schedules intake interview and places youth on docket list.
Docket list is emailed to Juvenile system.
All files on juveniles are confidential and are locked in the Peer Court offices.

Juvenile system is simultaneously undertaking LSR and referencing the youth as a first time offender from the citation. Once cleared, the youth is eligible for Peer Court.

The youth, during this time, is scheduled to meet with a peer court representative with their parents or pro-social adult for a Peer Court intake interview. Peer attorneys are assigned and the hearing is scheduled.

Clearance of all names on the docket is completed by juvenile and emailed to the peer court allowing final schedules to be set for hearing.

All peer court hearings will then take place at the scheduled City Hall or community location. Court Schedule will work within a 30-day window from date of citation to hearing. The peer court tracks case sentences. Incomplete sentences are then remanded to juvenile system for further action.

OPERATIONAL PROCEDURES- CASE / FILE PROCESSING

1) Records Divisions: Custody Reports for Juveniles that have been recommended to the Peer Court program are held at the Police Department. The Peer Court contacts:

Fairview 1300 NE Village Street, Fairview, Oregon 97024-3817 503.665.7929

Gresham 1333 NW Eastman Parkway, Gresham, Oregon 97030-3825

503.618.2318 (Police Records Department)

Troutdale 104 SE Kibling Ave., Troutdale, Oregon 97060-2012 503.665.6129 ext 0

2) Copies of Custody Reports are retrieved. The original report is mailed (by the Police Department) to Juvenile Department per normal channels.

2A) Peer court emails the Juvenile Department

Provides the case information and request to clear for diversion to Peer Court:

1. Name of Defendant
2. Case number
3. Date of birth
4. Crime charged

2.2 A) Case number is assigned by the Peer Court as soon as we receive the case.

1. The case number starts with the last two digits of the year
2. The next two digits are the month that the case was received
3. The last three digits are the sequential number of cases

3) Juvenile is contacted and an appointment for a Peer Court Interview is scheduled.

4) Interviewer meets with juvenile to get facts of the case. The meeting includes a parent or pro-social adult. Information about the court and expunction process is presented.

5) Court date is scheduled: the building reserved, and Oregon Licensed Attorney to act as judge, bailiff and jury volunteers are notified.

6) Juvenile is notified of court date, time and location by phone.

7) Peer attorneys are assigned to the case, provided schedule and case file information. Case file is: interview form scanned, *with name and other personal information not included* and emailed to peer attorneys.

7A) If the Peer Attorney would like to contact witnesses, pro-social adults or others to testify they will contact the Peer Court Coordinator.

8) Juvenile Department provides (via email) clearance for cases: **no prior** offences, completed **LSR and JJIS** number.

8A) If case is not cleared (by Juvenile Department), for hearing (in the Peer Court) a memo is sent to the defendant and the custody report is shredded. The Juvenile Department will respond.

9) Peer Court docket is finalized with two cases per date of building use if possible.

10) Court date: Peer (defendant) attorneys are provided approximately twenty minutes to meet with youth defendant and prepare case prior to the hearing. Peer attorneys are expected to

have basic opening and closing arguments, questions and sentence recommendations in drafted in preparation for this interview.

11) Case is heard: Jury writes accountability, Judge signs this form and provides to court recorder. Court recorder enters court information onto Court Intake Form. [Details the hearing, accountability and requires signatures]

12) Data maintained in the file includes:

1. Intake Interview Form
2. Copy of Custody Report
3. Court Intake form

11A) The youth defendant is mailed copies of: records expungement information, the court intake form [detailing accountability requirements, the dates for jury and cost of crime classes] and any other information pertaining to accountability requirements.

12) The following data is entered into an Excel spreadsheet. The data base system is maintained on a portable drive dedicated to these records. Hard copies are printed monthly.

- a. Case number
- b. JJIS number -This is the case number assigned by the Juvenile Department
- c. Police number -This number is on the police report and is different for each police department
- d. Defendant's name
- e. Date of birth
- f. Race/ethnicity
- g. Gender
- h. Parent's name
- i. Offense date
- j. Charge
- k. Hearing date
- l. Accountability

13) In the effort to maintain confidentiality of minor defendant's case files are maintained in the offices of the Greater Gresham Area Prevention Partnership (GGAPP), files are locked and accessible only to the coordinator.

14) At the end of the calendar year all files, hard copies of data sheets and disk with data are provided to the Juvenile Department contact.

PEER COURT HEARINGS

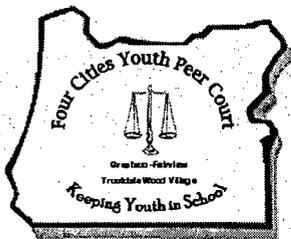
When: Trials will be scheduled from 4:00 pm to 6:00 pm. Depending on caseloads and courtroom efficiency, court time should last approximately ½ hour per case.

Where: Trials will be held at Fairview and Troutdale City Hall.

COST OF CRIME CLASS

When: The 'Cost of Crime' Class will be scheduled after the trial by the Advisor.

Where: The class will be held in a location accessible to the community.



Four Cities Peer Court Order of Hearing and Trial Protocol

1. Attorneys and the defendant are seated
2. Bailiff seats the jury
3. **Bailiff announces;**

ALL RISE. HEAR YE HEAR YE – THE FOUR CITIES PEER COURT NOW COMES TO ORDER IN THE MATTER OF _____ (defendant's full name). CASE NUMBER _____ THE HONORABLE JUDGE _____ NOW PRESIDING.

4. **Judge gives introduction and oath of confidentiality** to all persons in the court;
(JUDGE):

Please be seated. Good afternoon. As you are all aware, the business of the Four Cities Peer Court is very serious. The defendant(s) who appear before this court have violated a law of the State of Oregon and have voluntarily agreed to be held accountable before a jury of their peers for those violations.

Each case deserves your utmost attention and respect. We remind you that all proceedings are private and the names of the parties must remain confidential. Please rise and repeat after me:

"I solemnly swear or affirm that I will not divulge any information which comes to my knowledge in the course of a Peer Court case and that I will keep secret all said proceedings."

5. **Judge identifies the attorneys, defendants**

(JUDGE):

WILL the prosecuting attorney please state his/her name?

