

ANNOTATED MINUTES

*Tuesday, November 1, 1994 - 9:30 AM
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland*

BOARD BRIEFING

B-1 Paragon Cable Franchise Renewal Process. Presented by David Olson and Julie Omelchuck.

DAVID OLSON, JACK ADAMS, AND JULIE OMELCHUCH PROVIDED PRESENTATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION.

*Thursday, November 3, 1994 - 9:30 AM
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland*

REGULAR MEETING

Chair Beverly Stein convened the meeting at 9:30 a.m., with Vice-Chair Tanya Collier, Commissioners Sharron Kelley, Gary Hansen and Dan saltzman present.

CONSENT CALENDAR

AT THE REQUEST OF COMMISSIONER KELLEY, ITEM C-4 WAS REMOVED FROM THE CONSENT CALENDAR FOR EXPLANATION AND DISCUSSION.

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY HANSEN COMMISSIONER, THE CONSENT CALENDAR (ITEMS C-1 THROUGH C-3 AND C-5 THROUGH C-13) WAS UNANIMOUSLY APPROVED.

NON-DEPARTMENTAL

C-1 In the Matter of the Appointments NANCY REHBOCK to the Animal Control Advisory Committee, Neighborhood Association Member Position; and SUSAN FORD BURNS to the Animal Control Advisory Committee, Hearings Officer Position

C-2 In the Matter of the Appointment of LEE COLEMAN to the Multnomah County Commission of Children and Families

C-3 Ratification of Amendment No. 2 to Intergovernmental Agreement, Contract

#400142, between Multnomah County and the City of Portland to Provide Printing and Duplicating Services on a Requirement Basis, Effective Upon Signature through September 30, 1995

SHERIFF'S OFFICE

- C-5 *Dispenser Class A Liquor License Renewal Application Submitted by Sheriff's Office with Recommendation for Approval, for MULTNOMAH FALLS LODGE, BRIDAL VEIL*
- C-6 *Dispenser Class A Liquor License Renewal Application Submitted by Sheriff's Office with Recommendation for Approval, for CHINA HUT RESTAURANT, 16721 SE DIVISION, PORTLAND*
- C-7 *Package Store Liquor License Renewal Application Submitted by Sheriff's Office with Recommendation for Approval, for 3-D MARKET, 1739 SE 139TH AVENUE, PORTLAND*
- C-8 *Package Store Liquor License Renewal Application Submitted by Sheriff's Office with Recommendation for Approval, for COUNTRY FOOD MART, 5708 SE 136TH AVENUE, PORTLAND*
- C-9 *Package Store Liquor License Renewal Application Submitted by Sheriff's Office with Recommendation for Approval, for K.S. FOOD MARKET, 15231 SE DIVISION, PORTLAND*
- C-10 *Package Store Liquor License Renewal Application Submitted by Sheriff's Office with Recommendation for Approval, for BOB & ANN'S GROCERY, 11811 SE HAROLD, PORTLAND*
- C-11 *Retail Malt Beverage Liquor License Renewal Application Submitted by Sheriff's Office with Recommendation for Approval, for DAILY DOUBLE TAVERN, 1607 NE 162ND AVENUE, PORTLAND*
- C-12 *Retail Malt Beverage Liquor License Renewal Application Submitted by Sheriff's Office with Recommendation for Approval, for PLEASANT HOME SALOON, 31637 SE DODGE PARK BLVD., GRESHAM*

DEPARTMENT OF ENVIRONMENTAL SERVICES

- C-13 *ORDER in the Matter of the Execution of Deed to Julius Gaussoin*

ORDER 94-211.

SHERIFF'S OFFICE

- C-4 *Restaurant/New Outlet Liquor License Application Submitted by Sheriff's Office with Recommendation for Approval, for BIG BEAR CROWN POINT MARKET, 31815 E. CROWN POINT HWY., TROUTDALE*

COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF C-4. MIKE EBELING, CITY OF PORTLAND BUREAU OF BUILDINGS, PRESENTED EXPLANATION AND RESPONSE TO BOARD QUESTIONS REGARDING DETAILS OF REQUEST FOR NEW OUTLET LICENSE AND STATUS OF PREVIOUS SEWAGE DISPOSAL PROBLEMS ON THIS SITE. MOTION TO APPROVE C-4 WAS UNANIMOUSLY APPROVED.

COMMISSIONER COLLIER REQUESTED COUNTY COUNSEL TO PROVIDE INFORMATION REGARDING THE BOARDS JURISDICTION OF LIQUOR LICENSE APPLICATION'S.

REGULAR AGENDA

NON-DEPARTMENTAL

- R-1 *RESOLUTION in the Matter of Declaring Opposition to Ballot Measure No. 13 and Support for Basic Civil Rights for All Citizens*

COMMISSIONER HANSEN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-1. MELINDA PETERSON PRESENTED AND READ RESOLUTION. PUBLIC TESTIMONY OPPOSING RESOLUTION RECEIVED FROM GWEN MAXWELL, PATRICE KILMARTIN AND KARIN HOUSTON. TESTIMONY SUPPORTING RESOLUTION RECEIVED FROM KATHY GILLETTE, MARIA ROJO AND KATHY MILARD. RESOLUTION 94-212 WAS UNANIMOUSLY APPROVED.

SHERIFF'S OFFICE

- R-2 *Ratification of an Intergovernmental Agreement, Contract #800495, between Multnomah County and Regional Organized Crime Narcotics Task Force ("ROCN"), Allowing ROCN the Use of County's Law Enforcement Aircraft and Personnel for Aerial Surveillance Services at an Established Hourly Rate*

COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-2. CHIEF DEPUTY RANDY AMUNDSON AND CAPT.

BUD JOHNSON PRESENTED EXPLANATION AND RESPONSE TO BOARD QUESTIONS. AGREEMENT WAS UNANIMOUSLY APPROVED.

- R-3** *Ratification of an Intergovernmental Agreement, Contract #800505, between Multnomah County and Washington County, Allowing Washington County the Use of County's Law Enforcement Aircraft and Personnel for Aerial Surveillance Services at an Established Hourly Rate*

COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-3. AGREEMENT WAS UNANIMOUSLY APPROVED.

JUVENILE JUSTICE DIVISION

- R-4** *Budget Modification JJD #2 Requesting Authorization to Add \$49,425 in Portland Public Schools Grant Revenue to its Federal State Program to Fund an Alcohol/Drug Counselor On-Site at the District's Counteract Alternative Program Campus*

COMMISSIONER HANSEN MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF R-4. MARIE EIGHMEY PRESENTED EXPLANATION AND BILL FOGERTY RESPONDED TO BOARD QUESTIONS. BUDGET MODIFICATION WAS UNANIMOUSLY APPROVED.

- R-5** *Budget Modification JJD #3 Requesting Authorization to Reprogram \$41,457 in County Funds for the Save Our Youth Violence Prevention Program*

COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-5. MARIE EIGHMEY PRESENTED EXPLANATION AND JOHN MILLER RESPONDED TO BOARD QUESTIONS. BUDGET MODIFICATION WAS UNANIMOUSLY APPROVED.

DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-6** *First Reading and Possible Adoption of an ORDINANCE Amending Fees for Action Proceedings (Public Works Services) and Administrative Actions Under MCC 5.10 and Declaring an Emergency*

PROPOSED ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER SALTZMAN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF THE FIRST READING AND POSSIBLE

ADOPTION. BOB PEARSON AND MIKE OSWALD PRESENTED EXPLANATION AND RESPONSE TO BOARD QUESTIONS. NO ONE WISHED TO TESTIFY.

COUNTY COUNSEL LARRY KRESSEL WAS DIRECTED TO PROVIDE FURTHER INFORMATION TO THE BOARD REGARDING THE EFFECT OF CURRENT COUNTY FEES IF BALLOT MEASURE 5 PASSES.

FOLLOWING BOARD DISCUSSION, COMMISSIONER'S SALTZMAN AND KELLEY AGREED TO WITHDRAW MAIN MOTION.

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER COLLIER, IT WAS UNANIMOUSLY APPROVED TO POSTPONE PROPOSED ORDINANCE INDEFINITELY.

R-7 In the Matter of Consideration and Ratification of a Memorandum of Understanding between Multnomah County, the City of Portland, Tri-Met, U.S. Department of Energy, Oregon Department of Energy, Oregon Department of Environmental Quality, Oregon Department of Administrative Services, Northwest Natural Gas Company, Portland General Electric Company, Pacific Power and Light Company, United States Bakery (Franz), U.S. Environmental Protection Agency, U.S. General Services Administration, U.S. Department of Veterans Affairs, NW Renewable Fuels Council, and Oregon Roads Leasing to Establish and Gain a "Clean Cities" Designation from the U.S. Department of Energy for the Portland Area

COMMISSIONER SALTZMAN MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF R-7. TOM GUINEY PRESENTED EXPLANATION AND RESPONSE TO BOARD QUESTIONS. MEMORANDUM OF UNDERSTANDING WAS UNANIMOUSLY APPROVED.

R-8 C 11-94 Fourth Reading and Possible Adoption of a Proposed ORDINANCE Amending Comprehensive Framework Text Plan Policy 16 - B and MCC 11.15 Regarding the Regulation of Surface Mining and Nearby Surrounding Land Uses in Partial Fulfillment of Periodic Review Work Program Tasks Required to Bring Multnomah County's Land Use Program into Compliance with Statewide Planning Goal 5

PROPOSED ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF THE FOURTH READING AND

**ADOPTION. NO ONE WISHED TO TESTIFY.
ORDINANCE NO. 804 WAS UNANIMOUSLY
APPROVED.**

PUBLIC COMMENT

**R-9 Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to
Three Minutes Per Person.**

NONE.

There being no further business, the meeting was adjourned at 10:35 a.m.

**OFFICE OF THE BOARD CLERK
for MULTNOMAH COUNTY, OREGON**

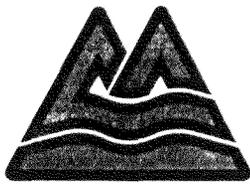


Carrie A. Parkerson

BOARD OF COUNTY COMMISSIONERS
 FORMAL BOARD MEETING
 RESULTS

MEETING DATE: 11-3-94

Agenda Item #	Motion	Second	APP/NOT APP
<u>C-1 thru</u>	<u>SK</u>	<u>GH</u>	<u>App</u>
<u>C-13</u>	<u>S</u>	<u>S</u>	<u>S</u>
<u>C-4</u>	<u>SK</u>	<u>GH</u>	<u>App</u>
<i>Move to Rescind Agenda</i>	<u>SK</u>	<u>GH</u>	<u>App</u>
<u>R-1</u>	<u>GH</u>	<u>SK</u>	<u>App</u>
<u>R-2</u>	<u>SK</u>	<u>GH</u>	<u>App</u>
<u>R-3</u>	<u>SK</u>	<u>GH</u>	<u>App</u>
<u>R-4</u>	<u>GH</u>	<u>TC</u>	<u>App</u>
<u>R-5</u>	<u>SK</u>	<u>GH</u>	<u>App</u>
<i>First Reading of Emergency</i>	<u>SK</u>	<u>TC</u>	<u>App</u>
<u>R-6</u>	<u>SK</u>	<u>SK</u>	<u>App</u>
<i>Fourth Reading</i>	<u>SK</u>	<u>TC</u>	<u>App</u>
<u>R-7</u>	<u>SK</u>	<u>GH</u>	<u>App</u>
<u>R-8</u>	<u>SK</u>	<u>GH</u>	<u>App</u>
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MULTNOMAH COUNTY OREGON

OFFICE OF THE BOARD CLERK
SUITE 1510, PORTLAND BUILDING
1120 S.W. FIFTH AVENUE
PORTLAND, OREGON 97204

BOARD OF COUNTY COMMISSIONERS		
BEVERLY STEIN •	CHAIR	• 248-3308
DAN SALTZMAN •	DISTRICT 1	• 248-5220
GARY HANSEN •	DISTRICT 2	• 248-5219
TANYA COLLIER •	DISTRICT 3	• 248-5217
SHARRON KELLEY •	DISTRICT 4	• 248-5213
CLERK'S OFFICE •	248-3277	• 248-5222

AGENDA

MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS

FOR THE WEEK OF

OCTOBER 31, 1994 - NOVEMBER 4, 1994

Tuesday, November 1, 1994 - 9:30 AM - Board Briefing Page 2

Thursday, November 3, 1994 - 9:30 AM - Regular Meeting Page 2

FUTURE MEETING CHANGES/CANCELLATIONS

Tuesday, 11/15/94 - Cancelled/AOC Conference
Thursday, 11/17/94 - Cancelled/AOC Conference
Tuesday, 11/22/94 - 9:30 AM Regular Meeting Scheduled
Thursday, 11/24/94 - Cancelled/Holiday

Thursday Meetings of the Multnomah County Board of Commissioners are taped and can be seen by Paragon Cable subscribers at the following times:

Thursday, 6:00 PM, Channel 30
Friday, 10:00 PM, Channel 30
Saturday, 12:30 PM, Channel 30
Sunday, 1:00 PM, Channel 30

INDIVIDUALS WITH DISABILITIES MAY CALL THE OFFICE OF THE BOARD CLERK AT 248-3277 OR 248-5222, OR MULTNOMAH COUNTY TDD PHONE 248-5040, FOR INFORMATION ON AVAILABLE SERVICES AND ACCESSIBILITY.

Tuesday, November 1, 1994 - 9:30 AM

Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

BOARD BRIEFING

B-1 Paragon Cable Franchise Renewal Process. Presented by David Olson and Julie Omelchuck. (9:30 AM TIME CERTAIN, 45 MINUTES REQUESTED.)

Thursday, November 3, 1994 - 9:30 AM

Multnomah County Courthouse, Room 602
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REGULAR MEETING

CONSENT CALENDAR

NON-DEPARTMENTAL

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- C-2 In the Matter of the Appointment of LEE COLEMAN to the Multnomah County Commission of Children and Families
- C-3 Ratification of Amendment No. 2 to Intergovernmental Agreement, Contract #400142, between Multnomah County and the City of Portland to Provide Printing and Duplicating Services on a Requirement Basis, Effective Upon Signature through September 30, 1995

SHERIFF'S OFFICE

- Move to Ref. App C-4 Restaurant/New Outlet Liquor License Application Submitted by Sheriff's Office with Recommendation for Approval, for BIG BEAR CROWN POINT MARKET, 31815 E. CROWN POINT HWY., TROUTDALE
- C-5 Dispenser Class A Liquor License Renewal Application Submitted by Sheriff's Office with Recommendation for Approval, for MULTNOMAH FALLS LODGE, BRIDAL VEIL,
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DEPARTMENT OF ENVIRONMENTAL SERVICES

- C-13 ORDER in the Matter of the Execution of Deed to Julius Gaussoin 94-211

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- App* R-1 RESOLUTION in the Matter of Declaring Opposition to Ballot Measure No. 13 and Support for Basic Civil Rights for All Citizens 94-212

SHERIFF'S OFFICE

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- App* R-3 Ratification of an Intergovernmental Agreement, Contract #800⁵⁰⁵495, between Multnomah County and Washington County, Allowing Washington County the Use of County's Law Enforcement Aircraft and Personnel for Aerial Surveillance Services at an Established Hourly Rate

JUVENILE JUSTICE DIVISION

R-4 Budget Modification JJD #2 Requesting Authorization to Add \$49,425 in Portland Public Schools Grant Revenue to its Federal State Program to Fund an Alcohol/Drug Counselor On-Site at the District's Counteract Alternative Program Campus

APP

R-5 Budget Modification JJD #3 Requesting Authorization to Reprogram \$41,457 in County Funds for the Save Our Youth Violence Prevention Program

APP

DEPARTMENT OF ENVIRONMENTAL SERVICES

First Reading and Possible Adoption of an ORDINANCE Amending Fees for Action Proceedings (Public Works Services) and Administrative Actions Under MCC 5.10 and Declaring an Emergency ~~#804~~
(Copies Available)

Assigned
to R-6
Removed

R-7 In the Matter of Consideration and Ratification of a Memorandum of Understanding between Multnomah County, the City of Portland, Tri-Met, U.S. Department of Energy, Oregon Department of Energy, Oregon Department of Environmental Quality, Oregon Department of Administrative Services, Northwest Natural Gas Company, Portland General Electric Company, Pacific Power and Light Company, United States Bakery (Franz), U.S. Environmental Protection Agency, U.S. General Services Administration, U.S. Department of Veterans Affairs, NW Renewable Fuels Council, and Oregon Roads Leasing to Establish and Gain a "Clean Cities" Designation from the U.S. Department of Energy for the Portland Area

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(Copies Available)

APP

PUBLIC COMMENT

R-9 Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to Three Minutes Per Person.

Susan Ford Burns

Admitted to Practice

U.S. District Court of Oregon; U.S. District Court, Southern District of California; and Oregon state courts

Professional Articles

"Land Use" chapter in Review of 1990 Environmental Decisions of the Ninth Circuit Court of Appeals, 21 Environmental Law 1257 (1991)

"Foreclosures: A Forgotten Market," Real Estate Today, Nov./Dec. 1985

Community Activities

Multnomah County Hearings Officer - Decide animal control matters as a volunteer hearings officer under auspices of the Multnomah Bar Association Young Lawyers' Section

American Diabetes Association, Oregon Affiliate - Auction Team - Committee to organize and produce annual charity auction, which grosses almost \$200,000 in one night

Oregon State Bar New Lawyers' Division - Law Related Education Committee - Committee develops and promotes a variety of educational programs to increase awareness of the law among grade and high school students

Oregon Women's Sailing Association - Member of organizing committee for new association of women sailors in the Portland metropolitan area; writing by laws and constitution for the group

Memberships

Oregon State Bar

- Real Estate & Land Use Section
- Alternative Dispute Resolution Section
- New Lawyer's Division
 - Law Related Education Committee

Women in Commercial Real Estate, Portland

Phi Delta Phi legal fraternity

SYSCO (Small Yacht Sailing Club of Oregon)

Oregon Women's Sailing Association

References

Available upon request

Past Employment (not listed on resume)

Washington Park Zoo - staff photographer for five years. Photographed animals for public relations department; assisted with special events; marketed zoo for group events.

Oregon State Legislature - Second Assistant Sergeant at Arms (House). In charge of page staff; assisted legislators with variety of tasks.

Past Volunteer Activities

Election campaigns for Bev Stein and Frank Shields when they ran for state representative.

Election campaign for Bev Stein when she ran for county chair.

"No on 9" campaign.

Multnomah Bar Association - New Lawyers' Section Public Service Committee. Worked on variety of public service projects to increase public awareness about the law.

Bradley-Angle House - Board of Directors. Served on the board of this battered women's shelter for several years; also did direct service, including answering the crisis line and working at the shelter.

RECEIVED DF

JUN 15 1994

BEVERLY STEIN
MULTNOMAH COUNTY CHAIR



MULTNOMAH COUNTY OREGON

BOARDS AND COMMISSIONS

INTEREST FORM FOR BOARDS AND COMMISSIONS

In order for the County Chair to more thoroughly assess the qualifications of persons interested in serving on a Multnomah County board or commission, you are requested to fill out this interest form as completely as possible. You are encouraged to attach or enclose supplemental information or a resume which further details your involvement in volunteer activities, public affairs, civic services, published writing, affiliations, etc.

A. Please list, in order of priority, any Multnomah County boards/commissions on which you would be interested in serving. (See attached list.)

Multnomah County Animal Control Advisory Board

B. Name Nancy Rehbock

Address 101 SE 192nd Ave

City Gresham

State OR

Zip Code 97233

Do you live in _____ unincorporated Multnomah County or a city within Multnomah County.

Home Phone (503) 661-8260

C. Current Employer Dammash State Hospital

Address 28801 SW 110th Street

City Wilsonville

State OR

Zip Code 97070

Your Job Title Occupational Therapist

Work Phone 682-3111

(Ext) 2307

Is your place of employment located in Multnomah County? Yes No

D. Previous Employers	Dates	Job Title
<u>Portland Adventist Medical Center</u>	<u>5/90 - 93</u>	<u>Occupational Therapist</u>
<u>Holladay Park Medical Center</u>	<u>1/88 - 2/90</u>	<u>Occupational Therapist</u>
<u>self-employed Real Estate Agent</u>	<u>2/90 - 8/90</u>	<u>Real Estate Agent</u>

E. Please list all current and past volunteer activities.

Name of Organization	Dates	Responsibilities
Pacific N.W. Collie Club	90-92	Collie rescue ^{fundraising} dog placement home screening,
Rockwood Neighborhood Assn	93-94	problem solving, consulting

F. Please list all post-secondary school education.

Name of School	Dates	Responsibilities
Iona College	BS '82	biology major
New York University	MA '87	masters in occupational therapy

G. Please list the name, address, and telephone numbers of two people who may be contacted as references who know about your interests and qualifications to serve on a Multnomah County board/commission.

682-3111 x 2327
 Wenda Lloyd O.T. Dept Dammasch State Hosp. 28801 SW 110th St. Wilsonville
 OR 97070
 Dr. Phyllis Richardson. Psychology Dept (address same as above) 682-3111 x 2447

H. Please list potential conflicts of interest between private life and public service which might result from service on a board/commission.

I own animals; I am a foster parent for Mult. Cty. Animal Control.

I. Affirmative Action Information

sex/racial/ethnic background

Birth date: Month 3 Day 21 Year 59

My signature affirms that all information is true to the best of my knowledge and that I understand that any misstatement of fact or misrepresentation of credentials may result in this application being disqualified from further consideration or, subsequent to my appointment to a board/commission, may result in my dismissal.

Signature Nancy Rehrich Date 6/9/94



MULTNOMAH COUNTY OREGON

BOARDS AND COMMISSIONS

INTEREST FORM FOR BOARDS AND COMMISSIONS

In order for the County Chair to more thoroughly assess the qualifications of persons interested in serving on a Multnomah County board or commission, you are requested to fill out this interest form as completely as possible. You are encouraged to attach or enclose supplemental information or a resume which further details your involvement in volunteer activities, public affairs, civic services, published writing, affiliations, etc.

A. Please list, in order of priority, any Multnomah County boards/commissions on which you would be interested in serving. (See attached list.)
Multnomah County's Commission on Children and Families

B. Name Lee Coleman
Address 7815 SW 161 St. Drive
City Beaverton State WA Zip Code 97007

Do you live in _____ unincorporated Multnomah County or _____ a city within Multnomah County. Neither. I live in Beaverton, but work in Multnomah County.
Home Phone 591-1041

C. Current Employer Children's Services Division
Address The Logus Building, 529 SE Grand 3rd floor
City PORTLAND State OR Zip Code 97214-2276

Your Job Title Portland Metro Region Administrator
Work Phone 731-3075 (Ext) 486

Is your place of employment located in Multnomah County? Yes No

D. Previous Employers	Dates	Job Title
<u>Oregon Bd of Parole & PPS</u>	<u>8/91-7/94</u>	<u>Chairperson</u>
<u>self employed Attorney/Mediator</u>	<u>8/93-present</u>	<u>mediator</u>
<u>Oregon Liquor Control Commission</u>	<u>8/87-7/91</u>	<u>Director</u>

E. Please list all current and past volunteer activities.

Name of Organization	Dates	Responsibilities
Beaverton School District, Local School Committee		
Oregon State Bar Committee on Combining Family and Career		
Oregon Women Lawyers, member; Association of Oregon Black Lawyers, treasurer		

F. Please list all post-secondary school education.

Name of School	Dates	Responsibilities
University of Arizona	Psychology	
University of Oregon	Public Administration B.S.	
University of Oregon Law School	J.D. Law	

G. Please list the name, address, and telephone numbers of two people who may be contacted as references who know about your interests and qualifications to serve on a Multnomah County board/commission.

Daniel Santos, Office of the Governor 378-4664

Mike Reed, Oregon Liquor Control Commission 653-3020

H. Please list potential conflicts of interest between private life and public service which might result from service on a board/commission.

none

I. Affirmative Action Information

African American
sex/racial ethnic background

Birth date: Month 10 Day 6 Year 56

My signature affirms that all information is true to the best of my knowledge and that I understand that any misstatement of fact or misrepresentation of credentials may result in this application being disqualified from further consideration or, subsequent to my appointment to a board/commission, may result in my dismissal.

Signature [Signature] Date 9/29/94

MEETING DATE: NOV 03 1994

AGENDA NO.: C-3

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Renewal of IGA with the City of Portland for Printing and Duplicating Services

BOARD BRIEFING Date Requested: _____

Amount of Time Needed: _____

NOV 03 1994

REGULAR MEETING: Date Requested: Thursday, ~~October 27~~, 1994

Amount of Time Needed: 15 Minutes

DEPARTMENT: ~~Countywide~~ Non-Departmental DIVISION: Finance/Purchasing

CONTACT: Lillie Walker TELEPHONE #: 248-5111

BLDG/ROOM #: 421/1st

PERSON(S) MAKING PRESENTATION: Lillie Walker

ACTION REQUIRED

INFORMATION ONLY POLICY DIRECTION APPROVAL OTHER

SUMMARY (Statement of rationale for action requested, personnel and fiscal/budgetary impacts, if applicable):

Request of the Board of County Commissioners for approval of the renewal of the Intergovernmental Agreement for Printing and Duplicating Services between Multnomah County and the City of Portland. Originally awarded in 1991 using the bid process, this contract saves the County approximately \$400,000 per year.

SIGNATURE REQUIRED

ELECTED OFFICIAL: _____

OR
DEPARTMENT MANAGER: *L Walker* *Duff Boyer*

MULTNOMAH COUNTY
OREGON
1994 OCT 26 AM 8:43
BOARD OF
COUNTY COMMISSIONERS

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Office of the Board Clerk, 248-3277/248-5222.