WILL the defense attorney please state his/her name?

WILL the defendant please state his/her name?

6. **VOIR DIRE:** Judge questions the jury regarding partiality and determines whether the attorneys and defendant accept the jury

(JUDGE):

LADIES AND GENTLEMEN of the jury, since it is your duty to determine what sentence if any is just and appropriate I will ask a few questions to be sure you can be fair and impartial in this case.

A) Are you acquainted with the defendant or either attorney? How? Follow-up questions –

B) Have any of you heard anything about this case that might influence you in any way? (If so, follow-up questions).

C) This case involves the misdemeanor / violation of _____. Is there any reason why you cannot be fair and impartial in this case?

Four Cities Peer Court Order of Hearing and Trial Protocol

Does the prosecutor accept this jury?

D) Does the defense council accept this jury?

E) Does the defendant accept this jury?

7. Preliminary instructions to the jury by the judge

(JUDGE):

LADIES AND GENTLEMEN of the jury, you have been selected to hear this case.

Please rise and raise your right hand.

“Do you solemnly swear or affirm to listen carefully to all the evidence and arguments, which are presented in this case, and to fulfill your duty to determine what sentence, if any is appropriate and fair to the defendant and the community? Is so, say “I DO.”

8. Bailiff reads the charges and ORS making sure to omit the names of accomplices to the offense

(JUDGE): *WILL the trial clerk please read the charges.*

9. (JUDGE): PROSECUTION may present opening statements.

10. (JUDGE): DEFENCE may present opening statements.

11. (JUDGE): DEFENCE may call its first (next) witness.

12. (BAILIFF): Do you solemnly swear or affirm that the testimony you are about to give is the truth, the whole truth and nothing but the truth?”

- Defense calls their first witness to the stand and conducts direct examination. When finished, the counsel states *“That is all I have your Honor”* or *“I pass this witness.”*
- Prosecution counsel conducts cross-examination. When finished, counsel states *“That is all I have your Honor”* or *“I pass this witness.”*
- Defense may conduct re-direct examination and then Prosecution counsel may conduct re-cross examination (so long as the questions pertain to new issues brought up by opposing counsel.)

13. (JUDGE): Does the Defense wish to call any other witness?

- When finished calling witnesses and presenting all evidence and written statements, defense states, *“The defense rests.”*
- Defense counsel may make a Motion to Dismiss
- It may be denied, and then the prosecution counsel may call witnesses and continue questions.

14. (JUDGE): Does the Prosecution have any other evidence?

- When finished calling witnesses and presenting all evidence and written statements, Prosecution states, *“The prosecution rests.”*

15. (JUDGE): The Defense may present final arguments and a recommendation for accountability to the jury.

- The Defense presents closing arguments and makes a recommendation for accountability.

Four Cities Peer Court Order of Hearing and Trial Protocol

16. (JUDGE): *The Prosecution may present final arguments and a recommendation for accountability to the jury.*

- The Prosecution presents closing arguments and makes a recommendation for accountability

17. (JUDGE) *Does the Jury have any questions for the defendant or the attorneys?*

18. FINAL INSTRUCTIONS TO THE JURY

(JUDGE): *MEMBERS OF THE jury, it is your duty to determine a fair and appropriate method of accountability, if any, for the defendant. There are a number of possible options for restorative action that might be appropriate in this case.*

Please take a look at the accountability guidelines we have provided you as you make your decision.

You may find that the defendant should complete community service.

You may find that the defendant should write an essay or an apology.

You may find that the defendant should pay restitution or pay a fine. Please note that the amount may not exceed those listed on the guidelines.

Once you have considered all of the facts and evidence that has been presented to you (including any other punishment(s) or consequences suffered by the defendant), you may believe that he/she is truly remorseful. Therefore you may choose to determine that the defendant not suffer any further accountability if you believe that to be appropriate.

Regardless of your verdict, understand that the defendant is required to participate in future work as a jurist as well as complete the COST OF CRIME CLASS one upcoming Saturday.

When you reach the jury area, please choose a Jury Foreperson and begin your deliberations. When you have reached a unanimous verdict, the Jury Foreperson should fill out and sign the Jury Verdict form.

The Jury Foreperson should then inform the Bailiff, who will be standing outside the jury deliberation area, the jury is then ready to recommend an accountability level to the court.

(BAILIFF): *WILL EVERYONE RISE.*

(JUDGE): *BAILIFF please escort the jury to the jury area.*

19. Jury conducts deliberations

20. Judge may ask counsel to step forward for questions or further review

21. BAILIFF informs the court that the jury has reached a decision

(BAILIFF): *ALL RISE.*

22. Court reconvenes as the jury is escorted back into the courtroom

(JUDGE): *PLEASE BE seated.*

WHO is the Foreperson? Please state your name.

Ms/Mr. _____, has the jury determined accountability in this case?

Please hand the verdict form to the Bailiff.

Four Cities Peer Court Order of Hearing and Trial Protocol

23. Jury Foreperson hands the verdict to the Bailiff who hands it to the judge

24. Judge reads the verdict and assigns a completion date for the sentence

25. The Verdict is handed to the Bailiff

26. The Jury Foreperson reads the verdict

27. (JUDGE): *IS THIS the verdict of each of you?*

The court having heard the evidence finds the jury's verdict to be fair and appropriate to the defendant and the community and enters the judgment thereon.

You have _____ days, to complete your sentence. After court, please report to the Exit Interviewer at the table in the back of the courtroom to complete the necessary paperwork.

On behalf of everyone here, I wish you good luck.

28. (JUDGE): *The State of Oregon has a procedure in place where you are allowed to have your juvenile records expunged after you have completed your sentence. Please see the Court Clerk for information regarding this before you leave.*

29. The judge may address the defendant here;

- Juxtapose the facts – with public policy – e.g. the cost of crime to taxpayers
- State that if the defendant were an adult and had committed this offense, the sentence may be up to _____ days / months in jail and/or a fine up to \$ _____
- Add any other relevant information

(JUDGE) (After closing and/or final case of the evening)

I would like to thank all the attorneys, clerks, bailiffs and jurors for their efforts here tonight. Please remember as you leave here this evening that it is everyone's duty to uphold the oath of Confidentiality. You are excused.

FOUR CITIES PEER COURT
Youth Volunteer Application Form

Name _____ Sex _____ Age _____ Date of Birth _____

Address _____

City _____ State _____ Zip _____

Home Phone: _____ Cell Phone: _____

Parent/Guardian Name _____

What school do you attend? _____

What types of activities are you involved with in school? _____

What activities are you involved with outside of school? (church, community, etc.) _____

Do you work? _____ If so, where? _____

Work phone number _____ Hours per week _____

How did you hear about/become interested in youth court? _____

What qualities do you have that would make you a good youth court volunteer? _____

What do you hope to gain from being in youth court? _____

What are your educational or career plans after graduation from high school? _____

Yes No

Have you ever been found guilty of a crime? _____

If so, what charge? _____

Have you ever come in contact with or had any experience with any law enforcement agency of the court system?

If so, please explain: _____

Have you ever been the victim of a crime? _____ Yes _____ No

If so, please explain: _____

Please check which role(s) you would like to perform within the youth court.

Bailiff

Court Clerk

Juror

Defense Attorney

Prosecuting Attorney

Other: _____

When are you available to volunteer for youth court?

When are you not available to volunteer (e.g., days of week, times of day, times of year)

REFERENCES

Please include one educational reference and one community reference. The educational reference may be either a teacher or an administrator. The community reference should be over twenty-one years of age and should not be a relative.

Educational Reference:

Name _____ Position _____

Address _____ Phone _____

Community Reference:

Name _____ Position _____

Address _____ Phone _____

Emergency Contact:

Name _____ Phone _____

Address _____

Relationship to you _____

I hereby certify the facts set forth in the above application are true and complete to the best of my knowledge.

Signature of Volunteer

Date

Signature of Parent/Guardian

Date

Volunteer Agreement

Name _____ Age _____
School _____ Grade _____
Address _____ City _____ Zip _____
Telephone Number () _____

After participating in the Four Cities Peer Court Training Session, I wish to be scheduled as a Peer Court Volunteer.

I would like to serve as a _____.

As a second choice, I would like to serve as a _____.

I am willing to be scheduled for jury duty at any time _____.

Special considerations for scheduling _____

I understand that I may be called upon at any time to serve in Four Cities Peer Court. I will take my responsibility seriously and will maintain confidentiality regarding all Peer Court proceedings. I understand that if I neglect my responsibility or breach my oath of confidentiality, I will be removed from serving in the Four Cities Peer Court Program.

Volunteer Signature

Date

Peer Court Coordinator

CODE OF CONDUCT

Purpose of the Code of Conduct: To provide youth volunteers with an understanding of the program's expectations of their conduct and the consequences for breaking the code.

Reason for the Code: Youth volunteers in youth court programs are privy to confidential and personal information that should not be conveyed to individuals outside the peer court. They also are considered role models within their schools and communities. Youth courts need to define what their expectations are of their volunteers. Youth need to be educated about the provisions of the code and be informed of consequences for breaking the code.

I. Preamble

Four Cities Peer Court is a privilege, not a right. That privilege can be lost if you fail to act in a responsible manner, and within the confines of the law. As a youth court partner, you are expected to serve as a role model for your peers at all times. You therefore must maintain high standards of conduct and encourage other members to do the same. You should be temperate and dignified and refrain from all illegal and morally reprehensible conduct. Because of your position, even minor violations of law may tend to lessen public confidence in the entire youth court program. Since youth court is designed to promote law-abiding behavior, your behavior must be consistent with that purpose,

Listed below are a number of Rules of Conduct, which you must follow. If you fail to conduct yourself in conformity with these rules, you shall be deemed guilty of misconduct, which will be subject to disciplinary action, according to the procedures set out below, which can include removal from the youth court program.

II. Process / Consequences

The Four Cities Peer Court Steering Team is the policy and decision making group that will review youth volunteer conduct. The Peer Court coordinator is responsible for documentation and information to both the team and the volunteer in question. If the conduct of a volunteer does break a rule or in some way jeopardize the rights or safety of a defendant, another volunteer or the Peer Court program, they will be provided an opportunity to speak to the steering team to explain and defend their actions. The team will use that opportunity to speak to the issues involved and will ultimately make a decision; asking youth to leave the program or to continue on without consequences.

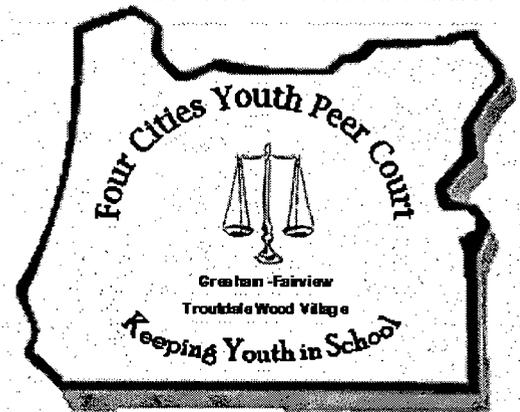
III. Rules of Conduct

As a member of youth court you must abide by the following rules:

- Rule 1** You must not engage in illegal conduct.
- Rule 2** You must not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation.
- Rule 3** You must not knowingly use perjured or false testimony or statements.
- Rule 4** You must reveal any false statements, testimony or other evidence used, or any other fraud perpetrated, in any Youth Court proceeding.
- Rule 5** You must maintain the confidentiality of the Youth Court proceedings.
- Rule 6** You must not violate the rules and regulations adopted by your school district.
- Rule 7** You must participate free of bias or prejudice toward any other person's age, race, sex, religion, national origin, or disability.
- Rule 8** You must appear promptly and prepared for all Youth Court training sessions and court appearances, unless excused.
- Rule 9** You must perform your role as effectively and competently as possible.
- Rule 10** You must not engage in undignified or discourteous conduct during Youth Court session.
- Rule 11** You must not ask any question that is intended to harass or degrade witness.
- Rule 12** You must not let any outside influence, such as other members, parents, fellow students or your own self-interest, affect your actions and decisions in how to proceed,
- Rule 13** As a defense attorney, unless an offender otherwise directs, you must not reveal a confidence or secret of an offender or use such confidence or secret to the disadvantage of an offender.
- Rule 14** You must treat with courtesy and consideration all persons involved in youth court proceedings.
- Rule 15.** You must not knowingly fail to disclose or exchange evidence which you are required by the youth court training to reveal to your opponent.
- Rule 16.** A prosecutor must not communicate with the offender in the case. (Except, of course, during cross-examination).
- Rule 18.** A youth court member serving as a prosecutor, defender or judge, other than during the performance of your role during a court proceeding, must not communicate with a juror about the case under consideration.
- Rule 19.** You must abide by all your obligations and responsibilities as specified in the youth court training manual.
- Rule 20.** A youth court member must dress appropriately when participating in a youth court proceeding.
- Rule 21.** You must notify the youth court director immediately if you are arrested, convicted of a crime or suspended from school.
- Rule 22.** You must report to the youth court staff or any board member conduct of other members you believe to be in violation of these Rules of Conduct.
- Rule 23.** You must cooperate with the board of directors or any disciplinary committee in any investigation involving a violation of these rules of conduct.