AGP2.FRM

*Originals sent to Katherine Walker 11-4-94.
Catherine*

BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM BRIEFING
STAFF REPORT SUPPLEMENT

TO: BOARD OF COUNTY COMMISSIONERS
FROM: Lillie Walker, Purchasing Director
TODAY'S DATE: October 13, 1994
REQUESTED PLACEMENT DATE: October 27, 1994
RE: Renewal of Intergovernmental Agreement with the City of Portland for
Printing and Duplicating Services.

I. Recommendation/Action Requested:

The Purchasing, Contracts & Central Stores Division is requesting the renewal of the Intergovernmental Agreement between Multnomah County and the City of Portland for Printing and Duplicating Services.

II. Background/Analysis:

Purchasing, Contracts & Central Stores originally contracted with the City of Portland for Printing and Duplicating Services using the bid process in October of 1991 on Bid #B81-000-5638. The bid was open to all interested vendors including the City of Portland Printing & Distribution Bureau. The City was awarded the bid because of a wide margin between their bid and the next low bid from a Non-government vendor, more than twice the amount of the City's Bid.

III. Financial Impact:

The cost saving achieved by this renewal are approximately \$416,000.00 per year.

IV. Legal Issues:

None Anticipated.

V. Controversial Issues:

None Anticipated.

VI. Link to Current County Policies:

Current County policies require yearly renewal of contracts for a maximum of three years, except for Intergovernmental Agreements which are exempted in administrative Rule AR 10.010A.

VIII. Other Government Participation:

The City of Portland will perform the Printing and Duplicating Services for Multnomah County.



CONTRACT APPROVAL FORM
(See Administrative Procedure #2106)

MULTNOMAH COUNTY OREGON

Contract # 400142
Amendment # 2

<p>CLASS I</p> <p><input type="checkbox"/> Professional Services under \$25,000</p>	<p>CLASS II</p> <p><input type="checkbox"/> Professional Services over \$25,000 (RFP, Exemption)</p> <p><input type="checkbox"/> PCRB Contract</p> <p><input type="checkbox"/> Maintenance Agreement</p> <p><input type="checkbox"/> Licensing Agreement</p> <p><input type="checkbox"/> Construction</p> <p><input type="checkbox"/> Grant</p> <p><input type="checkbox"/> Revenue</p>	<p>CLASS III</p> <p><input checked="" type="checkbox"/> Intergovernmental Agreement</p> <p>APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS</p> <p>AGENDA # <u>C-3</u> DATE <u>11/3/94</u></p> <p><u>Carrie A. Parkerson</u> BOARD CLERK</p>
--	--	--

Department Chair's Office Division Purchasing Date 10-11-94

Contract Originator Roger A. Bruno Phone 2870 Bldg/Room 421/1st

Administrative Contact Franna Hathaway Phone 2651 Bldg/Room 421/1st

Description of Contract Printing and Duplicating Services on a Requirement Basis/
Renewal of Contract _____

RFP/BID # B81-000-5638 Date of RFP/BID 5-20-91 Exemption Exp. Date _____

ORS/AR # 10.010A Contractor is MBE WBE QRF

Contractor Name Portland, City of

Mailing Address Printing & Duplicating
124 SW Madison, Portland, OR 97204

Phone (503) 823-4444

Employer ID # or SS # _____

Effective Date Upon Signature

Termination Date 9-30-95

Original Contract Amount \$ N/A

Amount of Amendment \$ _____

Total Amount of Agreement \$ 280,000

REQUIRED SIGNATURES:

Department Manager [Signature]

Purchasing Director [Signature]
(Class II Contracts Only)

County Counsel [Signature]

County Chair/Sheriff [Signature]

Contract Administration _____
(Class I, Class II contracts only)

Remittance Address _____
(If Different) _____

Payment Schedule	Terms
<input type="checkbox"/> Lump Sum \$ _____	<input type="checkbox"/> Due on receipt
<input type="checkbox"/> Monthly \$ _____	<input type="checkbox"/> Net 30
<input type="checkbox"/> Other \$ _____	<input type="checkbox"/> Other _____
<input type="checkbox"/> Requirements contract - Requisition required.	
Purchase Order No. _____	
<input type="checkbox"/> Requirements Not to Exceed \$ _____	

Encumber: Yes No

Date 10/14/94

Date 10/13/94

Date 10/24/94

Date 11/3/94

Date _____

VENDOR CODE			VENDOR NAME						TOTAL AMOUNT \$		
LINE NO.	FUND	AGENCY	ORGANIZATION	SUB ORG	ACTIVITY	OBJECT/ REV SRC	SUB OBJ	REPT CATEG	LGFS DESCRIPTION	AMOUNT	INC/ DEC IND
01.											
02.											
03.											
* If additional space is needed, attach separate page. Write contract # on top of page.											

INSTRUCTIONS ON REVERSE SIDE



MULTNOMAH COUNTY OREGON

BEVERLY STEIN
COUNTY CHAIR

EMPLOYEE SERVICES
FINANCE
LABOR RELATIONS
PLANNING & BUDGET
RISK MANAGEMENT

(503) 248-5015
(503) 248-3312
(503) 248-5135
(503) 248-3883
(503) 248-3797

(503) 248-5170 TDD

PORTLAND BUILDING
1120 S.W. FIFTH, 14TH FLOOR
P.O. BOX 14700
PORTLAND, OREGON 97214

PURCHASING, CONTRACTS
& CENTRAL STORES

(503) 248-5111

2505 S.E. 11TH, 1ST FLOOR
PORTLAND, OREGON 97202

October 13, 1994

Portland, City of
Printing & Duplicating
124 SW Madison
Portland OR 97204

RE: **CONTRACT EXTENSION NO. 2**

This letter is to serve notice that Multnomah County is hereby exercising the option to extend the above referenced contract for Printing and Duplicating Services. The term of this extension shall be from date of signature through September 30, 1995.

The option is exercised in accordance with the terms and conditions set forth in the original contract and is subject to all specifications as per Bid No. B81-000-5638, Contract No. 400142.

This contract extension of the above referenced contract, is by this reference incorporated therein and made a part thereof.

REVIEWED:

LAURENCE KRESSEL, County Counsel
for Multnomah County, Oregon

By: *John D. Bay*
Assistant County Counsel

MULTNOMAH COUNTY, OREGON

By: *Beverly Stein*
Beverly Stein
Multnomah County Chair

Date: 11-3-94

City of Portland Printing & Duplicating

By: _____
Commissioner of Public Affairs

Date: _____

APPROVED MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-3 DATE 11-3-94
Carrie A. Peterson
BOARD CLERK

ORDINANCE NO. 166248

- * Accept Intergovernmental Agreement with Multnomah County for printing and duplicating services and authorize Mayor to sign renewals. (Ordinance)

The City of Portland Ordains:

Section 1. The Council finds:

1. The Bureau of General Services, Printing & Distribution Division, has been providing printing and duplicating services to Multnomah County for a number of years.
2. In May, 1991 the County opened bids for these services and found the bid from Printing & Distribution to be the most advantageous for the County.
3. The City and the County have been operating under the terms and prices of this bid since that time, even though the agreement has not been signed.
4. The County has now offered the agreement to the City for formal signing and approval. The agreement will be in effect upon signing and continue until September 30, 1993, with provisions for renewal.
5. As this is an Intergovernmental Agreement, it is appropriate that it should be approved and signed by the Mayor.

NOW THEREFORE, the Council directs:

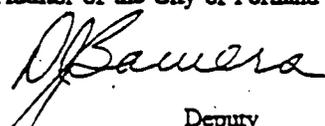
- a. The City is hereby authorized to enter into an Intergovernmental Agreement with Multnomah County to provide printing and duplicating services.
- b. The Mayor is authorized to sign the attached Intergovernmental Agreement and any Contract Renewals as outlined in Article III of said agreement.

Section 2. The Council declares that an emergency exists because a delay in proceeding with this agreement could result in additional expense for the City; therefore, this ordinance shall be in force and effect from and after passage by the Council.

o-mnh.pdd

Passed by the Council, FEB 17 1993

Mayor Vera Katz
Bill Oberhue
February 1, 1993

By
BARBARA CLARK
Auditor of the City of Portland

Depury

REQUIREMENTS CONTRACT

FOR THE PURPOSE OF PRINTING & DUPLICATING SERVICES

50017

FEB 23 1993

No. 400142

THIS AGREEMENT, dated FEBRUARY 17, 1993, is between the COUNTY OF MULTNOMAH, a political subdivision of the State of Oregon (hereinafter the County), and THE CITY OF PORTLAND, PRINTING & DISTRIBUTION, 124 SW Madison, Portland, OR 97204, a political subdivision of the State of Oregon (hereinafter the Contractor).

WHEREAS, the parties hereto are both political entities authorized to enter into intergovernmental agreements pursuant to ORS Chapter 190; and

WHEREAS, the County has conducted an invitation for bids and has selected the City of Portland as the Contractor for printing and duplicating services; and

WHEREAS, the County wishes to make purchases of printing and duplicating services pursuant to the bid since such purchases will be in the public interest and will benefit the County;

NOW, THEREFORE, the parties hereto agree:

ARTICLE I. Description of Service: Contractor shall and will sell and deliver to the County, printing and duplicating services, per Bid No. B81-000-5638, in strict accordance with the specifications prepared for the same, which specifications, instructions to bidders and the accepted bid shall be and are a part of this contract as much so as though they had been fully copied hereinto. All appended to this agreement, hereby are specifically referred to and made a part of the agreement and shall have the same force and effect as though all were fully inserted herein.

ARTICLE II. Term of Contract: Contractor services under this agreement shall begin on October 1, 1992 and continue through September 30, 1993.

ARTICLE III. Contract Renewal: The County shall have the option to renew this contract subject to approval of the Contractor, for two (2) additional one (1) year periods upon a thirty (30) day written notice. Any price adjustments must be submitted by the contractor not less than sixty (60) days before the contract period expires on September 30, 1993. The County reserves the right to reject any renewal acceptance by the contractor that contains modifications of the contract, negotiable or not, unacceptable to the County.

Should the County not receive written acceptance of the renewal offer within two (2) weeks of the written notice to renew, it will be assumed that the contractor accepts the renewal agreement and will abide by all the terms, conditions, instructions, prices, percentages, etc., of the existing contract at time of renewal.

The County will be under no obligation to renew the contract. The County may, at its discretion, re-bid the contract after the first contract period.

ARTICLE IV. Termination: This Agreement may be terminated at any time, with cause, by the County or the Contractor, upon giving not less than sixty (60) days written notice of termination to the other party. The County may also terminate at any location that may be closed down or moved; such partial termination shall not affect the obligation of the Contractor to fulfill the contract at other locations. Failure to live up to the specifications will be considered good and sufficient cause.

ARTICLE V. Payment: The County will pay to the Contractor for said services and materials so sold and delivered the amount specified by the Contractor in response to the bid and incorporated herein as Attachment #1, being the sum named in the Contractor's bid, subject to additions and deductions as hereinafter provided. Payment will be made monthly, following the current month within which service has been provided by the Contractor. Payment will be made by County warrant by the office of the County Finance Division.

ARTICLE VI. Payment Approval: No payment shall be made except upon the approval of the Purchasing Director. Delivery shall be made at the time and place indicated by said official.

ARTICLE VII. Non-Performance: In the event of nonperformance under this agreement, the County shall have the right to obtain from other sources such materials and/or services as may be required to accomplish the work not performed, and it is agreed that the difference in cost, if any, for said work or goods shall be borne by the Contractor.

For purposes of this section, nonperformance shall be defined as failure to perform work and/or deliver services as specified and scheduled.

ARTICLE VIII. Indemnification: To the extent permitted by Oregon law, the Contractor agrees to hold and save the County and all its officers and agents harmless from and against all claims of every nature or kind for or on account of the use of any patented article, combination or process which may affect the material delivered or work done under this contract.

ARTICLE IX. State Law Compliance: The Contractor agrees to make payment promptly as due to all persons supplying such Contractor with labor or materials for the prosecution of the work provided for in this contract, and that said Contractor will not permit any lien or claim to be filed or prosecuted against the County on account of any labor or material furnished, and agrees further that no person shall be employed for more than eight (8) hours in any day, or forty (40) hours in any one week; unless in case of necessity or emergency, or where the public policy absolutely requires it, and in such cases to pay wages in accordance with the provisions of ORS 279.334 and ORS 279.338.

The Contractor agrees that should the Contractor fail, neglect or refuse to make prompt payment of any claim for labor or services furnished by any person for the prosecution of the work provided in this contract as said claim becomes due, whether said services and labor be performed for said Contractor or a subcontractor; fail, neglect, or refuse to make all amounts due the State Industrial Accident Fund or to the State Unemployment Compensation Fund, and all sums withheld from employees due the State Department of Revenue, and charge the amount thereof against the funds due or to become due said Contractor by reason of said contract, but payment of Contractor by reason of said contract, payment of any such claims in the manner herein authorized shall not relieve the Contractor or his surety from his or its obligations with respect to any unpaid claims.

The Contractor shall promptly, as due, make payment to any person, copartnership, association or corporation furnishing medical, surgical or hospital care or other needed care and attention incident to sickness or injury to the employees of such Contractor of all sums which the said Contractor may or shall have deducted from the wages of his employees for such services.

ARTICLE X. Nonappropriation: The Contractor agrees that if payment for this contract extends into County's next fiscal year, it is made subject to future appropriations by the Board of County Commissioners of Multnomah County to fund its provisions, and may be canceled by County upon thirty (30) days written notice to Contractor of any such failure.

ARTICLE XI. Pricing: Pricing will be in accordance with attached bid (Attached #1).

ARTICLE XII. Workers' Compensation: Contractor specifically agrees to comply with ORS Chapter 656, Workers' Compensation coverage. Proof of such Workers' Compensation coverage shall be provided and coverage must remain in full force throughout the life of this contract.

IN WITNESS WHEREOF, the Contractor and the County have caused this contract to be executed by their duly authorized representative(s), on the day and year as first written above.

REVIEWED:

LAURENCE KRESSEL, County Counsel
for Multnomah County, Oregon

By Peter Lumsden

COUNTY OF MULTNOMAH, STATE OF OREGON

By Gladys McCoy
Gladys McCoy, County Chair

THE CITY OF PORTLAND
PRINTING & DISTRIBUTION SERVICES

By Vera Katz
MAYOR

APPROVED MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-5 DATE 12-10-92
Eric A. Peterson
BOARD CLERK

APPROVED AS TO FORM

Frank Hudson

MEETING DATE NOV 03 1994

AGENDA NO. C-5

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

Subject: Multnomah Falls Company, Inc., P.O. Box 367, Troutdale, Oregon 97060

BOARD BRIEFING Date Requested: _____

Amount of Time Needed: _____

REGULAR MEETING Date Requested: _____

Amount of Time Needed: _____

DEPARTMENT Sheriff's Office DIVISION _____

CONTACT Sergeant Bob Barnhart TELEPHONE 251-2431

BLDG/ROOM # 313/115

PERSON(S) MAKING PRESENTATION: Sergeant Barnhart

ACTION REQUESTED:

() INFORMATIONAL ONLY () POLICY DIRECTION () APPROVAL () OTHER

SUMMARY (Statement of rationale for action requested, personnel and fiscal/budgetary impacts, if applicable):

This is an OLCC dispenser class A liquor license renewal application for Multnomah Falls Lodge. A background check has been completed on the licensee, Richard A. Buck, and no criminal history can be found.

SIGNATURES REQUIRED:

ELECTED OFFICIAL: *Bob Skipp*

OR

DEPARTMENT MANAGER: _____

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any questions call the Office of the Board Clerk, 248-3277/248-5222

Sent Original to Sgt. Barnhart 11-4-94.

NOV 03 21 44 33
MULTNOMAH COUNTY
OREGON

LICENSE RENEWAL APPLICATION

OREGON LIQUOR CONTROL COMMISSION P.O. BOX 22297 PORTLAND, OREGON 97222 PHONE 1-800-452-6522 1995

SYMBOL	CLASSIFICATION	FEES	DISTRICT	CITY/COUNTY	DPLRN	CODE
DA	DISPENSER CLASS A SERVER EDUCATION STUDENT FEE	\$400.00 2.60	1	2600	R08370A	A

IF YOU DO NOT COMPLETE THIS APPLICATION FULLY, WE WILL RETURN IT TO YOU FOR CORRECTION. WE CANNOT CONSIDER AN INCOMPLETE APPLICATION. YOUR LICENSE EXPIRES DECEMBER 31, 1994.

MULTNOMAH FALLS CO INC
PO BOX 367
TROUTDALE OR 97060

DA-1106
MULTNOMAH FALLS CO INC

BUCK RICHARD *T*

MULTNOMAH FALLS LODGE
S/S SCENIC HWY & COLUMBIA GORG
BRIDAL VEIL OR 97010

* Is Server Education designee(s), indicated by *T* above, correct? Yes No
** If no, who is your new designee? _____ SS# _____

1. Please list a daytime phone number in case we need more information: 503-695-2376
2. Were you or anyone else who holds a financial interest in these premises arrested or convicted of any crime, violation or infraction of any law during the past year? (DO NOT INCLUDE MINOR TRAFFIC VIOLATIONS FOR WHICH A FINE OR BAIL FORFEITURE OF \$50.00 OR LESS WAS IMPOSED).
YES NO IF YES, PLEASE GIVE NAME OF INDIVIDUAL(S): _____

OFFENSE	DATE	CITY/STATE	RESULT

3. Will anyone share in the profits who is not a licensee? YES NO
If yes, please give name(s) and explain: Kyle Smith, Mokeni Luman, Harold Buck → MAJOR Stockholders (25%) EA
4. Did you make any significant changes in operation during the past year that you have not reported to the OLCC such as changes in menu, hours of operation, or remodeling?
YES NO IF YES, EXPLAIN: REMODELING WHICH WAS REPORTED & OK'D BY OLCC
5. REPORT BELOW THE AVERAGE MONTHLY SALES FIGURES TO THE NEAREST DOLLAR FOR 12 MONTH PERIOD ENDING 09-30-94.
- | | | |
|--|--------------------|--|
| A. AVERAGE MONTHLY ALCOHOLIC BEVERAGE SALES
(INCLUDE BEER, WINE & DISTILLED SPIRITS): | \$ <u>7,226</u> | Remember: Round to the NEAREST DOLLAR. |
| B. AVERAGE MONTHLY FOOD SALES: | \$ <u>90,059</u> | Example: \$36,472.55 (Actual) |
| C. AVERAGE MONTHLY TOTAL SALES (ADD A+B): | = \$ <u>97,285</u> | |
| D. PERCENT OF FOOD TO TOTAL SALES
(DIVIDE B BY C): | <u>93</u> % | \$36,473.00 (Rounded) |

RENEWAL FEE / SERVER EDUCATION STUDENT FEE

DO NOT MAIL CASH. ENCLOSE A CHECK OR MONEY ORDER FOR \$402.60 MADE PAYABLE TO "OLCC".

LATE RENEWAL ADDITIONAL FEE

If the OLCC has your complete renewal application by 12-12-94, indicated by a legible postmark, there is no late charge. From 12-12-94 to 12-31-94, you will have to pay a late fee of \$100.00. After 12-31-94, the late fee is \$160.00.

ENDORSEMENT

The (CITY OR COUNTY OF) MULTNOMAH COUNTY recommends that this license be GRANTED REFUSED
DATE OF ENDORSEMENT: November 3, 1994

SIGNED: *Richard A. Buck* TITLE OF SIGNER: Chair, Multnomah County Commission

SIGNATURES

EACH LICENSEE or authorized corporate officer must sign this application. If a licensee is not available, another person may sign ONLY if the signer includes legal authorization for the signature.

<p><u>Richard A. Buck</u> PRINT YOUR NAME</p> <p><u><i>Richard A. Buck 10/16/94</i></u> SIGNATURE</p> <p><u>593-60-8826</u> SOCIAL SECURITY NUMBER</p>	<p>PRINT YOUR NAME</p> <p>DATE</p> <p><u>8/16/90</u></p> <p>D.O.B.</p>	<p>PRINT YOUR NAME</p> <p>SIGNATURE</p> <p>DATE</p> <p>SOCIAL SECURITY NUMBER</p> <p>D.O.B.</p>
--	--	---

NOTICE All employees who serve or sell alcoholic beverages MUST have a valid Service Permit.

MEETING DATE NOV 0 3 1994

AGENDA NO. C-6

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

Subject: Wong's China Hut Restaurant, Inc., China Hut Restaurant, 16721 SE Division, Portland, Oregon 97236

BOARD BRIEFING Date Requested: _____

Amount of Time Needed: _____

REGULAR MEETING Date Requested: _____

Amount of Time Needed: _____

DEPARTMENT Sheriff's Office DIVISION _____

CONTACT Sergeant Bob Barnhart TELEPHONE 251-2431

BLDG/ROOM # 313/115

PERSON(S) MAKING PRESENTATION: Sergeant Barnhart

ACTION REQUESTED:

() INFORMATIONAL ONLY () POLICY DIRECTION () APPROVAL () OTHER

SUMMARY (Statement of rationale for action requested, personnel and fiscal/budgetary impacts, if applicable):

This is an OLCC dispenser Class A liquor license renewal application for the China Hut Restaurant. A background check has been completed on the licensee, Yu Ded Huang, and no criminal history can be found.

SIGNATURES REQUIRED:

ELECTED OFFICIAL: Bob Snigger

OR

DEPARTMENT MANAGER: _____

BOARD OF
COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
1994 OCT 21 AM 9:31

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any questions call the Office of the Board Clerk, 248-3277/248-5222

Sent Original to Sgt. Barnhart 11-4-94.

LICENSE RENEWAL APPLICATION

OREGON LIQUOR CONTROL COMMISSION P.O. BOX 22297 PORTLAND, OREGON 97222 PHONE 1-800-452-6522 1995

SYMBOL	CLASSIFICATION	FEES	DISTRICT	CITY/COUNTY	DPLRN	CODE
DA	DISPENSER CLASS A SERVER EDUCATION STUDENT FEE	\$400.00 2.60	1	2600	R00019A	A

IF YOU DO NOT COMPLETE THIS APPLICATION FULLY, WE WILL RETURN IT TO YOU FOR COMPLETION. WE CANNOT CONSIDER AN INCOMPLETE APPLICATION. YOUR LICENSE EXPIRES DECEMBER 31, 1994.

WONG'S CHINA HUT RESTAURANT INC
CHINA HUT RESTAURANT
16721 SE DIVISION
PORTLAND OR 97236

DA-0018
WONG'S CHINA HUT RESTAURANT INC

HUANG YU DE *T*

CHINA HUT RESTAURANT
16721 SE DIVISION
PORTLAND OR 97236

* Is Server Education designee(s), indicated by *T* above, correct? Yes No
** If no, who is your new designee? _____ SS# _____

1. Please list a daytime phone number in case we need more information: 503-761-5331
2. Were you or anyone else who holds a financial interest in these premises arrested or convicted of any crime, violation or infraction of any law during the past year? (DO NOT INCLUDE MINOR TRAFFIC VIOLATIONS FOR WHICH A FINE OR BAIL FORFEITURE OF \$50.00 OR LESS WAS IMPOSED).
YES NO IF YES, PLEASE GIVE NAME OF INDIVIDUAL(S): _____
OFFENSE _____ DATE _____ CITY/STATE _____ RESULT _____

3. Will anyone share in the profits who is not a licensee? YES NO
If yes, please give name(s) and explain: _____
4. Did you make any significant changes in operation during the past year that you have not reported to the OLCC, such as changes in menu, hours of operation, or remodeling?
YES NO IF YES, EXPLAIN: HOURS: FRI-SAT. 11:30AM TO 2:00AM.
5. REPORT BELOW THE AVERAGE MONTHLY SALES FIGURES TO THE NEAREST DOLLAR FOR 12 MONTH PERIOD ENDING 09-30-94.
A. AVERAGE MONTHLY ALCOHOLIC BEVERAGE SALES (INCLUDE BEER, WINE & DISTILLED SPIRITS): \$ 7462.00 Remember: Round to the NEAREST DOLLAR.
B. AVERAGE MONTHLY FOOD SALES: \$ 11139.17 Example: \$36,472.55 (Actual)
C. AVERAGE MONTHLY TOTAL SALES (ADD A+B): = \$ 18601.00
D. PERCENT OF FOOD TO TOTAL SALES (DIVIDE B BY C): 60 * \$36,473.00 (Rounded)

RENEWAL FEE / SERVER EDUCATION STUDENT FEE

DO NOT MAIL CASH. ENCLOSE A CHECK OR MONEY ORDER FOR \$402.60 MADE PAYABLE TO "OLCC".
LATE RENEWAL ADDITIONAL FEE

If the OLCC has your complete renewal application by 12-12-94, indicated by a legible postmark, there is no late charge. From 12-12-94 to 12-31-94, you will have to pay a late fee of \$100.00. After 12-31-94, the late fee is \$160.00.

ENDORSEMENT

The (CITY OR COUNTY OF) MULTNOMAH COUNTY recommends that this license be GRANTED REFUSED
DATE OF ENDORSEMENT: November 3, 1994
SIGNED: [Signature] TITLE OF SIGNER: Chair, Multnomah County Commission

SIGNATURES

EACH LICENSEE or authorized corporate officer must sign this application. If a licensee is not available, another person may sign ONLY if the signer includes legal authorization for the signature.