G.G.A.P.P
449 NE Emerson
Portland, OR 97211
(503) 823-0250

Four Cities Peer Court



Presiding Judge

Date of Peer Court Hearing

Teen Court Coordinator

COMMUNITY SERVICE AGREEMENT

The Participating community service agency understands that all youth referred to them voluntarily agree to perform assigned community service as per Four Cities Peer Court Agreement. The participating community agency understands that the youth involved is not an employee of the county, but is in fact performing the services solely as an individual, and as such, no representation regarding the youth's ability is implied.

It is agreed that the youth will be adequately supervised by the community agency during the course of the Community Service Agreement. Proper and adequate supervision, along with reasonable task assignments on the part of the community service agency, assures compliance with the youth's Contract Agreement or compensation of any nature growing out of the agreement. The participating community agency also understands and agrees to indemnify and hold harmless the Court Coordinator and Multnomah County employees and officials from claims or actions related to improper or inadequate supervision.

Should the youth fail to follow reasonable orders and directions of the supervisor; the youth will be removed from the task. The supervisor agrees to immediately contact the Four Cities Peer Court Coordinator who will handle the situation.

APPROVED THIS _____ DAY OF _____, 20____.

_____ AGENCY RECEIVING SERVICE

BY: _____
(REPRESENTATIVE)

FILL OUT BOTH COPIES OF "COMMUNITY SERVICE AGREEMENT." KEEP A COPY FOR YOUR RECORDS, AND PLEASE FORWARD OTHERS TO THE PEER COURT COORDINATOR.

Four Cities Peer Court Community Service Agencies

The following list contains agencies that have agreed to work with youth assigned to community service. You are not required to work for one of these agencies; you may find your own community service. Community service is donating your time to the community, you will not get paid.

Agency	Address	Contact	Comments	Worker's Insur.
Habitat for Humanity	1000 NE 122 nd Portland, OR	Malia (503) 262-9794 mthoodhabitat.org	Age 14-17 must be accompanied by an adult. Construction; physical work!	Yes
Red Barn	19626 NE Glisan Portland, OR 97230	Jeanne Zook (503) 252-4864 jeannezook@comcast.net	Open Sat. 8am-12pm Recycling work.	No
Sno-Cap	17805 SE Stark Portland, OR 97230	Lori Wageman (503) 674-8785 x12 www.snowcap.org	Age 16 and older	No
Multnomah Animal Control	1700 W Columbia Hwy. Troutdale, OR 97060	Anne Potter (503) 988-6254 www.co.multnomah.or.us/dbcs/pets	Age 16 and older No animal cruelty offenses Cleaning cages	Yes
YMCA of Columbia Willamette	223 SW. Buxton Ave. Troutdale, OR 97060	Theo Evans or Casey Houck (503) 492-9890 www.ymca-portland.org/home.html	Age 14-17	Yes
Old McDonald's Farm	1001 Evan Rd. Corbett, OR 97019	Stephanie Rickert (503) 695-3316 www.oldmcdonaldsfarm.org/index.shtml	No animal cruelty or child abuse offenses	Yes
Lambert House	2600 SE 170 th Portland, OR 97236	Nathan Buck (503) 760-2075 www.voaoor.org	No sex Offenders	Yes
Loaves and Fishes	600 NE 8 th , Rm. 155 East Building Gresham, OR 97030	Caroline (503) 988- 4850 www.loavesandfishesonline.org	Mon- Fri 8am-2pm Age 13 or older No shorts, open toed shoes, and no tank tops	Yes

Web Site: www.gcapp.org

Phone: 503-823-0250

Graffiti Response Team (GRT) &

To be able to refer youths to the GRT team to volunteer cleaning/painting over graffiti in the Gresham area. This program gives youth a chance to give back to community while being held accountable for his/her actions. Contact: Cathy Harrington, City of Gresham volunteer coordinator 503-618- 3000

Four Cities Peer Court Mental Health and Substance Abuse Agencies

The list of agencies included is within ten mile radius of Gresham. This list is self-guided and not exhaustive; it is encouraged to explore other options.

Facility No.	Name	Address	Phone
1.	Kaiser Permanente Department of Addiction Medicine	1550 NW Eastman Parkway, Suite 100, Gresham, OR 97030	(503) 571-0725
	<p>Primary Focus: Substance abuse treatment services Services Provided: Substance abuse treatment. Detoxification Type of Care: Outpatient Special Programs/Groups: Women, Men, DUI/DWI offenders Forms of Payment Accepted: Self payment, Medicaid, Medicare, Private health insurance, Military insurance (e.g, VA, TRICARE) Special Language Services: ASL or other assistance for hearing impaired</p> <p>Intake: (503) 249-3434</p>		
2.	Coda Inc. Gresham Recovery Center	1427 SE 182 nd Avenue Portland, OR 97233	(503) 761-6006
	<p>Primary Focus: Substance abuse treatment services Services Provided: Substance abuse treatment. Detoxification Type of Care: Residential short-term treatment (30 days or less), Residential long term treatment (more than 30 days), Outpatient Special Programs/Groups: Persons with HIV/AIDS, Pregnant/postpartum women, Residential beds for clients' children, Men, DUI/DWI offenders, Criminal justice clients Forms of Payment Accepted: Self payment, Medicaid, State financed insurance (other than Medicaid), Private health insurance Special Language Services: ASL or other assistance for hearing impaired</p>		
3.	Acadia Northwest	18531 East Burnside Street Portland, OR 97233	(503) 661-6002
	<p>Primary Focus: Substance abuse treatment services Services Provided: Substance abuse treatment. Type of Care: Outpatient Special Programs/Groups: Pregnant/postpartum women, Woman, Men, DUI/DWI offenders, criminal justice clients Forms of Payment Accepted: Self payment, State financed insurance (other than Medicaid), Private health insurance</p> <p>Intake: (503) 661-6002x 102 Website http://www.acadianw.com</p>		

4. Portland Metro Treatment Center 16420 SE Division Street (503) 762-3130
Portland, OR 97236
Primary Focus: Substance abuse treatment services
Services Provided: Substance abuse treatment, Detoxification, Methadone Maintenance, Methadone Detoxification, Buprenorphine Services
Type of Care: Outpatient
Forms of Payment Accepted: Self Payment
Exclusive Services: Methadone and Buprenorphine Clients Only

Website: <http://www.methadonetreatment.com>

5. Allied Health Services East 16141 East Burnside Street (503) 252-3949
Portland, OR 97233
Primary Focus: Substance abuse treatment services
Services Provided: Substance abuse treatment, Detoxification, Methadone Maintenance, Methadone Detoxification, Buprenorphine Services
Type of Care: Outpatient
Special Programs/Groups: Persons with co-occurring mental and substance abuse disorders, Pregnant/postpartum women, Women, Men
Forms of Payment Accepted: Self payment, Medicare, State financed insurance (other than Medicaid)
Special Language Services: ASL or other assistance for hearing impaired
Exclusive Services: Methadone, and Buprenorphine Clients Only

Intake: (866) 762-3766
Website: <http://www.crchealth.com>

6. Addictions and Family Counseling 147 East Columbia River (503) 307-3287
Highway, Troutdale, OR 97060
Primary Focus: Substance abuse treatment services
Services Provided: Substance abuse treatment.
Type of Care: Outpatient
Special Programs/Groups: Adolescents, Seniors/older adults Women, Men, DUI/DWI offenders
Forms of Payment Accepted: Self payment, Private health insurance
Payment Assistance: Sliding fee scale (fee is based on income and or other factors)
Special Language Services: Hindi

7. Change Point Inc. 1949 SE 122nd Avenue (503) 253-5954
Portland, OR 97233 x647
Primary Focus: Substance abuse treatment services
Services Provided: Substance abuse treatment.
Type of Care: Outpatient
Special Programs/Groups: Adolescents, Women, Men, DUI/DWI offenders, Criminal justice clients
Forms of Payment Accepted: Self payment, State financed insurance (other than Medicaid), Private health insurance
Payment Assistance: Sliding fee scale (fee is based on income and or other factors), Payment assistance (Check with facility for details)
Special Language Services: ASL or other assistance for hearing impaired, Russian, Spanish

Intakes: (503) 419-2678 (503) 419-2675
Website: <http://www.changepointinc.com>

8. Cascadia Behavioral Healthcare 131 NE 102nd Avenue (503) 253-6754
Portland, OR 97220
- Primary Focus:** Mix of Mental health and substance abuse services
Services Provided: Substance abuse treatment.
Type of Care: Outpatient
Special Programs/Groups: Persons with co-occurring mental and substance abuse disorders, Women, DUI/DWI offenders
Forms of Payment Accepted: Self payment, Medicaid, Medicare, Private health insurance, **Payment Assistance:** Sliding fee scale (fee is based on income and or other factors) Payment assistance (Check with facility for details)
Special Language Services: ASL or other assistance for hearing impaired
- Intake: (503) 230-9654
Website: <http://www.cascadiabhc.org>
9. Ram Clinic 3610 NE 82nd Avenue (503) 408-9585
- Primary Focus:** Substance abuse treatment services
Services Provided: Substance abuse treatment, Detoxification, Methadone Maintenance, Methadone Detoxification, Buprenorphine Services
Type of Care: Outpatient
Special Programs/Groups: Persons with co-occurring mental and substance abuse disorders, persons with HIV/AIDS, Pregnant/postpartum women, Women, Men
Forms of Payment Accepted: Self payment, State financed insurance (other than Medicaid), Private health insurance
Special Language Services: German, Spanish, Vietnamese
Exclusive Services: Methadone, and Buprenorphine Clients only
- Website:** <http://www.ramclinic.org>
10. Kaiser Permanente 10163 South East Sunnyside
Department of Addiction Medicine Road, Suite 490, Clackamas, OR (503) 513-4400
97015
- Primary Focus:** Substance abuse treatment services
Services Provided: Substance abuse treatment, Detoxification
Type of Care: Outpatient
Special Programs/Groups: Women, Men, DUI/DWI offenders
Forms of Payment Accepted: Self payment, Medicaid, Medicare, Private Health Insurance, Military insurance (e.g., VA, TRICARE)
Special Language Services: ASL or other assistance for hearing impaired
- Intake: (503) 249-3434
11. Caremark Behavioral Health Services 6110 SE Belmont Street (503) 232-3627
Portland, OR 97215
- Primary Focus:** Substance abuse treatment services
Services Provided: Substance abuse treatment.
Type of Care: Outpatient
Special Programs/Groups: Adolescents, DUI/DWI offenders
Forms of Payment Accepted: Self payment, Medicaid, Medicare, Private Health Insurance, Military insurance (e.g., VA, TRICARE)
Special Language Services: ASL or other assistance for hearing impaired

Intake: (503) 413-4848
Website: <http://www.legacyhealth.org>

12. Providence Chemical Dependency 5228 NE Hoyt Street, Building B (503) 215-6474
Outpatient/Co-occurring Groups Portland, OR 97213

Primary Focus: Mental Health Services
Services Provided: Substance abuse treatment.
Type of Care: Outpatient, Partial hospitalization/day treatment
Special Programs/Groups: Persons with co-occurring mental and substance abuse disorders
Forms of Payment Accepted: Self payment, Private health insurance, Military insurance (e.g., VA, TRICARE)
Payment Assistance: Payment assistance (check with facility for details)