<u>YU DE, HUANG</u> PRINT YOUR NAME	_____ PRINT YOUR NAME	_____ PRINT YOUR NAME
<u>[Signature]</u> SIGNATURE	_____ SIGNATURE	_____ SIGNATURE
<u>10-9-94</u> DATE	_____ DATE	_____ DATE
<u>540-04-7891</u> SOCIAL SECURITY NUMBER	<u>8-6-50</u> D.O.B.	_____ SOCIAL SECURITY NUMBER
_____ D.O.B.	_____ D.O.B.	_____ D.O.B.

NOTICE All employees who serve or sell alcoholic beverages MUST have a valid Service Permit.

MEETING DATE NOV 03 1994

AGENDA NO. C-7

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

Subject: 3-D Market, 1739 SE 139th Avenue, Portland, Oregon 97233

BOARD BRIEFING Date Requested: _____

Amount of Time Needed: _____

REGULAR MEETING Date Requested: _____

Amount of Time Needed: _____

DEPARTMENT Sheriff's Office DIVISION _____

CONTACT Sergeant Bob Barnhart TELEPHONE 251-2431

BLDG/ROOM # 313/115

PERSON(S) MAKING PRESENTATION: Sergeant Barnhart

ACTION REQUESTED:

() INFORMATIONAL ONLY () POLICY DIRECTION () APPROVAL () OTHER

SUMMARY (Statement of rationale for action requested, personnel and fiscal/budgetary impacts, if applicable):

This is an OLCC [package store liquor license] renewal application for the 3-D Market. Background checks have been completed on the licensees, Soon Do Lee and Chong Ok Chong, and no criminal history can be found.

SIGNATURES REQUIRED:

ELECTED OFFICIAL: *BB Shipp*

OR

DEPARTMENT MANAGER: _____

BOARD OF
COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
1994 OCT 21 AM 9:30

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any questions call the Office of the Board Clerk, 248-3277/248-5222

Sent Original to Sgt. Barnhart 11-4-94.

LICENSE RENEWAL APPLICATION

OREGON LIQUOR CONTROL COMMISSION P.O. BOX 22297 PORTLAND, OREGON 97222 PHONE 1-800-452-6522

1999

SYMBOL	CLASSIFICATION	LICENSE FEE	DISTRICT	CITY/COUNTY	DPLRN	CODE
PS	PACKAGE STORE	\$50.00	1	2600	R00280A	F

IF YOU DO NOT COMPLETE THIS APPLICATION FULLY, WE WILL RETURN IT TO YOU FOR CORRECTION. WE CANNOT CONSIDER AN INCOMPLETE APPLICATION. YOUR LICENSE EXPIRES DECEMBER 31, 1994.

LEE SOON DO
3-D MARKET
1739 SE 139TH AVE
PORTLAND OR

97233

LEE SOON DO
LEE CHONG OK

3-D MARKET
1739 SE 139TH AVE
PORTLAND OR

97233

1. Please list a daytime phone number in case we need more information: 254-1608
2. Were you or anyone else who holds a financial interest in these premises arrested or convicted of any crime, violation or infraction of any law during the past year? (DO NOT INCLUDE MINOR TRAFFIC VIOLATIONS FOR WHICH A FINE OR BAIL FORFEITURE OF \$50.00 OR LESS WAS IMPOSED).
YES NO IF YES, PLEASE GIVE NAME OF INDIVIDUAL(S): _____

OFFENSE	DATE	CITY/STATE	RESULT

3. Will anyone share in the profits who is not a licensee? YES NO
If yes, please give name(s) and explain: _____

RENEWAL FEE

DO NOT MAIL CASH. ENCLOSE A CHECK OR MONEY ORDER FOR \$50.00 MADE PAYABLE TO OLCC.

LATE RENEWAL ADDITIONAL FEE

If the OLCC has your complete renewal application by 12-12-94, indicated by a legible postmark, there is no late charge. From 12-12-94 to 12-31-94, you will have to pay a late fee of \$12.50. After 12-31-94, the late fee is \$20.00.

ENDORSEMENT

The (CITY OR/COUNTY OF) MULTNOMAH COUNTY recommends that this license be GRANTED REFUSED

DATE OF ENDORSEMENT: November 3, 1994

SIGNED: [Signature] TITLE OF SIGNER: Chair, Multnomah County Commission

SIGNATURES

EACH LICENSEE or authorized corporate officer must sign this application. If a licensee is not available, another person may sign ONLY if the signer includes legal authorization for the signature.

Lee Soon Do
PRINT YOUR NAME

[Signature]
SIGNATURE

542-70-7219
SOCIAL SECURITY NUMBER

D.O.B. 111528

Chung OK Lee
PRINT YOUR NAME

[Signature]
SIGNATURE

540-72-7815
SOCIAL SECURITY NUMBER

D.O.B. 120533

PRINT YOUR NAME
SIGNATURE
DATE

SOCIAL SECURITY NUMBER D.O.B.

MEETING DATE NOV 03 1994

AGENDA NO. C-8

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

Subject: Country Food Mart, 5708 SE 136th, Portland, Oregon 97236

BOARD BRIEFING Date Requested: _____

Amount of Time Needed: _____

REGULAR MEETING Date Requested: _____

Amount of Time Needed: _____

DEPARTMENT Sheriff's Office DIVISION _____

CONTACT Sergeant Bob Barnhart TELEPHONE 251-2431

BLDG/ROOM # 313/115

PERSON(S) MAKING PRESENTATION: Sergeant Barnhart

ACTION REQUESTED:

() INFORMATIONAL ONLY () POLICY DIRECTION () APPROVAL () OTHER

SUMMARY (Statement of rationale for action requested, personnel and fiscal/budgetary impacts, if applicable):

This is an OLCC package store liquor license renewal application for the Country Food Mart. A background check has been completed on the licensee, Chong Cha Kim, and no criminal history can be found.

SIGNATURES REQUIRED:

ELECTED OFFICIAL: Bob Snigger

OR

DEPARTMENT MANAGER: _____

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any questions call the Office of the Board Clerk, 248-3277/248-5222

Sent Original to Sgt. Barnhart 11/4/94.

1994 OCT 21 11 53 AM
MULTIMEDIA CENTER
CLERK

LICENSE RENEWAL APPLICATION

OREGON LIQUOR CONTROL COMMISSION P.O. BOX 22297 PORTLAND, OREGON 97222 PHONE 1-800-452-6522 1995

SYMBOL	CLASSIFICATION	LICENSE FEE	DISTRICT	CITY/COUNTY	DPLRN	CODE
PS	PACKAGE STORE	\$50.00	1	2600	R17172A	F

IF YOU DO NOT COMPLETE THIS APPLICATION FULLY, WE WILL RETURN IT TO YOU FOR COMPLETION. WE CANNOT CONSIDER AN INCOMPLETE APPLICATION. YOUR LICENSE EXPIRES DECEMBER 31, 1994.

KIM CHONG CHA
 COUNTRY FOOD MART
 5708 SE 136TH
 PORTLAND OR 97236

KIM CHONG CHA

COUNTRY FOOD MART
 5708 SE 136TH
 PORTLAND OR 97236

- Please list a daytime phone number in case we need more information: 761-5265
- Were you or anyone else who holds a financial interest in these premises arrested or convicted of any crime, violation or infraction of any law during the past year? (DO NOT INCLUDE MINOR TRAFFIC VIOLATIONS FOR WHICH A FINE OR BAIL FORFEITURE OF \$50.00 OR LESS WAS IMPOSED).
 YES NO IF YES, PLEASE GIVE NAME OF INDIVIDUAL(S): _____

OFFENSE	DATE	CITY/STATE	RESULT
---------	------	------------	--------

- Will anyone share in the profits who is not a licensee? YES NO
 If yes, please give name(s) and explain: _____

RENEWAL FEE

DO NOT MAIL CASH. ENCLOSE A CHECK OR MONEY ORDER FOR \$50.00 MADE PAYABLE TO "OLCC"

LATE RENEWAL ADDITIONAL FEE

If the OLCC has your complete renewal application by 12-12-94, indicated by a legible postmark, there is no late charge. From 12-12-94 to 12-31-94, you will have to pay a late fee of \$12.50. After 12-31-94, the late fee is \$20.00.

ENDORSEMENT

The (CITY OR/COUNTY OF) MULTNOMAH COUNTY recommends that this license be GRANTED REFUSED

DATE OF ENDORSEMENT: November 3, 1994

SIGNED: [Signature] TITLE OF SIGNER: Chair, Multnomah County Commission

SIGNATURES

EACH LICENSEE or authorized corporate officer must sign this application. If a licensee is not available, another person may sign ONLY if the signer includes legal authorization for the signature.

<u>Kim, Chong cha</u> PRINT YOUR NAME	_____ PRINT YOUR NAME	_____ PRINT YOUR NAME
<u>[Signature]</u> <u>10/6/94</u> SIGNATURE DATE	_____ SIGNATURE DATE	_____ SIGNATURE DATE
<u>542-02-4971</u> <u>8/15/52</u> SOCIAL SECURITY NUMBER D.O.B.	_____ SOCIAL SECURITY NUMBER D.O.B.	_____ SOCIAL SECURITY NUMBER D.O.B.

MEETING DATE NOV 03 1994

AGENDA NO. C-9

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

Subject: K.S. Food Market, 15231 SE Division, Portland, Oregon 97236

BOARD BRIEFING Date Requested: _____

Amount of Time Needed: _____

REGULAR MEETING Date Requested: _____

Amount of Time Needed: _____

DEPARTMENT Sheriff's Office DIVISION _____

CONTACT Sergeant Bob Barnhart TELEPHONE 251-2431

BLDG/ROOM # 313/115

PERSON(S) MAKING PRESENTATION: Sergeant Barnhart

ACTION REQUESTED:

() INFORMATIONAL ONLY () POLICY DIRECTION () APPROVAL () OTHER

SUMMARY (Statement of rationale for action requested, personnel and fiscal/budgetary impacts, if applicable):

This is an OLCC package store liquor license renewal application for K. S. Food Market. Background checks have been completed on the licensees, Heungshik Hahm and Nansu Hahm, and no criminal history can be found.

SIGNATURES REQUIRED:

ELECTED OFFICIAL: Bob Shigger

OR

DEPARTMENT MANAGER: _____

BOARD OF
COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
1994 OCT 21 AM 9:30

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any questions call the Office of the Board Clerk, 248-3277/248-5222

Sent Original sent to Sgt. Barnhart 11-4-94.

LICENSE RENEWAL APPLICATION

OREGON LIQUOR CONTROL COMMISSION P.O. BOX 22297 PORTLAND, OREGON 97222 PHONE 1-800-452-6522

1994

SYMBOL	CLASSIFICATION	LICENSE FEE	DISTRICT	CITY/COUNTY	DPLRN	CODE
PS	PACKAGE STORE	\$50.00	1	2600	R17804A	F

IF YOU DO NOT COMPLETE THIS APPLICATION FULLY, WE WILL RETURN IT TO YOU FOR COMPLETION. WE CANNOT CONSIDER AN INCOMPLETE APPLICATION. YOUR LICENSE EXPIRES DECEMBER 31, 1994.

HAHM HEUNG-SHIK
 K.S. FOOD MARKET
 15231 SE DIVISION
 PORTLAND OR 97236

HAHM HEUNG-SHIK
 HAHM NAN SU

K.S. FOOD MARKET
 15231 SE DIVISION
 PORTLAND OR 97236

1. Please list a daytime phone number in case we need more information: 760-5035
2. Were you or anyone else who holds a financial interest in these premises arrested or convicted of any crime, violation or infraction of any law during the past year? (DO NOT INCLUDE MINOR TRAFFIC VIOLATIONS FOR WHICH A FINE OR BAIL FORFEITURE OF \$50.00 OR LESS WAS IMPOSED).
 YES NO IF YES, PLEASE GIVE NAME OF INDIVIDUAL(S): _____

OFFENSE	DATE	CITY/STATE	RESULT
---------	------	------------	--------

3. Will anyone share in the profits who is not a licensee? YES NO
 If yes, please give name(s) and explain: _____

RENEWAL FEE

DO NOT MAIL CASH. ENCLOSE A CHECK OR MONEY ORDER FOR \$50.00 MADE PAYABLE TO "OLCC".
 LATE RENEWAL ADDITIONAL FEE

If the OLCC has your complete renewal application by 12-12-94, indicated by a legible postmark, there is no late charge. From 12-12-94 to 12-31-94, you will have to pay a late fee of \$12.50. After 12-31-94, the late fee is \$20.00.

ENDORSEMENT

The (CITY OR/COUNTY OF) MULTNOMAH COUNTY recommends that this license be GRANTED REFUSED

DATE OF ENDORSEMENT: November 3, 1994

SIGNED: [Signature] TITLE OF SIGNER: Chair, Multnomah County Commission

SIGNATURES

EACH LICENSEE or authorized corporate officer must sign this application. If a licensee is not available, another person may sign ONLY if the signer includes legal authorization for the signature.

<u>HEUNGSHIK HAHM</u> PRINT YOUR NAME	<u>NANSU HAHM</u> PRINT YOUR NAME
<u>[Signature]</u> <u>12-6-94</u> SIGNATURE DATE	<u>[Signature]</u> <u>10-6-94</u> SIGNATURE DATE
<u>623-10-3320</u> <u>11/20/86</u> SOCIAL SECURITY NUMBER D.O.B.	<u>623-10-4663</u> <u>10/15/52</u> SOCIAL SECURITY NUMBER D.O.B.

MEETING DATE NOV 03 1994

AGENDA NO. C-10

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

Subject: Bob & Ann's Grocery, 11811 SE Harold, Portland, Oregon 97266

BOARD BRIEFING Date Requested: _____

Amount of Time Needed: _____

REGULAR MEETING Date Requested: _____

Amount of Time Needed: _____

DEPARTMENT Sheriff's Office DIVISION _____

CONTACT Sergeant Bob Barnhart TELEPHONE 251-2431

BLDG/ROOM # 313/115

PERSON(S) MAKING PRESENTATION: Sergeant Barnhart

ACTION REQUESTED:

() INFORMATIONAL ONLY () POLICY DIRECTION () APPROVAL () OTHER

SUMMARY (Statement of rationale for action requested, personnel and fiscal/budgetary impacts, if applicable):

This is a package store liquor license renewal application for Bob & Ann's Grocery. Background checks have been completed on the licensees, Robert A. Christensen and Annabelle Christensen, and no criminal history can be found.

SIGNATURES REQUIRED:

ELECTED OFFICIAL: 
OR

DEPARTMENT MANAGER: _____

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any questions call the Office of the Board Clerk, 248-3277/248-5222

Original sent to Sgt. Barnhart 11-4-94.

NOV 03 12 44 30 PM '94
MULTI-COUNTY
CLERK OF SUPERIOR COURT
CLERK OF SUPERIOR COURT
CLERK OF SUPERIOR COURT

LICENSE RENEWAL APPLICATION

OREGON LIQUOR CONTROL COMMISSION P.O. BOX 22297 PORTLAND, OREGON 97222 PHONE 1-800-452-6522

1994

SYMBOL	CLASSIFICATION	LICENSE FEE	DISTRICT	CITY/COUNTY	DPLRN	CODE
PS	PACKAGE STORE	\$50.00	1	2600	R00220A	F

IF YOU DO NOT COMPLETE THIS APPLICATION FULLY, WE WILL RETURN IT TO YOU FOR CORRECTION. WE CANNOT CONSIDER AN INCOMPLETE APPLICATION. YOUR LICENSE EXPIRES DECEMBER 31, 1994.

CHRISTENSEN ROBERT A
 BOB & ANNS GROCERY
 11811 SE HAROLD
 PORTLAND OR 97266

CHRISTENSEN ROBERT A
 CHRISTENSEN ANNABELLE LEAH

BOB & ANNS GROCERY
 11811 SE HAROLD
 PORTLAND OR 97266

1. Please list a daytime phone number in case we need more information: 503-761-5389

2. Were you or anyone else who holds a financial interest in these premises arrested or convicted of any crime, violation or infraction of any law during the past year? (DO NOT INCLUDE MINOR TRAFFIC VIOLATIONS FOR WHICH A FINE OR BAIL FORFEITURE OF \$50.00 OR LESS WAS IMPOSED).
 YES _____ NO X IF YES, PLEASE GIVE NAME OF INDIVIDUAL(S): _____

OFFENSE	DATE	CITY/STATE	RESULT

3. Will anyone share in the profits who is not a licensee? YES _____ NO X
 If yes, please give name(s) and explain: _____

RENEWAL FEE

DO NOT MAIL CASH ENCLOSE A CHECK OR MONEY ORDER FOR \$50.00 MADE PAYABLE TO OLCC

LATE RENEWAL ADDITIONAL FEE

If the OLCC has your complete renewal application by 12-12-94, indicated by a legible postmark, there is no late charge. From 12-12-94 to 12-31-94, you will have to pay a late fee of \$12.50. After 12-31-94, the late fee is \$20.00.

ENDORSEMENT

The (CITY OR/COUNTY OF) MULTNOMAH COUNTY recommends that this license be GRANTED X REFUSED _____

DATE OF ENDORSEMENT: November 3, 1994

SIGNED: [Signature] TITLE OF SIGNER: Chair, Multnomah County Commission

SIGNATURES

EACH LICENSEE or authorized corporate officer must sign this application. If a licensee is not available, another person may sign ONLY if the signer includes legal authorization for the signature.

[Signature]
 PRINT YOUR NAME

[Signature]
 PRINT YOUR NAME

Robert A. Christensen
 SIGNATURE DATE

Annabelle L. Christensen
 SIGNATURE DATE

544-40-7151 4-5-42
 SOCIAL SECURITY NUMBER D.O.B.

520-46-5477 11-4-44
 SOCIAL SECURITY NUMBER D.O.B.

1
 SIGNATURE DATE

MEETING DATE NOV 03 1994

AGENDA NO. C-11

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

Subject: Harry & Pat's Tavern, Inc., Daily Double Tavern, 1607 NE 162nd, Portland, Oregon 97230

BOARD BRIEFING Date Requested: _____

Amount of Time Needed: _____

REGULAR MEETING Date Requested: _____

Amount of Time Needed: _____

DEPARTMENT Sheriff's Office DIVISION _____

CONTACT Sergeant Bob Barnhart TELEPHONE 251-2431

BLDG/ROOM # 313/115

PERSON(S) MAKING PRESENTATION: Sergeant Barnhart

ACTION REQUESTED:

() INFORMATIONAL ONLY () POLICY DIRECTION () APPROVAL () OTHER

SUMMARY (Statement of rationale for action requested, personnel and fiscal/budgetary impacts, if applicable):

This is an OLCC retail malt beverage liquor license renewal application for the Daily Double Tavern. A background check has been completed on the licensee, Patricia L. Dreves, and no criminal history can be found.

SIGNATURES REQUIRED:

ELECTED OFFICIAL: Bob Seipp

OR

DEPARTMENT MANAGER: _____

CLERK OF BOARD OF
MULTNOMAH COUNTY
OREGON
1994 OCT 21 AM 9:30

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any questions call the Office of the Board Clerk, 248-3277/248-5222

Original sent to Sgt. Barnhart 11-4-94.

LICENSE RENEWAL APPLICATION

OREGON LIQUOR CONTROL COMMISSION P.O. BOX 22297 PORTLAND, OREGON 97222 PHONE 1-800-452-6522 1995

SYMBOL	CLASSIFICATION	FEES	DISTRICT	CITY/COUNTY	DPLRN	CODE
RMB	RETAIL MALT BEVERAGE SERVER EDUCATION STUDENT FEE	\$200.00 2.60	1	2617	R00226A	C

IF YOU DO NOT COMPLETE THIS APPLICATION FULLY, WE WILL RETURN IT TO YOU FOR COMPLETION. WE CANNOT CONSIDER AN INCOMPLETE APPLICATION. YOUR LICENSE EXPIRES DECEMBER 31, 1994.

HARRY & PAT'S TAVERN INC
DAILY DOUBLE TAVERN
1607 NE 162ND
PORTLAND OR 97230

HARRY & PAT'S TAVERN INC
DREVES PATRICIA L *T*

DAILY DOUBLE TAVERN
1607 NE 162ND
PORTLAND OR 97230

* Is Server Education designee(s), indicated by *T* above, correct? Yes No
** If no, who is your new designee? _____ SS# _____

- Please list a daytime phone number in case we need more information: 254 9939
- Were you or anyone else who holds a financial interest in these premises arrested or convicted of any crime, violation or infraction of any law during the past year? (DO NOT INCLUDE MINOR TRAFFIC VIOLATIONS FOR WHICH A FINE OR BAIL FORFEITURE OF \$50.00 OR LESS WAS IMPOSED).
YES NO IF YES, PLEASE GIVE NAME OF INDIVIDUAL(S): _____

OFFENSE	DATE	CITY/STATE	RESULT
- Will anyone share in the profits who is not a licensee? YES NO
If yes, please give name(s) and explain: _____
- Did you make any significant changes in operation during the past year that you have not reported to the OLCC, such as changes in menu, hours of operation, or remodeling?
YES NO IF YES, EXPLAIN: _____

RENEWAL FEE / SERVER EDUCATION STUDENT FEE

DO NOT MAIL CASH. ENCLOSE A CHECK OR MONEY ORDER FOR \$202.60 MADE PAYABLE TO OLCC.
LATE RENEWAL ADDITIONAL FEE

If the OLCC has your complete renewal application by 12-12-94, indicated by a legible postmark, there is no late charge. From 12-12-94 to 12-31-94, you will have to pay a late fee of \$50.00. After 12-31-94, the late fee is \$80.00.

ENDORSEMENT

The (CITY OR COUNTY OF) MULTNOMAH COUNTY recommends that this license be GRANTED REFUSED
DATE OF ENDORSEMENT: November 3, 1994

SIGNED: Shirley Stan TITLE OF SIGNER: Chair, Multnomah County Commission

SIGNATURES

EACH LICENSEE or authorized corporate officer must sign this application. If a licensee is not available, another person may sign ONLY if the signer includes legal authorization for the signature.

<u>PATRICIA L DREVES</u> PRINT YOUR NAME	_____	_____
<u>Patricia L Drees</u> SIGNATURE	<u>10-12-94</u> DATE	_____
<u>036 26 5337-11-7-40</u> SOCIAL SECURITY NUMBER	D.O.B.	_____

NOTICE All employees who serve or sell alcoholic beverages MUST have a valid Service Permit.

MEETING DATE NOV 03 1994

AGENDA NO. C-12

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

Subject: Pleasant Home Saloon, 31637 SE Dodge Park Blvd., Gresham, Oregon 97030

BOARD BRIEFING Date Requested: _____

Amount of Time Needed: _____

REGULAR MEETING Date Requested: _____

Amount of Time Needed: _____

DEPARTMENT Sheriff's Office DIVISION _____

CONTACT Sergeant Bob Barnhart TELEPHONE 251-2431

BLDG/ROOM # 313/115

PERSON(S) MAKING PRESENTATION: Sergeant Barnhart

ACTION REQUESTED:

() INFORMATIONAL ONLY () POLICY DIRECTION (✓) APPROVAL () OTHER

SUMMARY (Statement of rationale for action requested, personnel and fiscal/budgetary impacts, if applicable):

This is an OLCC (retail malt beverage liquor license renewal application for the Pleasant Home Saloon. A background check has been completed on the licensee, Clifford W. Loftin, and no criminal history can be found.

SIGNATURES REQUIRED:

ELECTED OFFICIAL: Bob Scripper

OR

DEPARTMENT MANAGER: _____

RECEIVED
MULTICOUNTY
CLERK
OCT 21 4 53 PM '94
CLERK OF COUNTY COMMISSIONERS

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any questions call the Office of the Board Clerk, 248-3277/248-5222

Original sent to Sgt. Barnhart on 11-4-94.

LICENSE RENEWAL APPLICATION

OREGON LIQUOR CONTROL COMMISSION P.O. BOX 22297 PORTLAND, OREGON 97222 PHONE 1-800-452-6522 1995

SYMBOL	CLASSIFICATION	FEES	DISTRICT	CITY/COUNTY	DPLRN	CODE
RMB	RETAIL MALT BEVERAGE SERVER EDUCATION STUDENT FEE	\$200.00 2.60	1	2600	R14183A	C

IF YOU DO NOT COMPLETE THIS APPLICATION FULLY, WE WILL RETURN IT TO YOU FOR CORRECTION. WE CANNOT CONSIDER AN INCOMPLETE APPLICATION. YOUR LICENSE EXPIRES DECEMBER 31, 1994.

CW LOFTIN INC
PLEASANT HOME SALOON
31637 SE DODGE PARK BLVD
GRESHAM OR 97030

CW LOFTIN INC
LOFTIN CLIFFORD *T*

PLEASANT HOME SALOON
31637 SE DODGE PARK BLVD
GRESHAM OR 97030

* Is Server Education designee(s), indicated by *T* above, correct? Yes No

** If no, who is your new designee? _____ SS# _____

- Please list a daytime phone number in case we need more information: 663-2626
- Were you or anyone else who holds a financial interest in these premises arrested or convicted of any crime, violation or infraction of any law during the past year? (DO NOT INCLUDE MINOR TRAFFIC VIOLATIONS FOR WHICH A FINE OR BAIL FORFEITURE OF \$50.00 OR LESS WAS IMPOSED).
YES NO IF YES, PLEASE GIVE NAME OF INDIVIDUAL(S): _____
OFFENSE _____ DATE _____ CITY/STATE _____ RESULT _____
- Will anyone share in the profits who is not a licensee? YES NO
If yes, please give name(s) and explain: _____
- Did you make any significant changes in operation during the past year that you have not reported to the OLCC, such as changes in menu, hours of operation, or remodeling?
YES NO IF YES, EXPLAIN: _____

RENEWAL FEE / SERVER EDUCATION STUDENT FEE

DO NOT MAIL CASH. ENCLOSE A CHECK OR MONEY ORDER FOR \$202.60 MADE PAYABLE TO "OLCC".
LATE RENEWAL ADDITIONAL FEE

If the OLCC has your complete renewal application by 12-12-94, indicated by a legible postmark, there is no late charge. From 12-12-94 to 12-31-94, you will have to pay a late fee of \$50.00. After 12-31-94, the late fee is \$80.00.