Intake: (503) 574-9235 Hotline: (503) 215-9235
Website: <http://www.providence.org/bh>

13. Lifeworks NW 4531 SE Belmont Street, Suite (503) 234-3400
300, Portland, OR 97215

Primary Focus: Mix of Mental health and substance abuse services
Services Provided: Substance abuse treatment.
Type of Care: Outpatient
Special Programs/Groups: Adolescents
Forms of Payment Accepted: Self payment, Medicaid, Private health insurance
Payment Assistance: Sliding fee scale, (fee is based on income and other factors)
Special Language Services: ASL or other assistance for hearing impaired, Spanish

Intake: (503) 645-9010
Website: <http://www.lifeworksnw.org>

14. Cascadia Behavioral Healthcare 2415 SE 43rd Avenue, Suite 200 (503) 230-9654
Portland, OR 97206

Primary Focus: Mental health services
Services Provided: Substance abuse treatment, Halfway house
Type of Care: Outpatient
Special Programs/Groups: Persons with co-occurring mental health and substance abuse disorders, Gays and Lesbians, Women, Men, DUI/DWI offenders
Forms of Payment Accepted: Self payment, Medicaid, State financed insurance (other than Medicaid), Private health insurance
Payment Assistance: Sliding fee scale (fee is based on income and other factors) Payment assistance (Check with facility for details)
Special Language Services: ASL or other assistance for hearing impaired

Website: <http://www.cascadiabhc.org>

15. Kaiser Permanente 12607 SE Mill Plain Boulevard (360) 891 6298
Department of Addiction Medicine Vancouver, WE 98684

Primary Focus: Substance abuse treatment services
Services Provided: Substance abuse treatment. Detoxification
Type of Care: Outpatient
Special Programs/Groups: Adolescents, Women, Men, DUI/DWI offenders
Forms of Payment Accepted: Self payment, Medicaid, Medicare, State financed insurance (other

than Medicaid), Private Health Insurance, Military insurance (e.g., VA, TRICARE)

Special Language Services: ASL or other assistance for hearing impaired

Intakes: (360) 418-6001 (503) 249-3434

Website: <http://www.kp.org>

16. DePaul Treatment Center Inc. 4310 NE Killingsworth Street (503) 535-1181
Youth and Family Services Portland, OR 97218

Primary Focus: Substance abuse treatment services

Services Provided: Substance abuse treatment.

Type of Care: Residential short-term treatment (30 days or less), Residential long-term treatment (more than 30 days), Outpatient

Special Programs/Groups: Adolescents, Persons with co-occurring mental and substance abuse disorders, Criminal justice clients

Forms of Payment Accepted: Self payment, Medicaid, State financed insurance (other than Medicaid), Private health insurance, Military insurance (e.g. VA TRICARE)

Payment Assistance: Payment assistance (Check with facility for details)

Website: <http://www.depaultreatmentcenters.org>

17. Quest Center for Integrated Health 2901 East Burnside (503) 238-5203
Portland, OR 97214

Primary Focus: Mix of mental health and substance abuse services

Services Provided: Substance abuse treatment, Detoxification

Type of Care: Outpatient

Special Programs/Groups: Persons with co-occurring mental and substance abuse disorders, Persons with HIV/AIDS, Gays, Lesbians, Women, Criminal justice clients

Forms of Payment Accepted: Self payment, Medicaid, Medicare, State financed insurance (other than Medicaid), Private health insurance, Military insurance (e.g. VA TRICARE)

Payment Assistance: Sliding fee scale (fee is based on income and other factors) Payment assistance (Check with facility for details)

Website: <http://www.quest-center.org>

18. Allied Health Services 2600 SE Belmont Street (503) 226-2203
Portland, OR 97214

Primary Focus: Substance abuse treatment services

Services Provided: Substance abuse treatment, Detoxification, Methadone Maintenance, Methadone Detoxification, Buprenorphine Services

Type of Care: Outpatient

Special Programs/Groups: Persons with co-occurring mental and substance abuse disorders, Pregnant/postpartum women, Women, Men

Forms of Payment Accepted: Self Payment, Medicare, State financed insurance (other than Medicaid)

Special Language Services: ASL or other assistance for hearing impaired

Exclusive Services: Methadone, and Buprenorphine Clients Only

Intake: (503) 239-5738x12 Hotline: (866) 762-3766

Website: <http://www.crchealth.com>

19. Central City Concern 2545 NE Flanders Street (503) 235-3546
Letty Owings Center Portland, OR 97232

Primary Focus: Substance abuse treatment services

Services Provided: Substance abuse treatment.

Type of Care: Residential long-term treatment (more than 30 days)

Special Programs/Groups: Persons with co-occurring mental and substance abuse disorders, Women, Residential beds for clients' children

Forms of Payment Accepted: Self Payment, Private health insurance

Website: <http://www.centralcityconcern.org>

20. East Metro Mediation E-mail: (503) 618-2347
mediate@ciqresham.or.us

Primary Focus: Mediation

Services Provided: Parent/Teen mediation

Type of Care: Outpatient

Special Programs/Groups: Family mediation/conflict resolution

Forms of Payment Accepted: Mediation services through East Metro Mediation are provided free of charge to people living, working, and/or attending school in East Multnomah County

Special Language Services: Spanish

21. Center for Family and Adolescent Services 812 SW Washington Street Suite (503) 243-1065
100, Portland, OR 97205 (877) 251-8183

Primary Focus: Substance Abuse

Services Provided: Counseling for substance-using youth and their families

Type of Care: Outpatient

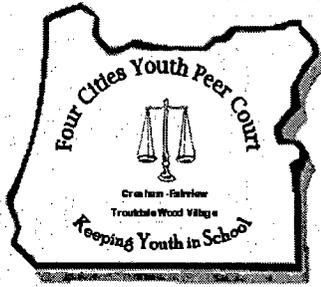
Special Programs/Groups:

- 1) **AIMS:** for youth (15-19) who have used methamphetamine at least 5 times in the past 3 months. Treatment will include some combination of family, individual, and group therapy sessions 1-2x/wk. This program is also open to youth who do not currently have parents to participate.
- 2) **SEQUENCING:** For youth (13-17) who are using alcohol and drugs and who are experiencing some form of depression. Treatment will include family and group therapy sessions 1-2x/wk.
- 3) **ASPEN:** For parents concerned about a drug-using youth (ages 15-20) who is refusing to enter counseling. Counselors work privately with parents to help them invite their teen to CFAR's free family therapy program. With #3 above (ASPEN), it starts with parents contacting CFAR.