ENDORSEMENT

The (CITY OR/COUNTY OF) MULTNOMAH COUNTY recommends that this license be GRANTED REFUSED
DATE OF ENDORSEMENT: November 3, 1994

SIGNED: [Signature] TITLE OF SIGNER: Chair, Multnomah County Commission

SIGNATURES

EACH LICENSEE or authorized corporate officer must sign this application. If a licensee is not available, another person may sign ONLY if the signer includes legal authorization for the signature.

<u>Clifford W. Loftin</u> PRINT YOUR NAME	_____ PRINT YOUR NAME	_____ PRINT YOUR NAME
<u>[Signature]</u> SIGNATURE	_____ SIGNATURE	_____ SIGNATURE
<u>10/12/94</u> DATE	_____ DATE	_____ DATE
<u>543-42-2650</u> SOCIAL SECURITY NUMBER	<u>4/2/1943</u> D.O.B.	_____ SOCIAL SECURITY NUMBER D.O.B.

NOTICE All employees who serve or sell alcoholic beverages MUST have a valid Service Permit.

MEETING DATE: NOV 03 1994

AGENDA NO: C-13

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Approval of County Deed to Julius Gaussoin

BOARD BRIEFING Date Requested: _____

Amount of Time Needed: _____

REGULAR MEETING: Date Requested: November 3, 1994

Amount of Time Needed: Consent Calendar

DEPARTMENT: Non-department DIVISION: County Counsel

CONTACT: Matthew Ryan TELEPHONE #: 248-3138
BLDG/ROOM #: 106/1530

PERSON(S) MAKING PRESENTATION: _____

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

SUMMARY (Statement of rationale for action requested, personnel and fiscal/budgetary impacts, if applicable):

BOARD OF
COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
1994 OCT 26 AM 8:40

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____

OR

DEPARTMENT MANAGER: Matthew Ryan for John L. DeBay

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Office of the Board Clerk 248-3277/248-5222

0516C163 *Certified Copy of Order 94-211 & Original Deed sent to Matt Ryan 11-4-94.*

M E M O R A N D U M

TO: BOARD OF COMMISSIONERS

FROM: Matthew O. Ryan (106/1530)
Assistant County Counsel



DATE: October 24, 1994

SUBJECT: APPROVAL OF DEED FROM MULTNOMAH COUNTY TO JULIUS GAUSSION

I. Recommendation/Action Requested:

County Counsel is requesting the Board approved the enclosed Deed from the County to Julius Gaussoin regarding the following described real property:

Lot 17, Block 1, WILLBRIDGE, within the corporate limits of the City of Portland, according to the duly recorded plat thereof on file in the office of the Clerk of the County of Multnomah and State of Oregon;

II. Background/Analysis:

In 1955, the County conveyed the above described property to Mr. Gaussoin for \$400.00. For reasons lost to history, the original deed cannot be found and more importantly, was never recorded.

Mr. Gaussoin is now deceased. His estate cannot sell the property, because there is no record that title is vested in Mr. Gaussoin. Mr. Gaussoin, through his lifetime was assessed and did pay taxes on the property. By executing a new replacement deed the County is simply clearing up the record.

III. N/A

IV. N/A

V. N/A

VI. N/A

VII. N/A

VIII. N/A

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the matter of the Execution of)
Deed to Julius Gaussoin)
)

ORDER
94-211

FINDINGS

WHEREAS, it appearing that heretofore on January 18, 1955, Multnomah County, as grantor conveyed to Julius Gaussoin, as grantee, by deed, the real property described below; and

It further appearing, that the above referenced deed was not duly recorded in the Multnomah County Deed Records; and

It further appearing, that Julius Gaussoin is now deceased; and

It further appearing that Julius Gaussoin's estate has been unable to sell the property because there is no deed of record establishing title vested in Mr. Gaussoin; and

It further appearing that Mr. Gaussoin assumed all the rights and liabilities of ownership of the property, including the regular payment of taxes;

NOW THEREFORE, it is hereby ORDERED that the Chair of the Multnomah County Board of County Commissioners execute a deed to Julius S. Gaussoin, of the following described real property, situated in the County of Multnomah, State of Oregon:

Lot 17, Block 1, WILLBRIDGE, within the corporate limits of the City of Portland, according to the duly recorded plat thereof on file in the office of the Clerk of the County of Multnomah and State of Oregon;

DATED at Portland, Oregon this 3rd day of November,



BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

Beverly Stein

Beverly Stein, Chair

REVIEWED:
Laurence Kressel, County Counsel
for Multnomah County, Oregon

By: *Matthew O. Reynolds*

DEED

Multnomah County, a political subdivision of the State of Oregon; Grantor, conveys to Julius Gaussoin, Grantee, all right, title and interest in and to the following described real property situated in the County of Multnomah, State of Oregon,

Lot 17, Block 1, WILLBRIDGE, within the corporate limits of the City of Portland, according to the duly recorded plat thereof on file in the office of the Clerk of the County of Multnomah and State of Oregon;

This deed is intended to replace that certain deed executed January 18, 1955 by, Multnomah County, as grantor to Julius Gaussoin, as Grantee, which conveyed the above described property, but was never recorded in the Deed Records of Multnomah County.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE REAL PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS - BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

The true consideration for this reconveyance is: \$ 0.

Dated this 3rd day of November, 1994.



Board of County Commissioners
Multnomah County, Oregon

Beverly Stein
Beverly Stein, Chair

Multnomah County _____ Grantor
Julius Gaussoin _____ Grantee

Until a change is requested, send tax statement to the following address:

The Julius Gaussoin Estate
c/o Eugene Frassetto, Attorney
700 NE Multnomah, Suite 950
Portland, Oregon 97232-4109

After recording return to:

The Julius Gaussoin Estate
c/o Eugene Frassetto, Attorney
700 NE Multnomah, Suite 950
Portland, Oregon 97232-4109

REVIEWED

By *Matthew R. [Signature]*
MULTNOMAH COUNTY COUNSEL

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

On this 3rd day of November, 1994, before me, a Notary Public in and for the County of Multnomah and State of Oregon, personally appeared Beverly Stein, Chair, Multnomah County Board of Commissioners, to me personally known, who being duly sworn did say that the attached instrument was signed and sealed on behalf of the County by authority of the Multnomah County Board of Commissioners, and that said instrument is the free act and deed of Multnomah County.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first in this, my certificate, written.



Carrie Anne Parkerson
Carrie Anne Parkerson
Notary Public for Oregon
My Commission Expires: 1/24/97

✓
PLEASE PRINT LEGIBLY!

MEETING DATE 11-3-94

NAME Gwen Maxwell

ADDRESS 5917 SE Flavel St

STREET

Portland OR 97206

CITY

ZIP

I WISH TO SPEAK ON AGENDA ITEM NO. R-1

SUPPORT _____

OPPOSE

SUBMIT TO BOARD CLERK

2 ✓

PLEASE PRINT LEGIBLY!

MEETING DATE

11/3/94

NAME

PATRICE KILMARTIN

ADDRESS

4341 NE 92ND AV

STREET

PORTLAND, OR 97220

CITY

ZIP

I WISH TO SPEAK ON AGENDA ITEM NO.

R-1

SUPPORT

OPPOSE

SUBMIT TO BOARD CLERK

3/

PLEASE PRINT LEGIBLY!

MEETING DATE 11-3

NAME

KARIN HOUSTON

ADDRESS

4833 E BURNSIDE 6

STREET

PORTLAND, OR 97215

CITY

ZIP

I WISH TO SPEAK ON AGENDA ITEM NO. R-1

I SUPPORT

X MEASURE 13 **OPPOSE**

SUBMIT TO BOARD CLERK

5 ✓

PLEASE PRINT LEGIBLY!

MEETING DATE 11-3-94

NAME
ADDRESS

Maria Rojo

STREET

CITY

ZIP

I WISH TO SPEAK ON AGENDA ITEM NO. _____

SUPPORT _____ **OPPOSE** _____

SUBMIT TO BOARD CLERK

6 ✓
PLEASE PRINT LEGIBLY!

MEETING DATE 10-3-94

NAME

Kathy Milford

ADDRESS

4790 SW Fairmount Dr.

STREET

Beaverton, OR 97005

CITY

ZIP

I WISH TO SPEAK ON AGENDA ITEM NO. B-1

SUPPORT

OPPOSE

SUBMIT TO BOARD CLERK

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the Matter of Declaring Opposition to)
Ballot Measure No. 13 and Support for) RESOLUTION
Basic Civil Rights for All Citizens) 94-212

WHEREAS, the Multnomah County Board of Commissioners supports civil rights for all the citizens of Multnomah County; and

WHEREAS, Multnomah County is interested in protecting the safety, security and well-being of all the citizens of Multnomah County; and

WHEREAS, Ballot Measure No. 13 has been examined by the courts for the purpose of identifying the Measure's primary effects; and

WHEREAS, the Oregon Supreme Court has clearly stated that Ballot Measure No. 13 will prevent state and local governments in Oregon from barring discrimination against gays and lesbians (Mabon v. Kiesling, 317 Or 406 (1993)); and

WHEREAS, Ballot Measure No. 13, if enacted, will deprive gay and lesbian citizens from civil rights protection extended to other citizens; and

WHEREAS, to singularly deny members of the Multnomah County gay and lesbian community protection against discrimination, while affording such protection to all other vulnerable groups of residents, in effect legalizes discrimination against gay and lesbian people, and is therefore in direct conflict with the Board of County Commissioners' responsibilities and commitment to ensure equal justice and basic civil rights for all of the residents of this community.

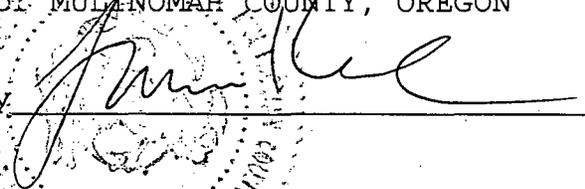
NOW, THEREFORE, IT IS RESOLVED that the Multnomah County Board of Commissioners declares its opposition to Ballot Measure No. 13, which, if enacted, will violate the right of free expression, require government to act as censor, impose ignorance on the subject of homosexuality, require legalized and permanent discrimination against gay and lesbian people, and violate the basic rights of residents for Multnomah County; and

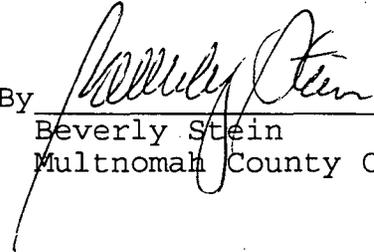
IT IS FURTHER RESOLVED, that the Multnomah County Board of Commissioners will continue to support basic civil rights for all citizens.

ADOPTED THIS 3rd day of November, 1994.

MULTNOMAH COUNTY, OREGON

REVIEWED:
LAURENCE KRESSEL, COUNTY COUNSEL
for MULTNOMAH COUNTY, OREGON

By 

By 

Beverly Stein
Multnomah County Chair

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: IGA between ROCN and the Sheriff's Office

BOARD BRIEFING: Date Requested: _____

Amount of Time Needed: _____

REGULAR MEETING: Date Requested: October 27th 1994

Amount of Time Needed: 5 - 10 minutes

DEPARTMENT: Sheriff's Office DIVISION: Enforcement

CONTACT: Larry Aab TELEPHONE #: 251-2489

BLDG/ROOM #: 313/231

PERSON(S) MAKING PRESENTATION: Bob Skipper, Sheriff

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

SUMMARY (Statement of rationale for action requested, personnel and fiscal/budgetary impacts, if applicable):

Intergovernmental Agreement between ROCN and the Sheriff's Office to allow ROCN the use of the County's law enforcement aircraft and personnel for aerial surveillance services.

REGULAR

SIGNATURES REQUIRED:

ELECTED OFFICIAL: Bob Skipper Jr

OR

DEPARTMENT MANAGER: _____

BOARD OF
COUNTY COMMISSIONERS
1994 OCT 26 AM 8:44
MULTNOMAH COUNTY
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Office of the Board Clerk 248-3277/5222

0516C/63 Originals sent to Larry Aab 11-4-94. 6/93

BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM BRIEFING
STAFF REPORT SUPPLEMENT

TO: BOARD OF COUNTY COMMISSIONERS

FROM: LARRY AAB, FISCAL MANAGER

TODAY'S DATE: September 20, 1994

REQUESTED PLACEMENT DATE: October ²⁷/₅, 1994

RE: IGA's Between MCSO and Other Agencies for Aircraft Use

I. Recommendation/Action Requested:

Request commitment from the Board to approve this IGA.

II. Background/Analysis:

MCSO currently owns and operates a single engine aircraft, which is used for law enforcement aerial surveillance. Under these four IGA's (contract #'s 800475, 800485, 800495, 800505), MCSO will provide aerial surveillance services for Gresham, Washington County, METRO, and ROCN.

III. Financial Impact:

MCSO will charge each agency \$40.00 per hour for aerial surveillance services. ROCN, due to a prior agreement, will be entitled to 46.5 hours of service at no charge; thereafter ROCN will pay the \$40.00 rate.

IV. Legal Issues:

Standard IGA indemnification issues regarding liability of employees acting within the scope of their employment. All passengers remain employees of their respective agencies.

V. Controversial Issues:

None noted.

VI. Link to Current County Policies:

Fosters intergovernmental cooperation.

VII. Citizen Participation:

None.

VIII. Other Government Participation:

City of Gresham, Washington County, METRO, and ROCN.



CONTRACT APPROVAL FORM

(See Administrative Procedure #2106)

Contract # 800495

Amendment # _____

MULTNOMAH COUNTY OREGON

<p>CLASS I</p> <input type="checkbox"/> Professional Services under \$25,000	<p>CLASS II</p> <input type="checkbox"/> Professional Services over \$25,000 (RFP, Exemption) <input type="checkbox"/> PCRB Contract <input type="checkbox"/> Maintenance Agreement <input type="checkbox"/> Licensing Agreement <input type="checkbox"/> Construction <input type="checkbox"/> Grant <input type="checkbox"/> Revenue	<p>CLASS III</p> <input checked="" type="checkbox"/> Intergovernmental Agreement <p>APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS</p> <p>AGENDA # <u>R-2</u> DATE <u>11/3/94</u> Carrie A. Parkerson</p> <hr/> <p>BOARD CLERK</p>
--	--	--

Department Sheriff's Office Division Enforcement Date September 16, 1994

Contract Originator Capt. F.L. "Bud" Johnson Phone 251-2425 Bldg/Room 313/

Administrative Contact Larry Aab Phone 251-2489 Bldg/Room 313/231

Description of Contract To allow ROCN the use of the County's law enforcement aircraft and personnel for aerial surveillance services.

RFP/BID # _____ Date of RFP/BID _____ Exemption Exp. Date _____

ORS/AR # _____ Contractor is MBE WBE QRF

Contractor Name ROCN
 Mailing Address PO Box 82209
Portland, OR 97282
 Phone _____
 Employer ID# or SS# _____
 Effective Date upon completion
 Termination Date NA
 Original Contract Amount \$ 40.00 per hour
 Total Amount of Previous Amendments \$ _____
 Amount of Amendment \$ _____
 Total Amount of Agreement \$ _____

Remittance Address _____ (If Different) _____

Payment Schedule _____ Terms _____

Lump Sum \$ _____ Due on receipt
 Monthly \$ _____ Net 30
 Other \$ as billed Other _____
 Requirements contract - Requisition required.
 Purchase Order No. _____
 Requirements Not to Exceed \$ _____

REQUIRED SIGNATURES:

Department Manager [Signature]
 Purchasing Director (Class II Contracts Only) _____
 County Counsel [Signature]
 County Chair / Sheriff _____
 Contract Administration (Class I, Class II Contracts Only) _____

Encumber: Yes No

Date _____
 Date _____
 Date 10-25-94
 Date _____
 Date _____

VENDOR CODE			VENDOR NAME						TOTAL AMOUNT		\$
LINE NO.	FUND	AGENCY	ORGANIZATION	SUB ORG	ACTIVITY	OBJECT/REV SRC	SUB OBJ	REPT CATEG	LGFS DESCRIPTION	AMOUNT	INC/DEC IND
01.	180	025	3120			4117					
02.											
03.											

* If additional space is needed, attach separate page. Write contract # on top of page.

INSTRUCTIONS ON REVERSE SIDE

INTERGOVERNMENTAL AGREEMENT

1
2
3 THIS AGREEMENT is made and entered into pursuant to the
4 authority found in ORS 190.010 et seq. and ORS 206.345 between
5 the Multnomah County Sheriff's Office ("MCSO"), jointly with and
6 on behalf of Multnomah County ("COUNTY"), and the Regional
7 Organized Crime Narcotics Task Force ("ROC�"). MCSO, COUNTY and
8 ROCN will be referred to collectively as the "parties."

9 WHEREAS, Multnomah County is a political subdivision of the
10 State of Oregon and is a unit of local government authorized to
11 enter into intergovernmental agreements pursuant to the
12 provisions of ORS 190.010, et seq.; and

13 WHEREAS, the Multnomah County Sheriff is authorized to enter
14 into intergovernmental agreements jointly with and on behalf of
15 the County, pursuant to the provisions of ORS 206.345; and

16 WHEREAS, ROCN is an intergovernmental entity formed and
17 operating under the laws of the State of Oregon and is a unit of
18 local government authorized to enter into intergovernmental
19 agreements pursuant to the provisions of ORS 190.010, et seq.;
20 and

21 WHEREAS, it is the policy of MCSO to assist other law
22 enforcement agencies and public bodies in the performance of
23 their lawful duties; and

24 WHEREAS, ROCN desires to contract with the COUNTY for the
25 use of the COUNTY's law enforcement aircraft and personnel for
26 certain law enforcement related services required by ROCN; and
27

1 WHEREAS, the COUNTY through MCSO is able and prepared to
2 provide the services required by ROCN under those terms and
3 conditions set forth; therefore,

4 IN CONSIDERATION of those mutual promises and the terms and
5 conditions set forth hereafter, and pursuant to the provisions of
6 ORS chapter 190, the parties agree to be bound as follows:

7 **AIRCRAFT RENTAL**

- 8 1. MCSO agrees to provide for ROCN aerial surveillance services
9 as required by ROCN.
- 10 2. Except as provided in section 3 of this agreement, ROCN
11 agrees to pay to MCSO the rate of \$40.00 per hour for use of
12 the COUNTY's aircraft under this agreement. ROCN further
13 agrees to make a good faith effort to provide MCSO with not
14 less than 24 hours advance notice of the need for aircraft
15 services under this agreement.
- 16 3. Notwithstanding the provisions of section 2 of this
17 agreement, the COUNTY agrees to provide for ROCN up to 46.5
18 hours of aerial surveillance services at no charge to ROCN.
19 ROCN agrees to pay for all hours of aerial surveillance
20 services provided by the COUNTY in excess of 46.5 hours at
21 the rate provided in section 2 of this agreement.

22
23 **OTHER TERMS AND CONDITIONS**

- 24 4. The parties agree that there will be at least one designated
25 MCSO pilot [hereinafter, "ASSIGNED PERSONNEL"] on each ROCN
26 flight under this agreement. The parties further agree that
27

1 during each ROCN flight under this agreement, the ASSIGNED
2 PERSONNEL are and shall remain employees of, or an
3 independent contractor of, Multnomah County at all times and
4 for all purposes.

5 5. The parties agree that on all flights performed under this
6 agreement the designated MCSO pilot shall have final
7 approving authority for any operation of the aircraft. The
8 parties agree that the designated MCSO pilot shall not be
9 required to operate the aircraft if the pilot believes the
10 flight cannot be made safely, would exceed the capabilities
11 of the aircraft or personnel operating the aircraft, or
12 would violate federal aviation regulations.

13 6. The parties agree that any passenger accompanying the
14 designated pilot on a ROCN flight under this agreement shall
15 remain an employee of the passenger's employer at all times
16 and for all purposes.

17 7. The parties agree that ROCN does not assume any liability
18 for the direct payment of any wages, salaries or other
19 compensation to the ASSIGNED PERSONNEL or independent
20 contractor performing services under this agreement or for
21 any other liability not provided for in this agreement.

22 8. The COUNTY agrees to maintain workers' compensation
23 insurance coverage for its ASSIGNED PERSONNEL, excluding
24 independent contractors, either as a carrier insured
25 employer or a self-insured employer as provided in ORS
26 chapter 656.

1 9. The parties agree that matters concerning direct or indirect
2 monetary benefits, hours, vacations, sick leave, grievance
3 procedures and other conditions of employment regarding
4 ASSIGNED PERSONNEL under this agreement shall be governed by
5 the provisions of existing collective bargaining agreements
6 between the ASSIGNED PERSONNEL's bargaining unit and their
7 public employer.

8 10. The parties agree that all labor disputes arising out of
9 this agreement shall be governed by the provisions of
10 applicable collective bargaining agreements in effect during
11 this agreement, and the personnel rules of the COUNTY.

12 **INDEMNIFICATION AND LIABILITY**

13 11. Subject to the limitations of the Oregon Torts Claims Act
14 and the Oregon Constitution, MCSO and the COUNTY shall
15 indemnify, defend and hold harmless ROCN, its officers,
16 employees and agents from all claims, suits, actions or
17 expenses of any nature resulting from or arising out of the
18 acts, errors or omissions of MCSO personnel acting pursuant
19 to the terms of this agreement.

20 12. In addition to the provisions of section 10 of this
21 agreement, the COUNTY agrees to maintain liability insurance
22 on the aircraft, designated pilots, and passengers.

23 13. Subject to the limitations of the Oregon Torts Claims Act
24 and the Oregon Constitution, ROCN shall indemnify, defend
25 and hold harmless COUNTY and MCSO, their officers, employees
26 and agents from all claims, suits, actions or expenses of
27

1 any nature resulting from or arising out of the acts, errors
2 or omissions of ROCN personnel acting pursuant to the terms
3 of this agreement.

4 **CONTRACT ADMINISTRATION**

5 14. MCSO designates Captain F.L. "Bud" Johnson, Enforcement
6 Operations Commander, to represent MCSO in all matters
7 pertaining to administration of this agreement.

8 15. ROCN designates Charles Fessler, ROCN Director, to represent
9 ROCN in all matters pertaining to administration of this
10 agreement.

11 16. Any notice or notices provided for by this agreement or by
12 law to be given or served upon either party shall be given
13 or served by certified letter, deposited in the U.S. mail,
14 postage prepaid, and addressed to:

15 Bob Skipper	Charles Fessler, Director
16 Multnomah County Sheriff	ROCN
17 12240 NE Glisan Street	PO Box 82209
Portland, OR 97230	Portland, OR 97282

18 **CONTRACT MODIFICATION AND TERMINATION**

19 17. This agreement shall be effective the date it is signed by
20 all the parties and shall remain in effect until terminated
21 as provided by section 17 of this agreement.

22 18. The parties agree that any party to this agreement may
23 terminate this agreement by giving the other party(s) not
24 less than 30 days written notice.

25 19. The parties agree that this agreement may be modified or
26 amended by mutual agreement of the parties. Any
27

modification to this agreement shall be effective only when incorporated herein by written amendments and signed by both ROCN and the Multnomah County Sheriff, and approved by the Multnomah County Board of Commissioners.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed by their duly appointed officers on the date written below.

ROCN

MULTNOMAH COUNTY, OREGON

Charles Fessler, Director

Beverly Stein, Chair

DATE: _____

DATE: 11-3-94

Bob Skipper, Sheriff

DATE: _____

APPROVED AS TO FORM:

REVIEWED:
Lawrence Kressel
Multnomah County Counsel

ROCN General Counsel

By: _____

DATE: _____

DATE: 10/25/94

APPROVED MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-2 DATE 11-3-94
Chris A. Peterson
BOARD CLERK

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: IGA between Washington County and the Sheriff's Office

BOARD BRIEFING: Date Requested: _____

Amount of Time Needed: _____

REGULAR MEETING: Date Requested: ~~October 6, 1994~~ ²⁷ NOV 03 1994

Amount of Time Needed: 5 - 10 minutes

DEPARTMENT: Sheriff's Office DIVISION: Enforcement

CONTACT: Larry Aab TELEPHONE #: 251-2489

BLDG/ROOM #: 313/231

PERSON(S) MAKING PRESENTATION: Bob Skipper, Sheriff

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

SUMMARY (Statement of rationale for action requested, personnel and fiscal/budgetary impacts, if applicable):

Intergovernmental Agreement between Washington County and the Sheriff's Office to allow Washington County the use of the County's law enforcement aircraft and personnel for aerial surveillance services.

REGULAR

SIGNATURES REQUIRED:

ELECTED OFFICIAL: Bob Skipper

OR

DEPARTMENT MANAGER: _____

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Office of the Board Clerk 248-3277/5222

0516C/63 *originals sent to Larry Aab 11-4-94.* 6/93

1994 OCT 28 AM 8:43
MULTIPLIY COUNTY
OREGON
BOARD OF
COUNTY COMMISSIONERS

BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM BRIEFING
STAFF REPORT SUPPLEMENT

TO: BOARD OF COUNTY COMMISSIONERS

FROM: LARRY AAB, FISCAL MANAGER

TODAY'S DATE: September 20, 1994

REQUESTED PLACEMENT DATE: October ²⁷/₅, 1994

RE: IGA's Between MCSO and Other Agencies for Aircraft Use

I. Recommendation/Action Requested:

Request commitment from the Board to approve this IGA.

II. Background/Analysis:

MCSO currently owns and operates a single engine aircraft, which is used for law enforcement aerial surveillance. Under these four IGA's (contract #'s 800475, 800485, 800495, 800505), MCSO will provide aerial surveillance services for Gresham, Washington County, METRO, and ROCN.

III. Financial Impact:

MCSO will charge each agency \$40.00 per hour for aerial surveillance services. ROCN, due to a prior agreement, will be entitled to 46.5 hours of service at no charge; thereafter ROCN will pay the \$40.00 rate.

IV. Legal Issues:

Standard IGA indemnification issues regarding liability of employees acting within the scope of their employment. All passengers remain employees of their respective agencies.

V. Controversial Issues:

None noted.

VI. Link to Current County Policies:

Fosters intergovernmental cooperation.

VII. Citizen Participation:

None.

VIII. Other Government Participation:

City of Gresham, Washington County, METRO, and ROCN.



CONTRACT APPROVAL FORM
(See Administrative Procedure #2106)

Contract # 800505
Amendment # _____

MULTNOMAH COUNTY OREGON

<p style="text-align: center;">CLASS I</p> <input type="checkbox"/> Professional Services under \$25,000	<p style="text-align: center;">CLASS II</p> <input type="checkbox"/> Professional Services over \$25,000 (RFP, Exemption) <input type="checkbox"/> PCRB Contract <input type="checkbox"/> Maintenance Agreement <input type="checkbox"/> Licensing Agreement <input type="checkbox"/> Construction <input type="checkbox"/> Grant <input type="checkbox"/> Revenue	<p style="text-align: center;">CLASS III</p> <input checked="" type="checkbox"/> Intergovernmental Agreement <p style="text-align: center;">APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS</p> <p style="text-align: center;">AGENDA # <u>R-3</u> DATE <u>11/3/94</u> <u>Carrie A. Parkerson</u> BOARD CLERK</p>
--	--	---

Department Sheriff's Office Division Enforcement Date September 16, 1994

Contract Originator Capt. F.L. "Bud" Johnson Phone 251-2425 Bldg/Room 313/

Administrative Contact Larry Aab Phone 251-2489 Bldg/Room 313/231

Description of Contract To allow Washington County the use of the County's law enforcement aircraft and personnel for aerial surveillance services.

RFP/BID # _____ Date of RFP/BID _____ Exemption Exp. Date _____

ORS/AR # _____ Contractor is MBE WBE QRF

Contractor Name Washington County
 Mailing Address 150 N. 1st Ave
Hillsboro, OR 97123
 Phone _____
 Employer ID# or SS# _____
 Effective Date upon completion
 Termination Date NA
 Original Contract Amount \$ 40.00 per hour
 Total Amount of Previous Amendments \$ _____
 Amount of Amendment \$ _____
 Total Amount of Agreement \$ _____

Remittance Address _____
(If Different)

Payment Schedule _____ Terms _____

Lump Sum \$ _____ Due on receipt
 Monthly \$ _____ Net 30
 Other \$ as billed Other _____
 Requirements contract - Requisition required.
 Purchase Order No. _____
 Requirements Not to Exceed \$ _____

REQUIRED SIGNATURES

Department Manager [Signature]
 Purchasing Director (Class II Contracts Only) [Signature]
 County Counsel [Signature]
 County Chair / Sheriff _____
 Contract Administration (Class I, Class II Contracts Only) _____

Encumber: Yes No
 Date _____
 Date _____
 Date 10/25/94
 Date _____
 Date _____

VENDOR CODE			VENDOR NAME						TOTAL AMOUNT \$		
LINE NO.	FUND	AGENCY	ORGANIZATION	SUB ORG	ACTIVITY	OBJECT/REV SRC	SUB OBJ	REPT CATEG	LGFS DESCRIPTION	AMOUNT	INC/DEC IND
01.	180	025	3120			4117					
02.											
03.											

* If additional space is needed, attach separate page. Write contract # on top of page.

ORIGINAL

Contract No. 800505

INTERGOVERNMENTAL AGREEMENT

1
2
3 THIS AGREEMENT is made and entered into pursuant to the
4 authority found in ORS 190.010 et seq. and ORS 206.345 between
5 the Multnomah County Sheriff's Office ("MCSO"), jointly with and
6 on behalf of Multnomah County ("COUNTY"), and Washington County
7 ("WASHINGTON COUNTY"). MCSO, COUNTY and WASHINGTON COUNTY will
8 be referred to collectively as the "parties."

9 WHEREAS, Multnomah County is a political subdivision of the
10 State of Oregon and is a unit of local government authorized to
11 enter into intergovernmental agreements pursuant to the
12 provisions of ORS 190.010, et seq; and

13 WHEREAS, the Multnomah County Sheriff is authorized to enter
14 into intergovernmental agreements jointly with and on behalf of
15 the County, pursuant to the provisions of ORS 206.345; and

16 WHEREAS, Washington County is a political subdivision of the
17 State of Oregon and is a unit of local government authorized to
18 enter into intergovernmental agreements pursuant to the
19 provisions of ORS 190.010, et seq; and

20 WHEREAS, it is the policy of MCSO to assist other law
21 enforcement agencies and public bodies in the performance of
22 their lawful duties; and

23 WHEREAS, WASHINGTON COUNTY desires to contract with the
24 COUNTY for the use of the COUNTY's law enforcement aircraft and
25 personnel for certain law enforcement related services required
26 by WASHINGTON COUNTY; and

1 WHEREAS, the COUNTY through MCSO is able and prepared to
2 provide the services required by WASHINGTON COUNTY under those
3 terms and conditions set forth; therefore,

4 IN CONSIDERATION of those mutual promises and the terms and
5 conditions set forth hereafter, and pursuant to the provisions of
6 ORS chapter 190, the parties agree to be bound as follows:

7 **AIRCRAFT RENTAL**

- 8 1. MCSO agrees to provide for WASHINGTON COUNTY aerial
9 surveillance services as required by WASHINGTON COUNTY.
10 2. WASHINGTON COUNTY agrees to pay to MCSO the rate of \$40.00
11 per hour for use of the COUNTY's aircraft under this
12 agreement. WASHINGTON COUNTY further agrees to make a good
13 faith effort to provide MCSO with not less than 24 hours
14 advance notice of the need for aircraft services under this
15 agreement.

16 **OTHER TERMS AND CONDITIONS**

- 17 3. The parties agree that there will be at least one designated
18 MCSO pilot [hereinafter, "ASSIGNED PERSONNEL"] on each
19 WASHINGTON COUNTY flight under this agreement. The parties
20 further agree that during each WASHINGTON COUNTY flight
21 under this agreement, the ASSIGNED PERSONNEL are and shall
22 remain employees of, or an independent contractor of,
23 Multnomah County at all times and for all purposes.
24 4. The parties agree that on all flights performed under this
25 agreement the designated MCSO pilot shall have final
26 approving authority for any operation of the aircraft. The
27

1 parties agree that the designated MCSO pilot shall not be
2 required to operate the aircraft if the pilot believes the
3 flight cannot be made safely, would exceed the capabilities
4 of the aircraft or personnel operating the aircraft, or
5 would violate federal aviation regulations.

6 5. The parties agree that any passenger accompanying the
7 designated pilot on a WASHINGTON COUNTY flight under this
8 agreement shall remain an employee of the passenger's
9 employer at all times and for all purposes.

10 6. The parties agree that WASHINGTON COUNTY does not assume any
11 liability for the direct payment of any wages, salaries or
12 other compensation to the ASSIGNED PERSONNEL or independent
13 contractor performing services under this agreement or for
14 any other liability not provided for in this agreement.

15 7. The COUNTY agrees to maintain workers' compensation
16 insurance coverage for its ASSIGNED PERSONNEL, excluding
17 independent contractors, either as a carrier insured
18 employer or a self-insured employer as provided in ORS
19 chapter 656.

20 8. The parties agree that matters concerning direct or indirect
21 monetary benefits, hours, vacations, sick leave, grievance
22 procedures and other conditions of employment regarding
23 ASSIGNED PERSONNEL under this agreement shall be governed by
24 the provisions of existing collective bargaining agreements
25 between the ASSIGNED PERSONNEL's bargaining unit and their
26 public employer.

1 9. The parties agree that all labor disputes arising out of
2 this agreement shall be governed by the provisions of
3 applicable collective bargaining agreements in effect during
4 this agreement, and the personnel rules of the COUNTY.
5

6 **INDEMNIFICATION AND LIABILITY**

7 10. Subject to the limitations of the Oregon Torts Claims Act
8 and the Oregon Constitution, MCSO and the COUNTY shall
9 indemnify, defend and hold harmless WASHINGTON COUNTY, its
10 Board of Commissioners, officers, employees, representatives
11 and agents from all claims, suits, actions or expenses of
12 any nature resulting from or arising out of the acts, errors
13 or omissions of MCSO personnel acting pursuant to the terms
14 of this agreement.

15 11. In addition to the provisions of section 10 of this
16 agreement, the COUNTY agrees to maintain liability insurance
17 on the aircraft, designated pilots, and passengers.

18 12. Subject to the limitations of the Oregon Torts Claims Act
19 and the Oregon Constitution, WASHINGTON COUNTY shall
20 indemnify, defend and hold harmless COUNTY and MCSO, their
21 Commissioners, officers, employees representatives and
22 agents from all claims, suits, actions or expenses of any
23 nature resulting from or arising out of the acts, errors or
24 omissions of WASHINGTON COUNTY personnel acting pursuant to
25 the terms of this agreement.
26
27

1 **CONTRACT ADMINISTRATION**

2 13. MCSO designates Captain F.L. "Bud" Johnson, Enforcement
3 Operations Commander, to represent MCSO in all matters
4 pertaining to administration of this agreement.

5 14. WASHINGTON COUNTY designates Michael C. McCloskey, Business
6 Services Manager, to represent WASHINGTON COUNTY in all
7 matters pertaining to administration of this agreement.

8 15. Any notice or notices provided for by this agreement or by
9 law to be given or served upon either party shall be given
10 or served by certified letter, deposited in the U.S. mail,
11 postage prepaid, and addressed to:

12 Bob Skipper
13 Multnomah County Sheriff
14 12240 NE Glisan Street
Portland, OR 97230

Jim Spinden
Washington County Sheriff
150 N. 1st Avenue
Hillsboro, OR 97123

15 **CONTRACT MODIFICATION AND TERMINATION**

16 16. This agreement shall be effective the date it is signed by
17 all the parties and shall remain in effect until June 30,
18 1997 unless earlier terminated as provided by section 17 of
19 this agreement.

20 17. The parties agree that any party to this agreement may
21 terminate this agreement by giving the other party(s) not
22 less than 30 days written notice.

23 18. The parties agree that this agreement may be modified or
24 amended by mutual agreement of the parties. Any
25 modification to this agreement shall be effective only when
26 incorporated herein by written amendments and signed by both
27

WASHINGTON COUNTY and the Multnomah County Sheriff, and approved by the Multnomah County Board of Commissioners.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed by their duly appointed officers on the date written below.

WASHINGTON COUNTY, OREGON

MULTNOMAH COUNTY, OREGON

Bonnie L. Hays, Chair Board of Commissioners

Beverly Stein, Chair Board of Commissioners

DATE: _____

DATE: 11-3-94

Jim Spinden, Sheriff

Bob Skipper, Sheriff

DATE: _____

DATE: _____

APPROVED AS TO FORM:

REVIEWED: Lawrence Kressel Multnomah County Counsel

Washington County Counsel

By: _____

DATE: _____

DATE: 10/25/94

APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS AGENDA # K-3 DATE 11-3-94 Christi A. Peterson BOARD CLERK

MEETING DATE NOV 03 1994

AGENDA NO. C-4

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

Subject: OLCC Application

BOARD BRIEFING Date Requested: _____

Amount of Time Needed: _____

REGULAR MEETING Date Requested: _____

Amount of Time Needed: _____

DEPARTMENT Sheriff's Office DIVISION _____

CONTACT Sergeant Bob Barnhart TELEPHONE 251-2431

BLDG/ROOM # 313/115

PERSON(S) MAKING PRESENTATION: Sergeant Barnhart

ACTION REQUESTED:

() INFORMATIONAL ONLY () POLICY DIRECTION (✓) APPROVAL () OTHER

SUMMARY (Statement of rationale for action requested, personnel and fiscal/budgetary impacts, if applicable):

Attached is a restaurant/new outlet OLCC application for the Big Bear Crown Point Market located at 31815 E. Crown Point Hwy., Troutdale, Oregon 97060. The owner, Phillip J. DuFresne, has no appreciable criminal history and tax requirements have been met.

SIGNATURES REQUIRED:

ELECTED OFFICIAL: Bob Snigger

OR

DEPARTMENT MANAGER: _____

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
1994 OCT 21 AM 9:30

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any questions call the Office of the Board Clerk, 248-3277/248-5222

Sent Original to Sgt. Barnhart 11-4-94

GENERAL INFORMATION

A non-refundable processing fee is assessed when you submit this completed form to the Commission (except for Druggist and Health Care Facility Licenses). The filing of this application does not commit the Commission to the granting of the license for which you are applying nor does it permit you to operate the business named below.

(THIS SPACE IS FOR OLCC OFFICE USE)

(THIS SPACE IS FOR CITY OR COUNTY USE)

Application is being made for:

- DISPENSER, CLASS A
 - DISPENSER, CLASS B
 - DISPENSER, CLASS C
 - PACKAGE STORE
 - RESTAURANT
 - RETAIL MALT BEVERAGE
 - SEASONAL DISPENSER
 - WHOLESALE MALT BEVERAGE & WINE
 - WINERY
 - OTHER: Full
- Add Partner
 - Additional Privilege
 - Change Location
 - Change Ownership
 - Change of Privilege
 - Greater Privilege
 - Lesser Privilege
 - New Outlet
 - Other

NOTICE TO CITIES AND COUNTIES: Do not consider this application unless it has been stamped and signed at the left by an OLCC representative.

THE CITY COUNCIL, COUNTY COMMISSION, OR COUNTY

COURT OF MULTNOMAH COUNTY
(Name of City or County)

RECOMMENDS THAT THIS LICENSE BE: GRANTED X

DATE November 3, 1994 DENIED _____

BY Philip J. DuFresne
(Signature)

TITLE Chair, Board of County Commissioners

OCT 06 1992

CAUTION: If your operation of this business depends on your receiving a liquor license, OLCC cautions you not to purchase, remodel, or start construction until your license is granted.

1. Name of Corporation, Partnership, or Individual Applicants:

- 1) Big Bears Crown Pt. Mkt Inc
- 2) _____
- 3) Philip J. DuFresne
- 4) _____
- 5) Judy K. DuFresne
- 6) _____

(EACH PERSON LISTED ABOVE MUST FILE AN INDIVIDUAL HISTORY AND A FINANCIAL STATEMENT)

2. Present Trade Name Big Bears Crown Pt. Mkt Inc

3. New Trade Name Big Bears DELI Year filed _____ with Corporation Commissioner

4. Premises address 31815 E. CR. PT. HWY trtdl mult (Number, Street, Rural Route) (City) (County) (State) (Zip) ore 97060

5. Business mailing address 31815 E. CR. PT. HWY trtdl (P.O. Box, Number, Street, Rural Route) (City) (State) (Zip) ore 97060

6. Was premises previously licensed by OLCC? Yes X No _____ Year 92

Big Bears Crown Point Market, Inc.

7. If yes, to whom: _____ Type of license: Pckg-Store

8. Will you have a manager: Yes _____ No X Name _____ (Manager must fill out Individual History)

9. Will anyone else not signing this application share in the ownership or receive a percentage of profits or bonus from the business? Yes _____ No X

10. What is the local governing body where your premises is located? Multnomah (Name of City or County)

11. OLCC representative making investigation may contact: Jeanne James Hill (Name) WK 695-2355 - # 695-5812 (Tel. No. - home, business, message)

CAUTION: The Administrator of the Oregon Liquor Control Commission must be notified if you are contacted by anybody offering to influence the Commission on your behalf.

Applicant(s) Signature
(In case of corporation, duly authorized officer thereof)

- 1) Philip J. DuFresne DATE 10-5-92
- 2) _____
- 3) _____
- 4) _____
- 5) _____
- 6) _____

PARKERSON Carrie A

From: COLLIER Tanya D
To: KRESSEL Larry
Cc: #CHAIR'S OFFICE; #DISTRICT 1; #DISTRICT 2; #DISTRICT 3; #DISTRICT 4
Subject: Liquor Licenses
Date: Friday, November 04, 1994 12:03PM

From time to time the BCC votes of liquor licences. When the Big Bear Deli liquor license was before us it was brought to our attention that the deli had sewage problems. As we waded our way (excuse the pun) through the sewage issue the question of jurisdiction came up leading us to the following unanswered questions:

Under what circumstances, if any, can we deny a liquor license?
If we cannot deny or modify a liquor license, what is our role?

Thanks.

BUDGET MODIFICATION NO. JJDZ

(For Clerk's Use) Meeting Date NOV 03 1994
Agenda No. R-4

1. REQUEST FOR PLACEMENT ON THE AGENDA FOR: _____
(Date)

DEPARTMENT: Social Services
CONTACT: Marie Eighmey

DIVISION: Juvenile Justice
TELEPHONE: 248-3550

*NAME(S) OF PERSON MAKING PRESENTATION TO BOARD: Hal Ogburn or Bill Fogarty/Marie Eighmey

SUGGESTED AGENDA TITLE (To assist in preparing a description for the printed agenda)

The Juvenile Justice Division Budget Modification # JJD 2 adds \$49,425 in Portland Public Schools grant revenue to its Federal State program to fund an alcohol/drug counselor on-site at the District's Counteract alternative program campus.

2. DESCRIPTION OF MODIFICATION (Explain the changes this Bud Mod makes. What budget does it increase: What do the changes accomplish? Where does the money come from? What budget is reduced? Attach additional information if you need more space).

This JJD Budget Modification adds grant \$49,425 new revenue from a total \$65,900 grant to the Division's budget to help court-involved students with alcohol/drug problems to access and succeed in the Counteract alternative program. The \$49,425 provides for the following:

- \$44,609 Personnel for a .71 FTE Juvenile Counselor position, (a full-time position effective October 17, 1994), and 108 hours overtime support.
- \$4,816 Materials/Services for staff training, operational supplies, reimbursement for local travel, and full Indirect Cost coverage.

The remaining \$16,475 of the grant will be budgeted in FY95-96 to cover these services for the period of July 1 through September 30, 1995.

3. REVENUE IMPACT (Explain revenues being changed and the reason for the change)

- Increase Fed/State, Rev Code 2107, by \$49,425.
- Increase Fed/State reimbursement to Insurance by \$4,444.

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OREGON
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BOARD OF
COUNTY COMMISSIONERS

4. CONTINGENCY STATUS (to be completed by Finance/Budget)

_____ Contingency before this modification (as of _____ (Specify Fund) (Date)	\$ _____
_____ After this modification	\$ _____

Harold Ogburn 10/20/94
 Originated By Date Department Manager Date

Mistine Hlee 10/21/94 Chloras 10/21/94
 Finance/Budget Date Employee Relations Date

Carrie A. Peterson 11-3-94
 Board Approval Date

5. ANNUALIZED PERSONNEL CHANGES:

ORG	FTE	JCN	POSITION TITLE	BASE PAY	FRINGE	INSURANCE	TOTAL
2560	1.00	6272	Juvenile Counselor	40,528	10,485	6,072	57,085
							0
							0
							0
							0
							0
							0
	1.00		Annualized Total	40,528	10,485	6,072	57,085

6. CURRENT YEAR PERSONNEL DOLLAR CHANGES:

ORG	FTE	JCN	POSITION TITLE	BASE PAY	FRINGE	INSURANCE	TOTAL
2560	0.71	6272	Juvenile Counselor	28,766	7,442	4,311	40,519
2560			Overtime	3,144	813	133	4,090
							0
							0
							0
							0
							0
							0
	0.71		Total	31,910	8,255	4,444	44,609



MULTNOMAH COUNTY OREGON

JUVENILE JUSTICE DIVISION
1401 N.E. 68TH
PORTLAND, OREGON 97213
(503) 248-3460

BOARD OF COUNTY COMMISSIONERS
BEVERLY STEIN • CHAIR OF THE BOARD
DAN SALTZMAN • DISTRICT 1 COMMISSIONER
GARY HANSEN • DISTRICT 2 COMMISSIONER
TANYA COLLIER • DISTRICT 3 COMMISSIONER
SHARRON KELLEY • DISTRICT 4 COMMISSIONER

TO: Board of County Commissioners

FROM:  Harold Ogburn, Director
Juvenile Justice Division

DATE: October 18, 1994

SUBJECT: JJD Budget Modification # 2 To Add \$49,425 in Portland Public Schools Grant Revenue To Fund An Alcohol/Drug Counselor On-Site At The District's Counteract Alternative Program Campus

I. Recommendation/Action Requested: The Juvenile Justice Division recommends Board of County Commissioners' approval of a budget modification to add Portland Public Schools grant funds to the Federal/State Budget.

II. Background/Analysis: This modification adds \$49,425 new revenue from a total \$65,900 grant to the Division's budget to help court-involved students with alcohol/drug problems to access and succeed in the Counteract alternative program. The \$49,425 provides for the following:

- \$44,609 Personnel for a 0.71 FTE Juvenile Counselor position, a full-time position effective October 17, 1994, and 108 hours overtime support.
- \$4,816 Materials/Services for staff training, operational supplies, reimbursement for local travel, and full Indirect Cost coverage.

The remaining \$16,475 of the grant will be budgeted in FY95-96 to continue these services for the period of July 1, 1995 through September 30, 1995.

III. Financial Impact: The modification increases the Division's Federal/State program by \$49,425 and increases Federal/State reimbursement to Insurance by \$4,444.

IV. Legal Issues: None.

V. Controversial Issues: None.

VI. Link to Current County Policies: Services to youth with alcohol/drug problems.

VII. Citizen Participation: Not applicable.

VIII. Other Government Participation: Not applicable.

BUDGET MODIFICATION NO. 3

JJD

(For Clerk's Use) Meeting Date NOV 03 1994
Agenda No. R-5

1. REQUEST FOR PLACEMENT ON THE AGENDA FOR: _____
(Date)

DEPARTMENT: Social Services
CONTACT: Marie Eighmey

DIVISION: Juvenile Justice
TELEPHONE: 248-3550

*NAME(S) OF PERSON MAKING PRESENTATION TO BOARD: Hal Ogburn or John Miller/Marie Eighmey

SUGGESTED AGENDA TITLE (To assist in preparing a description for the printed agenda)

The Juvenile Justice Division Budget Modification # JJD 3 reprograms \$41,457 in County Funds For The Save Our Youth Violence Prevention Program.

2. DESCRIPTION OF MODIFICATION (Explain the changes this Bud Mod makes. What budget does it increase: What do the changes accomplish? Where does the money come from? What budget is reduced? Attach additional information if you need more space).

This JJD Budget Modification reprograms funds to reflect an agreement among the Oregon Peace Institute, Emanuel Hospital, Portland Public Schools and Juvenile Justice Division (JJD) to transfer the coordination of the Save Our Youth (SOY) program from the Oregon Peace Institute to JJD. The modification transfers \$41,457 from Pass Through Payments contract dollars to accomplish the following:

- Personnel: \$32,734. This net total results from the deletion of a JJD 0.20 FTE Juvenile Counselor support position; the addition of a full-time Juvenile Counselor Lead, effective in the latter part of November, to coordinate the program; and the addition of 70 hours overtime funding.
- Materials Services: \$7,252. These operational funds--Printing, Postage, Supplies for computer software, operations and youth needs; Group refreshments for youth and their family members who attend the program meetings; Education/Training for staff; and Travel (bus tickets) for youth who attend the program--support the coordination effort.
- Equipment: \$1,471. Computer hardware for coordination effort.
- The net result of these transactions to JJD's budget equals zero. Remaining in contracted funds are \$51,543.

3. REVENUE IMPACT (Explain revenues being changed and the reason for the change)

- Increase County G/F to Org 2521 by \$3,163; reduce County G/F to Org 2561 by (\$3,163).
- Increase County G/F reimbursement to Insurance by \$2,929.

4. CONTINGENCY STATUS (to be completed by Finance/Budget)

_____ Contingency before this modification (as of _____) \$ _____
(Specify Fund) (Date)

_____ After this modification \$ _____

Harold Ogburn 10/24/94
 Originated By Date Department Manager Date

Christina Lee 10/21/94 Chalmbros 10/21/94
 Finance/Budget Date Employee Relations Date

Marie A. Eighmey
 Board Approval Date

MULTNOMAH COUNTY OREGON
 BOARD OF COUNTY COMMISSIONERS
 1994 OCT 26 AM 8:41

EXPENDITURE TRANSACTION EB [] GM [] TRANS DATE _____ ACCT'G PERIOD _____ BUDGET FY _____
 DOCUMENT NUMBER JJD3 ACTION _____

FUND	AGENCY	ORG	ACT.	REPT CATEG	OBJ CODE	CURR AMT	REV AMT	CHANGE	TOTAL	DESCRIPTION
100	010	2521			6230				1,692	Inc Supplies.
100	010	2521			8400				1,471	Increase Equipment.
									3,163	TOTAL, ORG 2521.
100	010	2561			5100				21,503	Inc Permanent.
100	010	2561			5300				2,177	Inc Overtime.
100	010	2561			5500				6,125	Inc Fringe.
100	010	2561			5550				2,929	Inc Insurance.
									32,734	Subtotal, Personnel.
100	010	2561			6060				(41,457)	Dec Pass Thru Pay.
100	010	2561			6120				260	Inc Printing.
100	010	2561			6200				50	Inc Postage.
100	010	2561			6230				1,950	Inc Supplies.
100	010	2561			6270				2,700	Inc Food.
100	010	2561			6310				100	Inc Education/Training.
100	010	2561			6330				500	Inc Travel.
									(35,897)	Subtotal, Matis/Svcs.
									(3,163)	TOTAL, ORG 2561.
									0	TOTAL, ORG 2500.
400	050	7531			6520				2,929	Insurance.
									2,929	TOTAL EXPENSE.