Forms of Payment: Counseling is free if the youth/parents qualify for one of the studies; treatment is then provided once approved for a study

Special Language Services: Spanish

Email: www.ori.org/CFAR/Portland



MADD-Portland Affiliate –Four Cities Peer Court Victim Impact Panel Collaboration

Mothers Against Drunk Driving (MADD) and the Four Cities Peer Court program [working under the Greater Gresham Awareness Prevention Partnership (GGAPP)] are working together to achieve the common goal of reducing and preventing drug and alcohol use among youth.

The Four Cities Peer Court program is a Peer Court is a diversion program that is designed to give youth with first-time, low-level law violations a chance to repair harm and show accountability for their actions without involvement in the juvenile justice system. Young people cited for first time Minor in Possession and Less than Ounce of Marijuana violations, who plead guilty to the offense will be eligible to participate in the court. Once the case is heard in the court the jury of peers decides what type of accountability fits the law violation. In the case of these two offenses it would be advantageous for the court to have a regularly scheduled and specifically designed victim impact panel (VIP) provided by MADD

A specially designed victim impact panel provided by MADD volunteers could become a vital part of the Four Cities Peer Court Program. Youth who participate in an interactive and inter-personal process where-in MADD volunteers share their individual experiences could potentially make a significant and positive impact on youth, potentially change their thoughts, feelings and attitudes about underage drinking and/or drinking and driving. Making them acutely aware of the serious consequences that come with being involved in such activities MADD volunteers who share their very personal experiences can make a positive, lasting impact on youth while helping the community to hold them accountable via the Peer Court program.

General Program Outline:

VIP / Panel meetings, would be held at regularly scheduled times and set locations one to two times per quarter (depending on availability and need). The meeting would include supplies (paper, pens, etc.), refreshments and a coordinating person from the Peer Court to help with set up, facilitation, open/closing the building for meetings and managing the sign- off on youth attendance.

***Costs:** May include compensation for gas of MADD volunteers, supplies and refreshments.

Up to three or more volunteers from MADD will speak on the victim impact panels. The schedule would be provided in advance to the local MADD office. MADD volunteers would sign up based upon interest and availability through the MADD offices. The names and email addresses of volunteers would be mailed to the Peer Court Coordinator who would be responsible for contacting MADD volunteers one month in advance by email, to confirm their involvement. MADD would be responsible for training and orientating the volunteers to the panel process, providing information on the Peer Court and assisting the Peer Court in any recognition efforts.

As the peer court opens in September of 2008, the first VIP panel would tentatively be held at the end of October or in early November and once a quarter after that.

THE 40 PROVEN ASSETS FOR YOUTH

Through extensive research, Search Institute has identified the following 40 building blocks of healthy development that help young people grow up healthy, caring, and responsible. The asset definitions shown in this chart are based on research on adolescents (6th to 12th grades).

Asset Type	Asset Name & Definition
EXTERNAL ASSETS	
Support	Family support Family life provides high levels of love and support.
	Positive family communication Young person and her or his parent(s) communicate positively, and young person is willing to seek advice and counsel from parent(s).
	Other adult relationships Young person receives support from three or more nonparent adults.
	Caring neighborhood Young person experiences caring neighbors.
	Caring school climate School provides a caring, encouraging environment.
	Parent involvement in schooling Parent(s) are actively involved in helping young person succeed in school.
Empowerment	Community values youth Young person perceives that adults in the community value youth.
	Youth as resources Young people are given useful roles in the community.

	Service to others	Young person serves in the community one hour or more per week.
	Safety	Young person feels safe at home, at school, and in the neighborhood.
Boundaries and Expectations	Family boundaries	Family has clear rules and consequences, and monitors the young person's whereabouts.
	School boundaries	School provides clear rules and consequences.
	Neighborhood boundaries	Neighbors take responsibility for monitoring young people's behavior.
	Adult role models	Parent(s) and other adults model positive, responsible behavior.
	Positive peer influence	Young person's best friends model responsible behavior.
	High expectations	Both parent(s) and teachers encourage the young person to do well.
Constructive Use of Time	Creative activities	Young person spends three or more hours per week in lessons or practice in music, theater, or other arts.
	Youth programs	Young person spends three or more hours per week in sports, clubs, or organizations at school and/or in community organizations.

Religious community Young person spends one hour or more per week in activities in a religious institution.

Time at home Young person is out with friends "with nothing special to do" two or fewer nights per week.

INTERNAL ASSETS

Commitment to Learning **Achievement motivation** Young person is motivated to do well in school.

School engagement Young person is actively engaged in learning.

Homework Young person reports doing at least one hour of homework every school day.

Bonding to school Young person cares about her or his school.

Reading for pleasure Young person reads for pleasure three or more hours per week.

Positive Values **Caring** Young person places high value on helping other people.

Equality and social justice Young person places high value on promoting equality and reducing hunger and poverty.

Integrity Young person acts on convictions and stands up for her or his beliefs.

Honesty Young person "tells the truth even when it is not easy."

Responsibility Young person accepts and takes personal responsibility.

	Restraint	Young person believes it is important not to be sexually active or to use alcohol or other drugs.
Social Competencies	Planning and decision making	Young person knows how to plan ahead and make choices.
	Interpersonal competence	Young person has empathy, sensitivity, and friendship skills.
	Cultural competence	Young person has knowledge of and comfort with people of different cultural/racial/ethnic backgrounds.
	Resistance skills	Young person can resist negative peer pressure and dangerous situations.
	Peaceful conflict resolution	Young person seeks to resolve conflict nonviolently.
Positive Identity	Personal power	Young person feels he or she has control over "things that happen to me."
	Self-esteem	Young person reports having a high self-esteem.
	Sense of purpose	Young person reports that "my life has a purpose."
	Positive view of personal future	Young person is optimistic about her or his personal future.