REVENUE

FUND	AGENCY	ORG	ACT.	REPT CATEG	REV SOURCE	CURR AMT	REV AMT	CHANGE	TOTAL	DESCRIPTION
400	050	7040			6600				2,929	Insurance.
									2,929	TOTAL REVENUE.

5. ANNUALIZED PERSONNEL CHANGES:

ORG	FTE	JCN	POSITION TITLE	BASE PAY	FRINGE	INSURANCE	TOTAL
2561	1.00	6271	Juvenile Counselor Lead	43,284	11,198	6,189	60,671
2561	-0.20	6272	Juvenile Counselor	(5,766)	(1,492)	(1,062)	(8,320)
							0
							0
							0
							0
							0
							0
	0.80		Annualized Total	37,518	9,706	5,127	52,351

6. CURRENT YEAR PERSONNEL DOLLAR CHANGES:

ORG	FTE	JCN	POSITION TITLE	BASE PAY	FRINGE	INSURANCE	TOTAL
2561	0.63	6271	Juvenile Counselor Lead	27,269	7,054	3,899	38,222
2561	-0.20	6272	Juvenile Counselor	(5,766)	(1,492)	(1,062)	(8,320)
			Subtotal	21,503	5,562	2,837	29,902
2561			Overtime	2,177	563	92	2,832
							0
							0
							0
							0
							0
							0
	0.43		Total	23,680	6,125	2,929	32,734



MULTNOMAH COUNTY OREGON

JUVENILE JUSTICE DIVISION
1401 N.E. 68TH
PORTLAND, OREGON 97213
(503) 248-3460

BOARD OF COUNTY COMMISSIONERS
BEVERLY STEIN • CHAIR OF THE BOARD
DAN SALTZMAN • DISTRICT 1 COMMISSIONER
GARY HANSEN • DISTRICT 2 COMMISSIONER
TANYA COLLIER • DISTRICT 3 COMMISSIONER
SHARRON KELLEY • DISTRICT 4 COMMISSIONER

TO: Board of County Commissioners

FROM:  Harold Ogburn, Director
Juvenile Justice Division

DATE: October 19, 1994

SUBJECT: JJD Budget Modification # 3, To Reprogram \$41,457 in County Funds For the Save Our Youth Violence Prevention Program.

I. **Recommendation/Action Requested:** The Juvenile Justice Division recommends Board of County Commissioners' approval of a budget modification to reprogram \$41,457 County funds for the Save Our Youth (SOY) violence prevention program.

II. **Background/Analysis:** This modification transfers \$41,457 from Pass Through Payment contract funds to Personnel, Materials/Services, and Equipment to accompany the transfer of the SOY program's coordination from the Oregon Peace Institute to the Juvenile Justice Division. The transfer reflects the decision by the four parties--Oregon Peace Institute, Emanuel Hospital, Portland Public Schools, Juvenile Justice Division--who are active in the program. The \$41,457 funds the following:

- Personnel, \$32,734: This net total results from the deletion of a JJD 0.20 FTE Juvenile Counselor support position; the addition of a full-time Juvenile Counselor Lead, effective in the latter part of November; and the addition of 70 hours overtime support.

- Materials/Services: \$7,252. These operational funds--Printing, Postage, Supplies for computer software, operations and youth needs; Group refreshments for youth and their family members who attend the program meetings; Education/Training for the Juvenile Counselor Lead; and Travel (bus tickets) for youth who attend the program--support the coordination effort.

- Equipment: \$1,471. Computer hardware for the coordination effort.

The remaining \$51,543 for the SOY program are budgeted for contract services.

III. **Financial Impact:** The net result of these changes to the Division's budget equals zero. Service reimbursement to Insurance equals \$2,929.

IV. **Legal Issues:** None.

- V. **Controversial Issues:** None.
- VI. **Link to Current County Policy:** Not applicable.
- VI. **Citizen Participation:** Not Applicable.
- VIII. **Other Government Participation:** Not applicable.

MEETING DATE: NOV 03 1994

AGENDA NO: R-6

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Ordinance amending MCC 5.10 to establish user fee rates for miscellaneous Transportation Division services.

BOARD BRIEFING Date Requested: November 3, 1994

Amount of Time Needed: 10 minutes

DEPARTMENT: DES DIVISION: Transportation

CONTACT: Bob Pearson TELEPHONE #: 3838
BLDG/ROOM #: 425/Trans

PERSON(S) MAKING PRESENTATION: Bob Pearson

ACTION REQUESTED:

[] INFORMATIONAL ONLY [] POLICY DIRECTION [X] APPROVAL [] OTHER

SUMMARY (Statement of rationale for action requested, personnel and fiscal/budgetary impacts, if applicable):

An ordinance that amends MCC 5.10 to set fees that represent costs incurred by the Transportation Division for miscellaneous public works services. The amendment sets a fixed fee at a level to recover the costs to provide services depending on the benefit to the user of the service.

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____
OR

DEPARTMENT MANAGER: Betsy Williams

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Office of the Board Clerk 248-3277/5222

Not Approved. Respond Indefinitely.

BOARD OF
COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
1994 OCT 27 AM 10 10



MULTNOMAH COUNTY OREGON

DEPARTMENT OF ENVIRONMENTAL SERVICES
2115 S.E. MORRISON
PORTLAND, OREGON 97214
(503) 248-5000

BOARD OF COUNTY COMMISSIONERS
BEVERLY STEIN • CHAIR OF THE BOARD
DAN SALTZMAN • DISTRICT 1 COMMISSIONER
GARY HANSEN • DISTRICT 2 COMMISSIONER
TANYA COLLIER • DISTRICT 3 COMMISSIONER
SHARRON KELLEY • DISTRICT 4 COMMISSIONER

Staff Report Supplement

To: Board of County Commissioners
From: Bob Pearson, Transportation Division 
Date: October 25, 1994
Subject: Ordinance amendment to establish user fee rates for Transportation Services

I. Recommendation/Action Requested

Approval of an ordinance amending MCC 5.10 to establish set user fees for miscellaneous public works services.

II. Background/Analysis

In August 1994, the Board of County Commissioners adopted a Financial and Budget Policy for Multnomah County that establishes user fees and service charges at a level to recover the costs to provide services depending on the benefit to the user of the service, ability of the user to pay for the services, benefit to County citizens and the type of service provided.

The current fee structure in MCC 5.10 is a combination of specific set fees, and charges that represent the "actual cost" incurred by the Transportation Division for miscellaneous public works services. Those services that charge "actual cost" are calculated by reference to the hourly cost of employee time. MCC 5.10 provides that a schedule of public works fees shall be posted at the Department of Environmental Services main office. Those costs may increase over time, as salaries increase.

In the event that Measure 5 passes, those charges that increase to cover increased salaries may be subject to voter approval requirements, as a "tax increase" under the terms of the measure (Attorney General's Opinion, No. 8229, 1994).

In anticipation of the possible voter approval of Measure 5, it is necessary to amend the code to set the fees at a fixed amount. This amendment to the code does not constitute a revenue increase; it enables the County to continue to collect fees for service consistent with the financial policies adopted by the Board.

III. Financial Impact

This ordinance amendment enables the County to retain the **current level** of revenue being received as user fees and fees for service for the actual cost of providing those services. The amendment is revenue neutral.

IV. Legal Issues

This code amendment has been reviewed and recommended by County Counsel based upon the Attorney General's opinion of the impact of Measure 5, should it pass.

V. Controversial Issues

The timing of this amendment--one week prior to the election--has the potential for controversy. There may be concern that this is an attempt by the County to raise fees prior to Measure 5, should it pass. However, there are two reasons why this amendment should be adopted:

1. This amendment to the code is consistent with financial and budget policy adopted by the Board in August where user fees and service charges should be established at a level to recover the costs to provide services depending on the benefit to the user of the service.
2. This amendment remedies a current deficiency in the code, should Measure 5 pass, by setting fees necessary to continue to retain current revenues for user fees. This is a revenue neutral amendment.

VI. Link to Current County Policy

This amendment to the code is consistent with the Board's Financial and Budget Policies adopted in August 1994.

VII. Citizen Participation

None

VIII. Other Government Participation.

None

Ordinance Fact Sheet

Ordinance Title: Ordinance Amending Multnomah County Code 5.10
Establishing set fees for miscellaneous public works services

Give a brief statement of the purpose of the ordinance (include the rationale for adoption of ordinance, description of persons benefited, other alternatives explored):

This ordinance amends MCC 5.10 to set fees that represent costs incurred by the Transportation Division for miscellaneous public works services. The amendment sets a fixed fee at a level to recover the costs to provide services depending on the benefit to the user of the service. In the event that Measure 5 passes, those charges that increase to cover increased salaries may be subject to voter approval requirements, as a "tax increase" under the terms of the measure (Attorney General's Opinion, No. 8229, 1994).

What other local jurisdictions in the metropolitan area have enacted similar legislation?
Unknown

What has been the experience in other areas with this type of legislation?

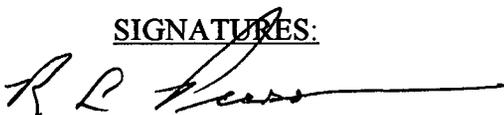
It is a common practice with most local governments to fully recover costs for providing services considered to be user fees.

What is the fiscal impact, if any?

This amendment will enable the County to retain the existing revenue collected for these services.

(If space is inadequate, please use other side)

SIGNATURES:

Person Filling Out Form: 

Planning & Budget Division (if fiscal impact): _____

Department Manager/Elected Official: _____

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BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ordinance No. _____

An Ordinance amending fees for action proceedings and administrative actions under MCC 5.10 and declaring an emergency.

(Language in [brackets] is to be deleted; underlined language is new.)

Multnomah County ordains as follows:

SECTION I. FINDINGS

A. In August 1994, the Board of County Commissioners adopted a Financial and Budget Policy for Multnomah County that establishes user fees and service charges at a level to recover the costs to provide services depending on the benefit to the user of the service, ability of the user to pay for the services, benefit to County citizens and the type of service provided.

B. The "Taxpayer's Protection Initiative", proposed Measure 5, which would amend the Oregon Constitution to require voter approval of new taxes, increases in taxes and changes in fees, will appear on the November 1994 ballot.

1 C. The current fee structure in MCC 5.10 is a combination of specific set fees, and
2 charges that represent the "actual cost" incurred by the Transportation Division for
3 miscellaneous public works services. Those services that charge "actual cost" are
4 calculated by reference to the hourly cost of employee time. MCC 5.10. provides that
5 a schedule of public works fees shall be posted at the Department of Environmental
6 Services main office. Those costs may increase over time, as salaries increase. In the
7 event that Measure 5 passes, those charges that increase to cover increased salaries
8 may be subject to voter approval requirements, as a "tax increase" under the terms of
9 the measure (Attorney General's Opinion, No. 8229, 1994).

10
11 D. The Board does not wish to increase these fees or to permit them to automatically
12 increase, as current code allows. It is therefore necessary to amend the code to set the
13 fees at a fixed amount. This amendment to the code does not constitute a revenue
14 increase; it enables the County to continue to collect fees for service consistent with
15 the financial policies adopted by the Board.

16
17
18 SECTION II AMENDMENT

19 Multnomah County Code Chapter 5.10.215(B) is amended to read as follows:

20 The following fees shall be charged for permits:

21
22 (B) For building and structure move permits issued under authority of ORS
23 483.502 to 483.536, the basic fee shall be \$30.00. Building and structure

1 and boat move permits which require escorts furnished by the county shall
2 be at a rate of \$60.00 per hour during normal working hours, based on the
3 estimated hours for the move. Overtime rate shall be \$85.00 per hour
4 based on the estimated hours for the move; with the exception of Saturday
5 or Sunday moves, which shall be a minimum of 4 hours. [There shall be an
6 additional charge of 125 percent of the actual cost incurred by the county
7 crews for removal or lifting of traffic control devices, or for any other
8 expense incurred by the county directly related to the building or structure
9 move.]

10
11 SECTION III AMENDMENT

12 Multnomah County Code Chapter 5.10.215(O) is amended to read as follows:

13
14 (O) A permit fee deposit for each permit authorizing work under ORS 374.305
15 not already covered in this section shall be \$42.50 per hour based on the
16 estimated hours or part thereof for plan review and/or inspection. The final
17 fee will be determined at completion of the project based on the actual
18 hours at the above rate. The difference between the two amounts will be
19 billed or refunded to the permit holder. [A fee equal to the county's plan
20 review and/or inspection cost and overhead shall be charged for each permit
21 authorizing work under ORS 374.305 not already covered in this section.]

22
23 SECTION IV AMENDMENT

24 Multnomah County Code Chapter 5.10.220(F) is amended to read as follows:

1
2 (F) Plan review and inspection fees will be established by the director for
3 connections to a county system where the development area is not
4 discernable or applicable. The fee shall be \$42.50 per hour based on the
5 estimated hours required for plan review and/or inspection. The final fee
6 will be determined at completion of the project based on actual hours at the
7 above rate; difference of the two will be billed or refunded to the permit
8 holder. [The fees established by the director shall be based upon actual
9 cost to the extent practicable.]
10
11

12 SECTION V AMENDMENT

13 Multnomah County Code Chapter 5.10.225 is amended to read as follows:
14

15 5.10.225 **Road vacation application fee**

16 Each filing of a county road vacation application shall be accompanied by a
17 fee [of \$300.00] deposit of \$42.50 per hour based on the estimated hours or
18 parts thereof required to investigate and process the petition. The minimum
19 fee shall be \$300.00. This fee does not include the \$65.00 posting for street
20 vacation or any recording fee collected by the County Clerk. The final fee
21 will be determined at completion of the project based on actual hours at the
22 above rate. The difference between the two amounts will be billed or
23 refunded to the applicant. Approval of any county road vacation shall not
24 be recorded until any additional amount are paid

1 SECTION VI AMENDMENT

2 Multnomah County Code Chapter 5.10.230 is amended to read as follows:

3 5.10.230 Street and Road widening permits

4 [(A) The director of the Department of Environmental Services shall adopt
5 administrative rules establishing a flexible fee schedule for public right-of-
6 way improvements through a permit process for the design and construction
7 administration, establishing billing utilizing current cost accounting system
8 and other procedures necessary for administration of the fees authorized by
9 this section. These rules shall include a procedure by which any permittee
10 may obtain a review of his charges by a qualified county official who is not
11 employed within the Department of Environmental Services.]

12
13 (A) [(B)] The county will prepare a preliminary engineer's estimate outlining
14 the scope of the work to be performed and the estimated cost. The [fee]
15 deposit schedule will be determined from the engineer's estimated
16 construction cost.

17
18 (B) The Construction Permit Deposit Schedule for engineering, design, project
19 management, and administration shall be as follows:

<u>Project Cost as Estimated by Multnomah County</u>	<u>Deposit</u>
<u>Minimum Deposit</u>	<u>\$600.00</u>
<u>\$4,000 to \$10,000</u>	<u>15%</u>
<u>\$4,000 to \$50,000</u>	<u>\$2,000 plus 12.0% over \$10,000</u>
<u>\$10,000 to \$100,000</u>	<u>\$6,800 plus 10.0% over \$50,000</u>

1
2 The resulting fees are intended to reflect reasonable costs incurred in
3 designing, estimating, surveying, coordinating utility problems, inspecting,
4 installing or relocating traffic controls and guide and normal administrative
5 costs. The above is a deposit only. The actual charges will be based on a
6 rate of \$42.50 per hour or part thereof of staff time. The final fee will be
7 determined at the completion of the project. The difference between the
8 actual costs and the deposit will either be billed or refunded to the permit
9 holder. [If actions of the developer or contractor require call-back by survey
10 parties or inspectors there may be additional fees imposed in amounts
11 determined by the director based on time and material costs. Projects
12 requiring more than one year for completion may also be subject to
13 additional fee charges in amounts determined by the director based on time
14 and material costs.]

15
16 SECTION VII AMENDMENT

17 Multnomah County Code Chapter 5.10.235 is amended to read as follows:

18
19 **5.10.235 Miscellaneous Public works fees**

20 For services provided by the department in connection with design, plan review and
21 inspection of items not set forth elsewhere the department shall charge fees sufficient
22 to cover the actual cost of services. Charges shall be determined on an hourly cost to
23 the department of providing the services, billed at the rate \$42.50 per hour or part
24 thereof of staff time. [The director of the department shall cause a schedule of any

1 thereof of staff time. [The director of the department shall cause a schedule of any
2 charges based upon an hourly rate to be posted at the department's main office.]

3 Project administration deposits, construction supervision, and administration
4 supervision work to be performed by Multnomah County will be as follows:

<u>Project Cost as Estimated by Multnomah County</u>	<u>Deposit</u>
<u>Minimum Fee</u>	<u>\$600.00</u>
<u>\$4,000 to \$10,000</u>	<u>15%</u>
<u>\$4,000 to \$50,000</u>	<u>\$1,500 plus 9.0% over \$10,000</u>
<u>\$10,000 to \$100,000</u>	<u>\$5,100 plus 7.0% over \$50,000</u>
<u>\$100,000 to \$200,000</u>	<u>\$8,600 plus 5.0% over \$100,000</u>
<u>\$200,000 and above</u>	<u>\$13,600 plus 4.0% over \$200,000</u>

13
14 The above is a deposit only. The actual charges will be based on a rate of \$42.50
15 per hour or part thereof of staff time. The final fee will be determined at the
16 completion of the project. The difference between the actual costs and the deposit
17 will either be billed or refunded to the permit holder.

18 [For services provided by the department in connection with design, plan review
19 and inspection of item not set forth elsewhere the department shall charge fees
20 sufficient to cover the actual cost of services. Charges shall be determined on an
21 hourly cost to the department of providing the services. The director of the
22 department shall cause a schedule of any charges based upon an hourly rate to be
23 posted at the department's main office.]

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ADOPTION

This ordinance, being necessary for the health, safety, and welfare of the people of Multnomah County, an emergency is declared to exist and this ordinance shall take effect on its passage, pursuant to Section 5.50 of the Charter of Multnomah County.

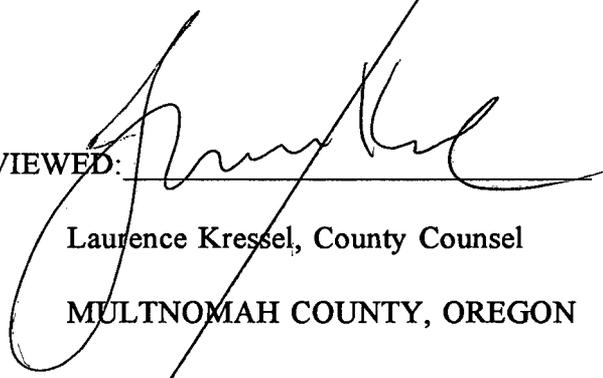
ADOPTED THIS _____ day to _____, 1994,
being the date of the _____ reading before the Board of County Commissioners of Multnomah County.

By _____

Beverly Stein, County Chair

MULTNOMAH COUNTY, OREGON

REVIEWED: _____


Laurence Kressel, County Counsel

MULTNOMAH COUNTY, OREGON



CITY OF

PORTLAND, OREGON

ENERGY OFFICE

Curt Nichols, CEM

Senior Energy Program Manager

Room 1030, The Portland Building
1120 S.W. Fifth Avenue
Portland, Oregon 97204

Phone:
(503) 823-7418
FAX: (503) 823-5370

To: Delma Ferrell
Multnomah County
Office of the Chair
of the Board



MULTNOMAH COUNTY OREGON

DEPARTMENT OF ENVIRONMENTAL SERVICES
FLEET, RECORDS, ELECTRONIC & DISTRIBUTION
SERVICES DIVISION (F.R.E.D.S.)
1620 SE 190TH AVE.
PORTLAND, OREGON 97233-5999
(503)248-5050

BOARD OF COUNTY COMMISSIONERS
BEVERLY STEIN - CHAIR OF THE BOARD
DAN SALTZMAN - DISTRICT 1 COMMISSIONER
GARY HANSEN - DISTRICT 2 COMMISSIONER
TANYA COLLIER - DISTRICT 3 COMMISSIONER
SHARRON KELLEY - DISTRICT 4 COMMISSIONER

MEMORANDUM

TO: BOARD OF COUNTY COMMISSIONERS

FROM: Tom Guiney

TODAY'S DATE: October 18, 1994

REQUESTED PLACEMENT DATE: November 3, 1994

RE: MOU Establishing a "Clean Cities Project"

I. Recommendation/Action Requested:

Request approval of a memorandum of understanding establishing a "Clean Cities" Project which will include the participation of Multnomah County. Other participants include: City of Portland, U.S. Department of Energy, Oregon Department of Energy, Oregon Department of Environmental Quality, Oregon Department of Administrative Services, Northwest Natural Gas Company, Portland General Electric Company, Pacific Power and Light Company, Tri-Met, United States Bakery (Franz), U.S. Environmental Protection Agency, U.S. General Services Administration, U.S. Department of Veterans Affairs, NW Renewable Fuels Council, and Oregon Roads Leasing.

II. Background/Analysis:

"Clean Cities" is a voluntary federal program designed to accelerate and expand the use of alternative fuel vehicles (AFV's) in urban communities and to provide refueling and maintenance facilities for their operation. The "Clean Cities" program is sponsored by the U.S. Department of Energy and encourages local governments and other organizations to form partnerships to develop fueling and maintenance infrastructure for AFV's, as well as, encourage the use of AFV's. While Multnomah County has not yet begun purchasing AFV's, we anticipate doing so when the technology and prices have improved. The more experience that other agencies have with AFV's and the more of the infrastructure that is developed, the easier it will be for us to begin our use of alternative fuel vehicles.

The MOU includes Multnomah County as a participant which should provide us with a deeper understanding of the issues related to AFV's and input into the development of the local infrastructure. The commitment made by Multnomah County in the MOU is: Identify opportunities for AFV's in the County Fleet (something we would work on regardless of this project); Assist in the analysis of fleet and alternative fuel data; Serve as liaison to the Portland Area Government Fleet Managers Group and the local chapter of the National Association of Fleet Administrators; and provide assistance with AFV public education activities.

III. Financial Impact:

There is no identified fiscal impact for Multnomah County by approving the MOU. The main beneficiaries would be federal programs in the area. Federal programs located in a designated "Clean Cities" area can receive AFV's from the GSA as part of their fleet allocation without paying the premium purchase price that are tied to AFV's. There is also "talk" of preferential treatment being given to "Clean Cities" participants in the awarding of energy related federal grant funds.

IV. Legal Issues:

We know of no legal issues related to this MOU.

V. CONTROVERSIAL ISSUES:

We are not aware of any controversial issues related to this MOU.

VI. Link to Current County Policies:

We believe this proposal to be consistent with the County's policies of intergovernmental cooperation.

VII. Citizen Participation:

The only citizen participation involved in this proposal will occur at the Board of County Commissioner's meeting on the matter.

VIII. Other Government Participation:

The other government involved include: City of Portland, U.S. Department of Energy, Oregon Department of Energy, Oregon Department of Environmental Quality, Oregon Department of Administrative Services, Tri-Met, United States Bakery (Franz), U.S. Environmental Protection Agency, U.S. General Services Administration, and U.S. Department of Veterans Affairs.

DRAFT

**You're Invited to Portland's Official Designation
as a "Clean City"**

**FEATURING: Portland Mayor Vera Katz, U.S. Secretary of Energy,
Hazel O'Leary and representatives from
Portland's Clean City Partners**

DATE: Thursday, November 10, 1994

TIME: 10 a.m. Signing Ceremony

11 a.m. Reception

**LOCATION: City Hall, Council Chambers
1220 SW 5th Avenue
Portland, OR**

**"Clean Cities" is a USDOE program designed to encourage the wider
availability and use of alternative vehicle fuels for
government and commercial fleets.**

**A number of alternative fuel vehicles (AFVs) will be available for
viewing outside City Hall**

Please R.S.V.P. to 823-7222 by November 4, 1994



A SPECIAL INVITATION...

DRAFT

Portland Clean City Partners:

City of Portland
U.S. Department of Energy
Oregon Department of Energy
Oregon Department of Environmental Quality
Oregon Department of Administrative Services
Northwest Natural Gas Company
Portland General Electric Company
Pacific Power & Light Company
Multnomah County
Tri-County Metropolitan Transportation District of Oregon (TRI-MET)
United States Bakery (Franz)
U.S. Environmental Protection Agency
U.S. General Services Administration
U.S. Department of Veterans Affairs
NW Renewable Fuels Council
Oregon Roads Leasing



MULTNOMAH COUNTY OREGON

DEPARTMENT OF ENVIRONMENTAL SERVICES
FLEET, RECORDS, ELECTRONIC & DISTRIBUTION
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BOARD OF COUNTY COMMISSIONERS
BEVERLY STEIN - CHAIR OF THE BOARD
DAN SALTZMAN - DISTRICT 1 COMMISSIONER
GARY HANSEN - DISTRICT 2 COMMISSIONER
TANYA COLLIER - DISTRICT 3 COMMISSIONER
SHARRON KELLEY - DISTRICT 4 COMMISSIONER

To: MOU Reviewers

From: Tom Guiney

Date: October 19, 1994

Subject: "Draft Status" of Attached MOU

The attached Memorandum of Understanding is marked DRAFT. The final version is not yet complete. It is anticipated that the only changes to the document will be filling in the blanks on the signature page and Attachment A. The finalized version should be ready by October 28th. Since the "official" signing ceremony between the City of Portland and the U.S. Department of Energy is scheduled for November 10th and we hope for BCC approval on November 3rd, we felt that a review of the Draft would be appropriate.