This list is an educational tool. It is not intended to be nor is it appropriate as a scientific measure of the developmental assets of individuals.

A RISK FACTOR is an association between some characteristic or attribute of an individual, group or in an environment and an increased probability of certain disorders or disease related phenomena at some point in time. The Four Cities Peer Court Program seeks to understand these factors in providing accountability for youth.

Individual Risk Factors

- Genetic susceptibility
- Antisocial behaviors
- High sensation seeking behavior
- Low self esteem
- Favorable attitudes toward drug use
- Misperception of social disapproval and harmful consequences of drug use
- Academic failure (bad grades)
- Low social bonding (few friends)
- Conduct problems (poor self control, anger management)
- Aggressiveness
- Shyness, alienation, rebelliousness

School Risk Factors

- Lack of appreciation for school
- Low grades
- Low involvement in school – activities, clubs, events
- Lack of opportunities for involvement and reward
- Norms conducive to use of drugs – it's acceptable in the school to use
- Lack of support from teachers and school environment (for grades, to stay clean)
- Low student and / or teacher morale

Peer Group Risk Factors

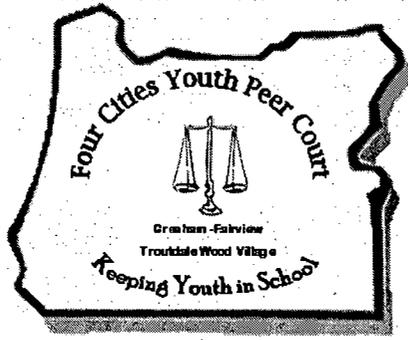
- Bonding in a peer group that uses drugs and alcohol
- Bonding in a peer group that engages in other delinquent activities
- Social influence from a clique
- Peer Pressure
- Deliberate selection of alcohol or other drug using peers
- Rejection in elementary school
- Friendship with other rejected children

Family Risk Factors

- Family conflict
- Coercive and/or inconsistent discipline
- Parental rejection
- Lack of adult supervision
- Lack of family rituals and traditions
- Low levels of family bonding
- Poor family management or communications
- Stress and dysfunction caused by death, divorce, parent in jail, or poverty
- Abuse that is physical or sexual
- Substance abuse by a parent or sibling
- Perception that parents are permissive about drug and alcohol use

Community Risk Factors

- Not feeling a part of the community
- Being in a community that condones substance abuse
- Disorganized neighborhoods lacking active community institutions and leadership
- Lack of youth involvement in positive ways
- High rate of crime and substance abuse
- Poverty and lack of employment
- Availability of drugs and alcohol
- Stress from social situations
- Lack of economic mobility
- Lack of social supports
- High population density
- Transient populations
- Physical deterioration of the community



OATH OF CONFIDENTIALITY

I solemnly swear or avow that I will not divulge, either by words or signs, and information which comes to my knowledge in the course of the Four Cities Youth Peer Court case presentation, and that I will keep secret all said proceedings which may be held in my presence so help me god.

Signature of Volunteer Observer

Peer Court Coordinator

FOUR CITIES PEER COURT
Cost of Crime Attendance Form

NAME:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Cost of Crime Class Rules

- Cell Phones Off
- No Texting
- No Smoking
- No Bad Language
- No Inappropriate Sexual comments/touching
- No Gang Attire
- No Weapons
- No Friends or Guests

Class Requirements

- 1.) Defendants are required to serve as a juror a minimum of one future trial.
- 2.) Defendants are required to participate in the Cost of Crime class.
- 3.) Defendants are required to bring their own lunch/snack and water.

Remember

IF, YOU THE DEFENDANT FAIL TO COMPLETE JURY DUTY AND/OR THE COST OF CRIME CLASS YOUR CASE WILL BE REFERRED TO THE MULTNOMAH COUNTY JUVENILE COURT.

Cost of Crime Lesson Plan

Ice Breaker Introductions:

- Go around the room, Why are you here?

Personal Work: What are your values/Future Dreams Worksheet

Crimes and Consequences:

- Chalkboard or flip chart
- Chalk or markers (at least 5 colors, if possible)
- Copies for students

Setting your Priorities Straight:

- Interactive Exercise

Overview of Juvenile Justice System:

- Chalkboard or flip chart
- Chalk or markers
- Overhead transparency machine, sheets, and markers
- Transparency of "Handout 4: Juvenile Justice System (optional)
- Copies for students

Wrap Up:

- Set Goals, Talk about them
- What did you learn?

Peer Attorney Training

Intros around the room, name, grade and school

- Why does this Peer Court program interest you?
- What would be three interesting things about you?
- How would you describe your parents?
- GGAPP program sheet
- Peer Court Sheet
- Questions you need answered today – written on large white sheet

REVIEW – WALK THROUGH

- Volunteer Job Description - Volunteer Form – Parent Info Sheet
- PEER court brochure

POWER POINT – Attorneys training

1. Accountability guidelines & Offences
2. Jury Instructions
3. Intake Interview Form
4. Attorney Case Analysis
5. Examples of prosecutorial questions
6. Examples of defense questions
7. Attorney defense ,prosecutorial rules of evidence & list of objections

Explanation of Mock Trial – Session II.

ACKNOWLEDGEMENTS

A special debt of gratitude goes out to the entire community that has worked together so effectively to create the Four Cities Peer Court. Countless hours have been generously devoted to ensuring that the Peer Court is a positive and proactive program designed to support youth by; helping to keep them in school, drug/alcohol free and able to defend against high risk behavior and re-offending, all while educating youth about the legal system

Without the dedication and attention of Juvenile, Legal and Law Enforcement professionals, teachers, administrators, college interns, caring community members and most importantly; the youth who are willing to volunteer as attorneys, bailiffs, and jurors, as well as all our youth defendants who have agreed to participate, the Four Cities Peer Court would not have come to be.

Legal Assistance & Over sight

- The Multnomah County Juvenile Department
- The Multnomah County District Attorneys office

Administrative & Staff

- The Centennial School District
- The Gresham Barlow School District
- The Reynolds School District

Law Enforcement & Administration

- The City of Fairview
- The City of Gresham
- The City of Troutdale
- The City of Wood Village

Program Support

- The Police Activities League
- El Programa Hispano
- Portland State University Criminal Justice program