DRAFT

MEMORANDUM OF UNDERSTANDING

By and among

City of Portland
U.S. Department of Energy
Oregon Department of Energy
Oregon Department of Environmental Quality
Oregon Department of Administrative Services
Northwest Natural Gas Company
Portland General Electric Company
Pacific Power & Light Company
Multnomah County
Tri-County Metropolitan Transportation District of Oregon (TRI-MET)
United States Bakery (Franz)
U.S. Environmental Protection Agency
U.S. General Services Administration
U.S. Department of Veterans Affairs
NW Renewable Fuels Council
Oregon Roads Leasing

The above government entities, utilities, and other organizations to the objective of:

- (1) Reducing the dependence on petroleum-based and imported fuels of fleets in Portland as specified in the Energy Policy Act of 1992;
- (2) Working towards meeting the vehicle emissions standards of Title II of the Clean Air Act Amendments of 1990;
- (3) Educating the public on alternative fuels and alternative fuel vehicles (AFVs);
- (4) Encouraging the development of public and private AFV infrastructure; and
- (5) Reducing fleet operation cost:

will join in a coordinated effort to establish an Alternative Fuel Vehicle (AFV) Clean Cities Project. This project will demonstrate the benefits of AFVs by incorporating as many alternative fuels and AFVs as practicable in the Portland area.

The acquisition of AFVs will be coordinated with other AFV infrastructure needs, including refueling sites, operation and maintenance services, and vehicle availability. The vehicles will be operated by the stakeholders' fleets which will receive assistance in data collection and analysis to determine the environmental, economic, and performance attributes of the AFVs. This information will be shared with the parties to this agreement. Funding and/or services for the project will be contributed by the signing parties in a manner to be determined as established in Attachment A. The signing parties will also endeavor to leverage additional resources by recruiting other public and private parties such as school districts and large private fleet operators to support the project to meet the implementation plan set forth in Attachment B.

The signatories will provide direction and define the objectives of this project through a Steering Committee comprised of all signers, and other interested parties.

This Memorandum of Understanding is not intended to and does not create any contractual rights and obligations with respect to the signatories or any other parties.

This Memorandum of Understanding may be amended with the consent of the signing parties and may be terminated by the mutual consent of the signing parties or by any party upon 30-day written notice to the other parties. This Memorandum of Understanding shall become effective upon the date that all parties have executed it with their signatures.

The responsibilities of participating parties are set forth in Attachment A of this memorandum. Attachment B lays out the agreed-to schedule of implementation.

For City of Portland
Mayor, Vera Katz

For U.S. Department of Energy
Secretary, Hazel O'Leary

For Oregon Department of Energy
Acting Director, John Savage

For Oregon Department of Environmental Quality -- Director, Fred Hanson

For Oregon Department of Administrative Services -- Director, Gary Weeks

For Northwest Natural Gas Company
Chief Executive Officer, Bob Ridgley

For Portland General Electric
Company -- President, Dick Reiten

For Pacific Power & Light Company
President, _____

For Multnomah County -- Chair of the
Board of Commissioners, Bev Stein

For TRI-MET -- General Manager,
Tom Walsh

For United States Bakery -- Vice President/
Fleet Manager, Tom Powers

For U.S. Environmental Protection
Agency -- _____, _____

For U.S. General Services Administration
Regional Fleet Manager, Laura Bradley

For U.S. Department of Veterans Affairs
_____, _____

For NW Renewable Fuels Council
Executive Director, Tom Koehler

For Oregon Roads Leasing -- Alt Fuels
Vice President, Kris Nelson

DRAFT

**MEMORANDUM OF UNDERSTANDING
ATTACHMENT A**

Schedule of Responsibilities

The following is an overview of the responsibilities each participating entity agrees to by entering into this initiative:

1. City of Portland

- Provide the chairperson for the Steering Committee and liason to individual fleet managers and organizations of fleet operators
- Serve as fiscal agent for federal and state grants
- Continue to operate six (6) existing CNG vehicles in City fleet
- Acquire additional AFVs where appropriate
- Collect data on economic, environmental and performance attributes of vehicles
- Provide assistance in public education activities

2. U.S. Department of Energy

- Provide the vice chairperson for the Steering Committee
- Provide resources for data analysis and project management
- Provide assistance in public education activities
- Assist with entities claiming the federal Electric Vehicle Tax Credit and Clean-Fuel Vehicle or Refueling Property Deduction
- Provide technical, economic and environmental analytical and information support on AFVs
- Perform role as catalyst in involving other fleet operations

3. Oregon Department of Energy

- Provide state tax credits for up to \$1 million worth of AFV/Fueling Infrastructure purchases by businesses in calendar year 1995
- Provide assistance in accessing ODOE incentive programs and information
- Provide technical, economic and informational support
- Provide public awareness/education (e.g., through press releases, newspaper and magazine articles)

4. Oregon Department of Environmental Quality

- Acquire and operate three (3) EVs in DEQ fleet
- Acquire additional AFVs where appropriate
- Collect data on economic, environmental and performance attributes of AFVs
- Provide equipment for AFV emissions testing
- Provide assistance in public education activities

5. Oregon Department of Administrative Services

- Acquire ___ AFVs by ___ for use in State fleet
- Add ___ additional CNG refueling sites for State fleet by ___
- Collect data on economic, environmental and performance attributes of AFVs
- Provide assistance in public education activities

6. Northwest Natural Gas Company

- Add ___ CNG refueling sites for NNG fleet/public use by _____
- Acquire ___ CNG powered vehicles by _____ for use in NNG fleet
- Provide additional marketing support for expansion of AFVs
- Provide technical assistance in conversions, operation, and service
- Provide and implement educational programs for the public
- Provide the funds/services to extend gas service to the refueling site

7. Portland General Electric Company

- Acquire ___ EVs by _____ for PGE fleet and use in public education
- Promote the use of EVs/other AFVs to fleet owners and operators
- Share data on PGE's operational experience with EVs/other AFVs
- Educate the public on the benefits and safety aspects of AFVs
- Identify opportunities for electric service for AFVs

8. Pacific Power & Light Company

- Promote the use of AFVs to area fleet owners and operators
- Share data on PP&L's operational experience with AFVs
- Educate the public on the benefits and safety aspects of AFVs
- Identify opportunities for electric service for AFVs

9. Multnomah County

- Identify opportunities for AFVs in county fleet
- Assist in the analysis of fleet and alternate fuel data
- Serve as liaison to the Portland Area Government Fleet Managers Group and the local chapter of the National Association of Fleet Administrators
- Provide assistance with AFV public education activities

10. Tri-County Metropolitan Transportation District of Oregon (TRI-MET)

- Acquire ___ additional AFV transit buses by _____
- Acquire ___ additional AFV transport vans by _____
- Track AFV operation -- continue to acquire and operate AFVs as long as they are environmentally feasible and where the benefits are substantive and verifiable
- Provide assistance in public education initiatives
- Provide technical and management assistance to other fleets
- Assist in data collection and analysis (inc. clean diesel technology)

11. United States Bakery (Franz)

- Convert ___ additional delivery trucks to operate on propane by _____
- Track AFV operation -- economics and emissions
- Provide technical and management assistance to other fleets
- Assist in data collection and analysis

12. U.S. Environmental Protection Agency

- Provide public awareness/education and outreach (through press releases, fact sheets, and workshops/conferences) on the Clean Air Act Vehicle Emission Standards and Clean Fuel Fleet provisions
- Assist in the evaluation of emissions data to determine air quality and emission impacts
- Advise on areas of the Clean Air Act applicability with respect to the requirements of Title II - Mobile Source Programs
- Assist in evaluating the Clean Air Act's mobile source credit programs as they apply to the use of CFV/AFVs.

13. U.S. General Services Administration

- Acquire ___ AFVs by _____ for local fleets managed by GSA
- Track AFV operation -- economics and emissions
- Provide assistance in public education initiatives
- Provide technical and management assistance to other fleets
- Assist in data collection and analysis

14. U.S. Department of Veterans Affairs

- Acquire ___ AFVs by _____ for local VA fleet
- Track AFV operation -- economics and emissions
- Provide assistance in public education initiatives
- Provide data and analysis to other fleets
- Assist in data collection and analysis

15. NW Renewable Fuels Council

- Promote the use of AFVs to area fleet owners and operators
- Share data on operational experiences with AFVs
- Educate the public on the benefits and safety of AFVs
- Identify opportunities for renewable fuels

16. Oregon Roads Leasing

- Market AFV availability and provide AFVs for fleet leasing
- Provide technical and management assistance to area fleets
- Assist fleet owners and AFV lessors obtain appropriate tax credits
- Assist in data collection and analysis

DRAFT

**MEMORANDUM OF UNDERSTANDING
ATTACHMENT B**

Implementation Plan

The following is a summary of the implementation plan agreed to by the parties signing this initiative:

- I. Gather Baseline Data
 - A. Fleet vehicles
 - B. Use patterns
 - C. Fuels available/used

- II. Explore Alternative Fuel Options and Related Issues
 - A. Air quality impacts (CO, NO_x, HC)
 - B. Global climate change impacts (CO₂)
 - C. Purchase/operating costs
 - D. Performance
 - E. Availability
 - F. Regulations

- III. Select Preferred Option(s)
 - A. Establish goal(s) -- vehicles, refueling stations, recharging access, etc.
 - B. Develop "Action Items" to meet goal/MOU objectives

- IV. Implement "Action Items"
 - A. Market
 - B. Raise funds for vehicles and fueling stations/sites
 - C. Work for legislative/regulatory changes as needed

- V. Evaluate Impact/Revise "Action Items" as Needed

- VI. Educate Public/Other Fleet Operators



CITY OF
PORTLAND, OREGON
ENERGY OFFICE

Mike Lindberg, Commissioner
Susan Anderson, Director
Room 1030, The Portland Building
1120 S.W. Fifth Avenue
Portland, Oregon 97204
(503) 823-7222
FAX (503) 823-5370

NEWS ADVISORY

November 9, 1994

CITY, PARTNERS MAKE AIR QUALITY COMMITMENT AND EARN "CLEAN CITY" DESIGNATION

Mayor Katz, U.S. Department of Energy Sign Memorandum of Understanding

- WHO:** Vera Katz, Mayor, City of Portland; Peter Fox-Penner, a Principle Deputy Assistant Secretary of Energy; and fourteen other "Clean City Partners"
- WHAT:** Sign the Memorandum of Understanding that makes Portland officially a "Clean City"
- WHERE:** City Hall
1220 SW 5th Avenue
Council Chambers
Portland, OR
- WHEN:** 10 a.m., Thursday, November 10, 1994
- NOTE:** Portland again takes a leadership role -- on the first anniversary of Portland's passage of the Carbon Dioxide Reduction Strategy (a first by a major U.S. city). This time the City brings together sixteen partners to encourage the wider availability and use of alternative vehicle fuels for government and commercial fleets. Alternative Fuel Vehicles (AFVs) using compressed natural gas, electricity, ethanol, or propane can reduce air pollution -- and global warming impacts -- compared to gasoline or diesel.
- A number of AFVs will be available outside City Hall for viewing.
- CONTACT:** Pam Jordan, Mayor's Office, 823-3442
Curt Nichols, City of Portland Energy Office, 823-7418

MEMORANDUM OF UNDERSTANDING

By and among

City of Portland
U.S. Department of Energy
Oregon Department of Energy
Oregon Department of Environmental Quality
Oregon Department of Administrative Services
Northwest Natural Gas Company
Portland General Electric Company
PacifiCorp Electric Operations
Multnomah County
Tri-County Metropolitan Transportation District of Oregon (TRI-MET)
United States Bakery (Franz)
U.S. Environmental Protection Agency
U.S. General Services Administration
U.S. Department of Veterans Affairs
NW Renewable Fuels Council
Oregon Roads Leasing

The above government entities, utilities, and other organizations with the objective of:

- (1) Reducing the dependence on petroleum-based and imported fuels of fleets in Portland as specified in the Energy Policy Act of 1992;
- (2) Working towards meeting the vehicle emissions standards of Title II of the Clean Air Act Amendments of 1990;
- (3) Educating the public on alternative fuels and alternative fuel vehicles (AFVs);
- (4) Encouraging the development of public and private AFV infrastructure; and
- (5) Reducing fleet operation cost:

will join in a coordinated effort to establish an Alternative Fuel Vehicle (AFV) Clean Cities Project. This project will demonstrate the benefits of AFVs by incorporating as many alternative fuels and AFVs as practicable in the Portland area.

The acquisition of AFVs will be coordinated with other AFV infrastructure needs, including refueling sites, operation and maintenance services, and vehicle availability. The vehicles will be operated by the signatories' fleets which will receive assistance in data collection and analysis to determine the environmental, economic, and performance attributes of the AFVs. This information will be shared with the parties to this agreement. Funding and/or services for the project will be contributed by the signing parties in a manner to be determined as established in Attachment A. The signing parties will also endeavor to leverage additional resources by recruiting other public and private parties such as school districts and large private fleet operators to support the project to meet the implementation plan set forth in Attachment B.

The signatories will provide direction and define the objectives of this project through a Steering Committee comprised of all signers, and other interested parties.

This Memorandum of Understanding is not intended to and does not create any contractual rights and obligations with respect to the signatories or any other parties.

Memorandum of Understanding
Page 2

This Memorandum of Understanding may be amended with the consent of the signing parties and may be terminated by the mutual consent of the signing parties or by any party upon 30-day written notice to the other parties. This Memorandum of Understanding shall become effective upon the date that all parties have executed it with their signatures.

The responsibilities of participating parties are set forth in Attachment A of this memorandum. Attachment B lays out the agreed-to schedule of implementation.

For City of Portland
Mayor, Vera Katz

For U.S. Department of Energy -- Principle
Deputy Assistant Secretary, Peter Fox-Penner

For Oregon Department of Energy
Acting Director, John Savage

For Oregon Department of Environmental
Quality -- Interim Director, Lydia Taylor

For Oregon Department of Administra-
tive Services -- Director, Gary Weeks

For Northwest Natural Gas Company
President & CEO, R. L. Ridgley

For Portland General Electric
Company -- President, Dick Reiten

For PacifiCorp Electric Operations
President & CEO, Fred Buckman

For Multnomah County -- Chair of the
Board of Commissioners, Bev Stein

For TRI-MET -- General Manager,
Tom Walsh

For United States Bakery -- Vice Pres-
ident of Fleet Operations, Tom Powers

For U.S. Environmental Protection Agency
Region 10 Administrator, Chuck Clark

For U.S. General Services Administration
Regional Fleet Manager, Florence Emerson

For U.S. Department of Veterans Affairs
Regional Office Director, Joseph Williams II

For NW Renewable Fuels Council
Executive Director, Tom Koehler

For Oregon Roads Leasing -- Alt Fuels
Vice President, Kris Nelson

**CLEAN CITIES
MEMORANDUM OF UNDERSTANDING
ATTACHMENT A**

Schedule of Responsibilities

The following is an overview of the responsibilities each participating entity agrees to by entering into this Clean Cities initiative:

1. City of Portland

- Provide the chairperson for the Steering Committee and liaison to individual fleet managers and organizations of fleet operators
- Serve as fiscal agent for federal and state grants
- Continue to operate, until replacement, six (6) existing AFVs in City fleet
- Acquire additional AFVs where appropriate
- Collect data on economic, environmental and performance attributes of vehicles
- Provide assistance in public education activities

2. U.S. Department of Energy

- Provide the vice chairperson for the Steering Committee
- Provide resources for data analysis and project management
- Provide assistance in public education activities
- Assist with entities claiming the federal Electric Vehicle Tax Credit and Clean-Fuel Vehicle or Refueling Property Deduction
- Provide technical, economic and environmental analytical and information support on AFVs
- Perform role as catalyst in involving other fleet operations

3. Oregon Department of Energy

- Provide state tax credits for up to \$1 million worth of AFV/Fueling Infrastructure purchases by businesses in calendar year 1995
- Provide assistance in accessing ODOE incentive programs and information
- Provide technical, economic and informational support
- Provide public awareness/education (e.g., through press releases, newspaper and magazine articles)

4. Oregon Department of Environmental Quality

- Continue to operate, until replacement, six (6) existing AFVs in DEQ fleet
- Acquire and operate three (3) additional AFVs for use in DEQ fleet
- Acquire additional AFVs where appropriate
- Collect data on economic, environmental and performance attributes of AFVs
- Provide equipment for AFV emissions testing
- Provide assistance in public education activities

5. Oregon Department of Administrative Services

- Continue to operate five (5) existing AFVs in State fleet
- Acquire and operate an additional 60 AFVs fleetwide by 1996
- Install CNG refueling stations at Portland and Salem motor pool sites by 1996
- Assist in the collection of data on economic, environmental and performance attributes of AFVs
- Participate in public education activities

6. Northwest Natural Gas Company

- Continue to operate 85 existing AFVs in NNG fleet
- Add three (3) CNG refueling sites for NNG/Commercial fleet use by 1996
- Acquire 620 additional AFVs by 2004 for use in NNG fleet
- Provide additional marketing support for expansion of AFVs
- Provide technical assistance in conversions, operation, and service
- Provide and implement educational programs for the public
- Provide the funds/services to extend gas service to the refueling site

7. Portland General Electric Company

- ~~Continue to operate six (6) existing AFVs and two (2) CNG refueling sites~~
- Acquire three (3) EVs by 1996 for PGE fleet and use in public education
- Promote the use of EVs/other AFVs to fleet owners and operators
- Share data on PGE's operational experience with AFVs
- Educate the public on the benefits and safety aspects of AFVs
- Identify opportunities for electric service for AFVs

8. PacifiCorp Electric Operations

- Promote the use of EVs/other AFVs to area fleet owners and operators
- Share data on PacifiCorp's operational experience with AFVs
- Educate the public on the benefits and safety aspects of AFVs
- Identify opportunities for electric service for AFVs

9. Multnomah County

- Identify opportunities for AFVs in county fleet
- Assist in the analysis of fleet and alternate fuel data
- Serve as liaison to the Portland Area Government Fleet Managers Group and the local chapter of the National Association of Fleet Administrators
- Provide assistance with AFV public education activities

10. Tri-County Metropolitan Transportation District of Oregon (TRI-MET)

- Continue to track operation of 27 existing AFVs in TRI-MET fleet.
- Acquire and operate additional AFVs as long as they are environmentally feasible and the benefits are substantive and verifiable
- Provide assistance in public education initiatives
- Provide technical and management assistance to other fleets
- Assist in data collection and analysis (inc. clean diesel technology)

11. United States Bakery (Franz)

- Continue to operate 155 existing AFVs in Franz delivery fleet
- Convert 14 additional delivery trucks to AFV operation by 1995
- Track AFV operation -- economics and emissions
- Provide technical and management assistance to other fleets
- Assist in data collection and analysis

12. U.S. Environmental Protection Agency
 - Continue to operate two (2) existing AFVs in EPA fleet
 - Provide public awareness/education and outreach (through press releases, fact sheets, and workshops/conferences) on the Clean Air Act Vehicle Emission Standards and Clean Fuel Fleet provisions
 - Assist in the evaluation of emissions data to determine air quality and emission impacts
 - Advise on areas of the Clean Air Act applicability with respect to the requirements of Title II - Mobile Source Programs
 - Assist in evaluating the Clean Air Act's mobile source credit programs as they apply to the use of CFV/AFVs.

13. U.S. General Services Administration
 - Acquire 600 AFVs by 1998 for local fleets managed by GSA
 - Track AFV operation -- economics and emissions
 - Provide assistance in public education initiatives
 - Provide technical and management assistance to other fleets
 - Assist in data collection and analysis

14. U.S. Department of Veterans Affairs
 - Continue to operate 13 existing AFVs in VA fleet
 - Work with GSA to acquire additional AFVs for local VA fleet
 - Track AFV operation -- economics and emissions
 - Provide assistance in public education initiatives
 - Provide data and analysis to other fleets
 - Assist in data collection and analysis

15. NW Renewable Fuels Council
 - Promote the use of AFVs to area fleet owners and operators
 - Share data on operational experiences with AFVs
 - Educate the public on the benefits and safety of AFVs
 - Identify opportunities for renewable fuels

16. Oregon Roads Leasing
 - Market AFV availability and provide AFVs for fleet leasing
 - Provide technical and management assistance to area fleets
 - Conduct analyses of EV/other AFV savings potential for fleets
 - Assist fleet owners and AFV lessors obtain appropriate tax credits
 - Assist in data collection and analysis

**CLEAN CITIES
MEMORANDUM OF UNDERSTANDING
ATTACHMENT B**

Implementation Plan

The following is a summary of the implementation plan agreed to by the parties signing this Clean Cities initiative:

- I. Gather Baseline Data
 - A. Fleet vehicles
 - B. Use patterns
 - C. Fuels available/used

- II. Explore Alternative Fuel Options and Related Issues
 - A. Air quality impacts (CO, NO_x, HC)
 - B. Global climate change impacts (CO₂)
 - C. Purchase/operating costs
 - D. Performance
 - E. Availability
 - F. Regulations

- III. Select Preferred Option(s)
 - A. Establish goal(s) -- vehicles, refueling stations, recharging access, etc.
 - B. Develop "Action Items" to meet goal/MOU objectives

- IV. Implement "Action Items"
 - A. Market
 - B. Raise funds for vehicles and fueling stations/sites
 - C. Work for legislative/regulatory changes as needed

- V. Evaluate Impact/Revise "Action Items" as Needed

- VI. Educate Public/Other Fleet Operators



CONTRACT APPROVAL FORM

(See Administrative Procedure #2106)

Contract # 301345

MULTNOMAH COUNTY OREGON

Amendment # _____

<p style="text-align: center;">CLASS I</p> <input type="checkbox"/> Professional Services under \$25,000	<p style="text-align: center;">CLASS II</p> <input type="checkbox"/> Professional Services over \$25,000 (RFP, Exemption) <input type="checkbox"/> PCRB Contract <input type="checkbox"/> Maintenance Agreement <input type="checkbox"/> Licensing Agreement <input type="checkbox"/> Construction <input type="checkbox"/> Grant <input type="checkbox"/> Revenue	<p style="text-align: center;">CLASS III</p> <input checked="" type="checkbox"/> Intergovernmental Agreement <p style="text-align: center;">APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS</p> <p>AGENDA # <u>R-7</u> DATE <u>11/3/94</u> <u>Carrie A. Parkerson</u> BOARD CLERK</p>
--	--	---

Department DES Division F.R.E.D.S. Date 10-19-94

Contract Originator TOM GUINEY Phone 5353 Bldg/Room 425

Administrative Contact SAME AS ABOVE Phone _____ Bldg/Room _____

Description of Contract MEMORANDUM OF UNDERSTANDING BETWEEN A NUMBER OF LOCAL, STATE, AND FEDERAL AGENCIES, AS WELL AS, PRIVATE COMPANIES ESTABLISHING A US DOE CLEAN CITIES PROJECT IN THE PORTLAND REGION

RFP/BID # _____ Date of RFP/BID _____ Exemption Exp. Date _____

ORS/AR # _____ Contractor is MBE WBE QRF

Contractor Name VARIOUS

Mailing Address VARIOUS

Phone _____

Employer ID # or SS # _____

Effective Date UPON EXECUTION

Termination Date NONE

Original Contract Amount \$ 0

Amount of Amendment \$ 0

Total Amount of Agreement \$ 0

Remittance Address _____
(If Different) _____

Payment Schedule _____ Terms _____

Lump Sum \$ _____ Due on receipt

Monthly \$ _____ Net 30

Other \$ _____ Other _____

Requirements contract - Requisition required.

Purchase Order No. _____

Requirements Not to Exceed \$ _____

REQUIRED SIGNATURES:

Department Manager *Theresa Betsy Williams* Encumber: Yes No

Date 10/20/94

Purchasing Director _____
(Class II Contracts Only)

Date _____

County Counsel *John DeBay*

Date 10/24/94

County Chair/Sheriff *Michelle Dean*

Date 11/3/94

Contract Administration _____
(Class I, Class II contracts only)

Date _____

VENDOR CODE			VENDOR NAME						TOTAL AMOUNT		\$
LINE NO.	FUND	AGENCY	ORGANIZATION	SUB ORG	ACTIVITY	OBJECT/REV SRC	SUB OBJ	REPT CATEG	LGFS DESCRIPTION	AMOUNT	INC/DEC IND
01.											
02.											
03.											

* If additional space is needed, attach separate page. Write contract # on top of page.

INSTRUCTIONS ON REVERSE SIDE

WHITE - CONTRACT ADMINISTRATION
421/1st Flr

CANARY - INITIATION

GREEN - FINANCE
106/1430

MEMORANDUM OF UNDERSTANDING

By and among

City of Portland
U.S. Department of Energy
Oregon Department of Energy
Oregon Department of Environmental Quality
Oregon Department of Administrative Services
Northwest Natural Gas Company
Portland General Electric Company
PacifiCorp Electric Operations
Multnomah County
Tri-County Metropolitan Transportation District of Oregon (TRI-MET)
United States Bakery (Franz)
U.S. Environmental Protection Agency
U.S. General Services Administration
U.S. Department of Veterans Affairs
NW Renewable Fuels Council
Oregon Roads Leasing

The above government entities, utilities, and other organizations with the objective of:

- (1) Reducing the dependence on petroleum-based and imported fuels of fleets in Portland as specified in the Energy Policy Act of 1992;
- (2) Working towards meeting the vehicle emissions standards of Title II of the Clean Air Act Amendments of 1990;
- (3) Educating the public on alternative fuels and alternative fuel vehicles (AFVs);
- (4) Encouraging the development of public and private AFV infrastructure; and
- (5) Reducing fleet operation cost:

will join in a coordinated effort to establish an Alternative Fuel Vehicle (AFV) Clean Cities Project. This project will demonstrate the benefits of AFVs by incorporating as many alternative fuels and AFVs as practicable in the Portland area.

The acquisition of AFVs will be coordinated with other AFV infrastructure needs, including refueling sites, operation and maintenance services, and vehicle availability. The vehicles will be operated by the signatories' fleets which will receive assistance in data collection and analysis to determine the environmental, economic, and performance attributes of the AFVs. This information will be shared with the parties to this agreement. Funding and/or services for the project will be contributed by the signing parties in a manner to be determined as established in Attachment A. The signing parties will also endeavor to leverage additional resources by recruiting other public and private parties such as school districts and large private fleet operators to support the project to meet the implementation plan set forth in Attachment B.

The signatories will provide direction and define the objectives of this project through a Steering Committee comprised of all signers, and other interested parties.

This Memorandum of Understanding is not intended to and does not create any contractual rights and obligations with respect to the signatories or any other parties.

Memorandum of Understanding
Page 2

This Memorandum of Understanding may be amended with the consent of the signing parties and may be terminated by the mutual consent of the signing parties or by any party upon 30-day written notice to the other parties. This Memorandum of Understanding shall become effective upon the date that all parties have executed it with their signatures.

The responsibilities of participating parties are set forth in Attachment A of this memorandum. Attachment B lays out the agreed-to schedule of implementation.

For City of Portland
Mayor, Vera Katz

For U.S. Department of Energy -- Principle
Deputy Assistant Secretary, Peter Fox-Penner

For Oregon Department of Energy
Acting Director, John Savage

For Oregon Department of Environmental
Quality -- Interim Director, Lydia Taylor

For Oregon Department of Administra-
tive Services -- Director, Gary Weeks

For Northwest Natural Gas Company
President & CEO, R. L. Ridgley

For Portland General Electric
Company -- President, Dick Reiten

For PacifiCorp Electric Operations
President & CEO, Fred Buckman

For Multnomah County -- Chair of the
Board of Commissioners, Bev Stein

For TRI-MET -- General Manager,
Tom Walsh

For United States Bakery -- Vice Pres-
ident of Fleet Operations, Tom Powers

For U.S. Environmental Protection Agency
Region 10 Administrator, Chuck Clark

For U.S. General Services Administration
Regional Fleet Manager, Florence Emerson

For U.S. Department of Veterans Affairs
Regional Office Director, Joseph Williams II

For NW Renewable Fuels Council
Executive Director, Tom Koehler

For Oregon Roads Leasing -- Alt Fuels
Vice President, Kris Nelson

**CLEAN CITIES
MEMORANDUM OF UNDERSTANDING
ATTACHMENT A**

Schedule of Responsibilities

The following is an overview of the responsibilities each participating entity agrees to by entering into this Clean Cities initiative:

1. City of Portland
 - Provide the chairperson for the Steering Committee and liaison to individual fleet managers and organizations of fleet operators
 - Serve as fiscal agent for federal and state grants
 - Continue to operate, until replacement, six (6) existing AFVs in City fleet
 - Acquire additional AFVs where appropriate
 - Collect data on economic, environmental and performance attributes of vehicles
 - Provide assistance in public education activities

2. U.S. Department of Energy
 - Provide the vice chairperson for the Steering Committee
 - Provide resources for data analysis and project management
 - Provide assistance in public education activities
 - Assist with entities claiming the federal Electric Vehicle Tax Credit and Clean-Fuel Vehicle or Refueling Property Deduction
 - Provide technical, economic and environmental analytical and information support on AFVs
 - Perform role as catalyst in involving other fleet operations

3. Oregon Department of Energy
 - Provide state tax credits for up to \$1 million worth of AFV/Fueling Infrastructure purchases by businesses in calendar year 1995
 - Provide assistance in accessing ODOE incentive programs and information
 - Provide technical, economic and informational support
 - Provide public awareness/education (e.g., through press releases, newspaper and magazine articles)

4. Oregon Department of Environmental Quality
 - Continue to operate, until replacement, six (6) existing AFVs in DEQ fleet
 - Acquire and operate three (3) additional AFVs for use in DEQ fleet
 - Acquire additional AFVs where appropriate
 - Collect data on economic, environmental and performance attributes of AFVs
 - Provide equipment for AFV emissions testing
 - Provide assistance in public education activities

5. Oregon Department of Administrative Services
 - Continue to operate, until replacement, six (6) existing AFVs in State fleet
 - Acquire 20 additional AFVs by 1998 for use in State fleet
 - Add two (2) additional CNG refueling sites for State fleet by 1998
 - Collect data on economic, environmental and performance attributes of AFVs
 - Provide assistance in public education activities

REVIEWED

By

[Signature]
MULTNOMAH COUNTY COUNSEL

APPROVED MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-7 DATE 11-3-94
[Signature]
BOARD CLERK

6. Northwest Natural Gas Company
 - Continue to operate 40 existing AFVs in NNG fleet
 - Add three (3) CNG refueling sites for NNG/Commercial fleet use by 1996
 - Acquire 620 additional AFVs by 2004 for use in NNG fleet
 - Provide additional marketing support for expansion of AFVs
 - Provide technical assistance in conversions, operation, and service
 - Provide and implement educational programs for the public
 - Provide the funds/services to extend gas service to the refueling site

7. Portland General Electric Company
 - Acquire three (3) AFVs by 1996 for PGE fleet and use in public education
 - Promote the use of EVs/other AFVs to fleet owners and operators
 - Share data on PGE's operational experience with AFVs
 - Educate the public on the benefits and safety aspects of AFVs
 - Identify opportunities for electric service for AFVs

8. PacifiCorp Electric Operations
 - Promote the use of AFVs to area fleet owners and operators
 - Share data on PacifiCorp's operational experience with AFVs
 - Educate the public on the benefits and safety aspects of AFVs
 - Identify opportunities for electric service for AFVs

9. Multnomah County
 - Identify opportunities for AFVs in county fleet
 - Assist in the analysis of fleet and alternate fuel data
 - Serve as liaison to the Portland Area Government Fleet Managers Group and the local chapter of the National Association of Fleet Administrators
 - Provide assistance with AFV public education activities

10. Tri-County Metropolitan Transportation District of Oregon (TRI-MET)
 - Continue to track operation of 27 existing AFVs in TRI-MET fleet
 - Acquire and operate additional AFVs as long as they are environmentally feasible and the benefits are substantive and verifiable
 - Provide assistance in public education initiatives
 - Provide technical and management assistance to other fleets
 - Assist in data collection and analysis (inc. clean diesel technology)

11. United States Bakery (Franz)
 - Continue to operate 155 existing AFVs in Franz delivery fleet
 - Convert 14 additional delivery trucks to AFV operation by 1995
 - Track AFV operation -- economics and emissions
 - Provide technical and management assistance to other fleets
 - Assist in data collection and analysis

12. U.S. Environmental Protection Agency
 - Continue to operate two (2) existing AFVs in EPA fleet
 - Provide public awareness/education and outreach (through press releases, fact sheets, and workshops/conferences) on the Clean Air Act Vehicle Emission Standards and Clean Fuel Fleet provisions
 - Assist in the evaluation of emissions data to determine air quality and emission impacts
 - Advise on areas of the Clean Air Act applicability with respect to the requirements of Title II - Mobile Source Programs
 - Assist in evaluating the Clean Air Act's mobile source credit programs as they apply to the use of CFV/AFVs.

13. U.S. General Services Administration
 - Acquire 600 AFVs by 1998 for local fleets managed by GSA
 - Track AFV operation -- economics and emissions
 - Provide assistance in public education initiatives
 - Provide technical and management assistance to other fleets
 - Assist in data collection and analysis

14. U.S. Department of Veterans Affairs
 - Continue to operate five (5) existing AFVs in VA fleet
 - Acquire 60 AFVs by 1998 for local VA fleet
 - Track AFV operation -- economics and emissions
 - Provide assistance in public education initiatives
 - Provide data and analysis to other fleets
 - Assist in data collection and analysis

15. NW Renewable Fuels Council
 - Promote the use of AFVs to area fleet owners and operators
 - Share data on operational experiences with AFVs
 - Educate the public on the benefits and safety of AFVs
 - Identify opportunities for renewable fuels

16. Oregon Roads Leasing
 - Market AFV availability and provide AFVs for fleet leasing
 - Provide technical and management assistance to area fleets
 - Assist fleet owners and AFV lessors obtain appropriate tax credits
 - Assist in data collection and analysis

**CLEAN CITIES
MEMORANDUM OF UNDERSTANDING
ATTACHMENT B**

Implementation Plan

The following is a summary of the implementation plan agreed to by the parties signing this Clean Cities initiative:

- I. Gather Baseline Data
 - A. Fleet vehicles
 - B. Use patterns
 - C. Fuels available/used

- II. Explore Alternative Fuel Options and Related Issues
 - A. Air quality impacts (CO, NO_x, HC)
 - B. Global climate change impacts (CO₂)
 - C. Purchase/operating costs
 - D. Performance
 - E. Availability
 - F. Regulations

- III. Select Preferred Option(s)
 - A. Establish goal(s) -- vehicles, refueling stations, recharging access, etc.
 - B. Develop "Action Items" to meet goal/MOU objectives

- IV. Implement "Action Items"
 - A. Market
 - B. Raise funds for vehicles and fueling stations/sites
 - C. Work for legislative/regulatory changes as needed

- V. Evaluate Impact/Revise "Action Items" as Needed

- VI. Educate Public/Other Fleet Operators

OCT 27 1994

MEETING DATE: October 11, 1994 ~~OCT 18 1994~~

AGENDA NO: P-3 ~~P-2~~

(Above Space for Board Clerk's Use ONLY)

NOV 03 1994

R-8

AGENDA PLACEMENT FORM

SUBJECT: C 11-94 Proposed Ordinance - First Reading

BOARD BRIEFING Date Requested: _____

Amount of Time Needed: _____

REGULAR MEETING: Date Requested: October 11, 1994

Amount of Time Needed: 1 Hour

DEPARTMENT: DES **DIVISION:** Planning

CONTACT: R. Scott Pemble **TELEPHONE #:** 3182
BLDG/ROOM #: 412/103

PERSON(S) MAKING PRESENTATION: Planning Staff

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

SUMMARY (Statement of rationale for action requested, personnel and fiscal/budgetary impacts, if applicable):

C 11-94 A proposed Ordinance, amending Comprehensive Framework Text Plan Policy 16-B and MCC 11.15 regarding the regulation of surface mining and nearby surrounding land uses in partial fulfillment of Periodic Review Work Program tasks required to bring Multnomah County's land use program into compliance with Statewide Planning Goal 5. - First Reading

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____

OR

DEPARTMENT MANAGER: *[Signature]* Betty Willis

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Office of the Board Clerk 248-3277/248-5222

0516C/63

Copies of Ord. No. 804 sent to Gary Clifford, R. Scott Pemble on 11-4-94, + Ord. Sub. list on 11-7-94 + Sharon Linko

RECEIVED
OCT 27 1994
PLANNING DEPARTMENT

ORDINANCE FACT SHEET

Ordinance Title:

An Ordinance amending Comprehensive Framework Text Plan Policy 16-B and MCC 11.15 regarding the regulation of surface mining and surrounding land uses in partial fulfillment of Periodic Review Work Program tasks required to bring Multnomah County's land use program into compliance with Statewide Planning Goal 5.

Give a brief statement of the purpose of the ordinance (include the rationale for adoption of ordinance, description of persons benefited, other alternatives explored):

The Comprehensive Plan and Zoning Code amendments will provide the land use regulation tools to carry out the concluding programs in the West Hills and Howard Canyon Area Reconciliation Reports. The ordinance will make the necessary amendments to provide clear standards to protect from future conflicts those mineral and aggregate sites determined to be appropriate for mining, while also providing standards applicable to mining that will reduce the impacts of mining activities on surrounding land uses. The amendments are necessary to comply with Statewide Planning Goal 5 and OAR 660-16.

What other local jurisdictions in the metropolitan area have enacted similar legislation?

Every county and city in the state is subject to compliance with Statewide Planning Goal 5 and OAR 660-16. Washington County has a similar mining overlay zoning district.

What has been the experience in other areas with this type of legislation?

Additional regulations and reviews of land uses surrounding a mining site and mining operation proposals. The overlay zone concept is the method recommended by the Department of Land Conservation and Development for regulating mining and surrounding land uses.

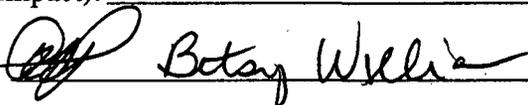
What is the fiscal impact, if any?

Future mining proposals not on the list of "Protected Sites" will encounter new application costs of \$500.00 for a Plan Revision and \$1,000 plus \$50.00 per acre for a Zone Change in addition to the present \$800.00 Conditional Use fee. New nearby land uses, after a mining operation permit is approved, could be required to expend more money in construction to lessen conflicts with mining activities (ie. a new homeowner constructing a sound berm between a proposed house and the mine). Additional staff time will be needed in review of surrounding regulated land uses. No anticipated budget impacts.

SIGNATURES

Person Filling Out Form: _____

Planning & Budget Division (if fiscal impact): _____

Department Manager/Elected Official:  _____

**DECISION OF THE
MULTNOMAH COUNTY PLANNING COMMISSION**

In the Matter of amending the Comprehensive)
Framework Plan and Zoning Code to protect)
Aggregate and Mineral Goal 5 resources)

**RESOLUTION
C 11-94**

WHEREAS, Periodic Review Remand Order 93-RA-876 required Multnomah County to complete additional work related to certain Statewide Planning Goal 5 resources; and

WHEREAS, On August 9, 1994 the Board of County Commissioners decided that the Howard Canyon aggregate site is a significant Goal 5 resource. Based on an analysis of conflicting uses and economic, social, environmental and energy (ESEE) consequences, the Board determined that the appropriate level of protection for the resource should be "3-C" (allow conflicting uses in a limited manner that will give some protection to the resource). The analysis and reasons justifying the Board's decision are incorporated in the Howard Canyon Reconciliation Report; and

WHEREAS, OAR 660-16 requires the county to amend its comprehensive plan and zoning designations to be consistent with the level of protection and protection programs determined to be appropriate for each resource. These amendments are necessary in order to provide clear standards under which development can occur, so that the aggregate resources are protected from possible negative effects of development; and

WHEREAS, The Planning Commission held open workshops for drafting of the proposed amendments to the zoning code text and Comprehensive Framework Plan on August 22, 1994, September 19, 1994, and September 26, 1994; and

WHEREAS, The Planning Commission conducted a public hearing on September 12, 1994, to accept public testimony on proposed amendments to the zoning code text and Comprehensive Framework Plan; and

NOW, THEREFORE BE IT RESOLVED that the Planning Commission hereby recommends that the Board of County Commissioners amend the zoning code and revise the Comprehensive Framework Plan, as indicated in the attached Ordinance, to fulfill requirements of the LCDC Periodic Review Remand Order.

Approved this 26th day of September, 1994

By 
Leonard Yoon, Chair
Multnomah County Planning Commission

1 the county shall complete the remainder of the Goal 5 process of identifying conflicting uses, analyz-
2 ing the Economic, Social, Environmental, and Energy (ESEE) consequences of the conflicting use(s),
3 and designating a level of protection from conflicting uses. If the final decision concerning the site is
4 to preserve fully or partially protect the resource from conflicting uses, the county shall zone the site
5 and the designated ESEE impact area with the Protected Aggregate and Mineral Resources Overlay
6 Zoning Subdistrict (PAM).

7 ~~[E. In between scheduled plan updates, additional sites may be added to the plan inventory of "Important"~~
8 ~~sites and receive an ESEE designation by means of the standard plan amendment process initiated by~~
9 ~~the owner of the resource.]~~

10 G. Mining and the associated processing of aggregate and mineral materials, in excess of the limited
11 exemptions in Subsection H below, may only be allowed at sites included on the "protected sites"
12 inventory. Approval of a mining operation at a "protected site" shall be reviewed as a conditional use.
13 The general conditional use provisions regarding time limits, conditions, restrictions, and approval cri-
14 teria, (MCC .7110(C), .7110(E), .7115, .7120, .7122, and .7125, October, 1994), shall not apply.

15 H. Exemptions

16 1. The following activities are exempt from the approval requirements and development standards of
17 this policy:

18 (a) Mining auxiliary to forest practices.

19 (b) Lawful mining operating under a DOGAMI "Grant of Total Exemption" on (the effective date
20 of the Ordinance) on property owned or controlled by the operator. Abandonment, restoration,
21 or alteration of this use shall be in compliance with the non-conforming use provisions of
22 MCC .8805 and .8810.

23 2. Mining less than 1,000 cubic yards of material in conjunction with ~~or~~ mining an area of less than
24 one acre is exempt from the approval requirements and development standards of this policy.
25 However, the mining activity shall require approval of a Hillside and Erosion Control permit and
26 any other permits as may be required in any overlay subdistrict.

1 BEFORE THE BOARD OF COUNTY COMMISSIONERS

2 FOR MULTNOMAH COUNTY, OREGON

3 ORDINANCE NO. 804

4

5 An Ordinance amending Comprehensive Framework Text Plan Policy 16 - B and MCC 11.15
6 regarding the regulation of surface mining and nearby surrounding land uses in partial fulfillment of
7 Periodic Review Work Program tasks required to bring Multnomah County's land use program into com-
8 pliance with Statewide Planning Goal 5.

9 (Underlined sections are new or replacements; [~~bracketed~~] sections are deleted.)

10 Multnomah County Ordains as follows:

11

12 Section I. Findings.

13 (A) Periodic Review Remand Order 93-RA-876 required Multnomah County to complete addi-
14 tional work related to protection and regulation of aggregate and mineral resources to be in compliance
15 with the requirements of Statewide Planning Goal 5 and associated Oregon Administrative Rules (OARs).

16 (B) On March 9, 1994, the Land Conservation and Development Commission approved the coun-
17 ty's Work Program (WKPROG - 0038) which indicated work tasks that must be completed to fulfill the
18 requirements of the Remand Order.

19 (C) On August 9, 1994 the Board of County Commissioners decided on the appropriate level of
20 protection of the Angell Brothers and Howard Canyon aggregate resource sites.

21 (D) OAR 660-16 requires the county to amend it's Comprehensive Plan and zoning code to be
22 consistent with the adopted protection programs for each Goal 5 resource. This ordinance will make the
23 necessary amendments to provide clear standards to protect mining operations from future conflicts while
24 providing standards applicable to mining which will reduce the impacts of mining on surrounding land
25 uses.

26

1 (E) On August 22, 1994 the Planning Commission held open workshops for drafting of the
2 amendments. On September 12, 1994 the Planning Commission held a public hearing. On September 26,
3 1994 the Planning Commission held an additional open workshop for review of the amendments.
4 Hearings before the Board of County Commissioners followed on October 11, 1994, October 18, 1994,
5 October 27, 1994 and November 3, 1994. At each of the hearings all interested persons were given an
6 opportunity to appear and be heard.

7

8 Section II. Amendment of Framework Plan Text.

9 Multnomah County Comprehensive Framework Plan Policy 16-B is amended to read as follows:

10 POLICY 16 - B: MINERAL AND AGGREGATE RESOURCES

11 IT IS THE COUNTY'S POLICY TO PROTECT AND ENSURE APPROPRIATE USE [AREAS] OF
12 MINERAL AND AGGREGATE RESOURCES OF THE COUNTY, [FROM INAPPROPRIATE LAND
13 USES WHICH COULD LIMIT THEIR FUTURE USE] AND MINIMIZE CONFLICT BETWEEN SUR-
14 FACE MINING ACTIVITIES AND SURROUNDING LAND USES.

15 STRATEGIES

16 A. The county shall protect significant gravel and mineral resources consistent with Statewide Planning
17 Goal 5 and Oregon Administrative Rules Chapter 660, Division 16.

18 B. [A.] As a part of the ongoing planning program the County will maintain [engage in] an inventory of
19 mineral and aggregate resource[s] sites within the County [utilizing data, criteria and standards from
20 the most recent study of rock material resources compiled by the State Department of Geology and
21 Mineral Industries]. The comprehensive plan inventory is to include four classifications of sites:

- 22 1. "Potential sites" are sites for which information about the location, quality, and quantity of a
23 resource site is not adequate to allow a determination of significance (Goal 5 Process Flow Chart
24 designation of "1B");
25 2. "Not significant sites" are sites for which information about the location, quality, and quantity of a
26 resource site shows that the site is not a significant resource (Goal 5 Process Flow Chart designa-

1 tion of "1A"):

2 3. "Protected sites" are significant resource sites which are identified through the Goal 5 process as
3 resources that the county will protect from conflicting uses (Goal 5 Process Flow Chart designa-
4 tions "2A," "3A," and "3C"); and

5 4. "Not protected sites" are significant resource sites for which the decision of the ESEE analysis is to
6 not protect the resource from conflicting uses (Goal 5 Process Flow Chart designation of "3B").

7 C. A resource site may include all or portions of a parcel, and may include contiguous parcels in different
8 ownerships.

9 ~~D. [B During County-initiated Comprehensive Plan updates, the County will utilize information made~~
10 ~~available from other sources regarding the location, quality and quantity of mineral and aggregate~~
11 ~~resources when that information is verified by such qualified professionals as certified engineering~~
12 ~~geologists and recognized testing laboratories]~~ For sites on the "potential sites" inventory, the county
13 shall review available information about aggregate and mineral resources, and if the information on
14 location, quantity, and quality is adequate, determine if the site is significant. Initiation of this process
15 shall occur either:

16 1. As part of the next scheduled periodic review; or

17 2. When a record owner or the authorized agent of the record owner submits information concerning
18 the significance of a resource site and applies for a comprehensive plan amendment.

19 ~~E. [C Determination that a particular mineral and aggregate resource site is both "Important" and should~~
20 ~~be included in the plan inventory is to be based upon the site's proven ability to yield more than 25,000~~
21 ~~cubic yards of resource]~~ The county will judge the significance of mineral and aggregate resources on
22 a case by case basis, under the standards and procedures in LCDC's Goal 5 interpretive rules.

23 ~~F. [D: "Important" sites should be reviewed using the Statewide Planning Goal 5 "Economic, Social,~~
24 ~~Environmental, and Energy analysis" (ESEE) procedure as outlined in OAR 660-16-000 through 660-~~
25 ~~16-025 and only those sites receiving a "2A", "3A", or "3C" designation should be considered for con-~~
26 ~~ditional use approval for mineral and aggregate extraction.]~~ For each site determined to be significant,

1 the county shall complete the remainder of the Goal 5 process of identifying conflicting uses, analyz-
2 ing the Economic, Social, Environmental, and Energy (ESEE) consequences of the conflicting use(s),
3 and designating a level of protection from conflicting uses. If the final decision concerning the site is
4 to preserve fully or partially protect the resource from conflicting uses, the county shall zone the site
5 and the designated ESEE impact area with the Protected Aggregate and Mineral Resources Overlay
6 Zoning Subdistrict (PAM).

7 [~~E. In between scheduled plan updates, additional sites may be added to the plan inventory of "Important"~~
8 ~~sites and receive an ESEE designation by means of the standard plan amendment process initiated by~~
9 ~~the owner of the resource.]~~

10 G. Mining and the associated processing of aggregate and mineral materials, in excess of the limited
11 exemptions in Subsection H below, may only be allowed at sites included on the "protected sites"
12 inventory. Approval of a mining operation at a "protected site" shall be reviewed as a conditional use.
13 The general conditional use provisions regarding time limits, conditions, restrictions, and approval cri-
14 teria, (MCC .7110(C), .7110(E), .7115, .7120, .7122, and .7125, October, 1994), shall not apply.

15 H. Exemptions

16 1. The following activities are exempt from the approval requirements and development standards of
17 this policy:

18 (a) Mining auxiliary to forest practices.

19 (b) Lawful mining operating under a DOGAMI "Grant of Total Exemption" on (the effective date
20 of the Ordinance) on property owned or controlled by the operator. Abandonment, restoration,
21 or alteration of this use shall be in compliance with the non-conforming use provisions of
22 MCC .8805 and .8810.

23 2. Mining less than 1,000 cubic yards of material in conjunction with mining an area of less than one
24 acre is exempt from the approval requirements and development standards of this policy. However,
25 the mining activity shall require approval of a Hillside and Erosion Control permit and any other
26 permits as may be required in any overlay subdistrict.

1 3. Mining a quantity and area in excess of 2 above, but less than 5,000 cubic yards of material or dis-
2 turbing less than one acre of land within a period of 12 consecutive months until mining affects
3 five or more acres is exempt from the approval requirements and development standards of this
4 policy which require review by and issuance of an operating permit from DOGAMI. However,
5 mining at this level of activity shall:

6 (a) Be on a "protected site" as determined by, and subject to restrictions warranted by, the Goal 5
7 process;

8 (b) Be approved as a mining conditional use; and

9 (c) Obtain approval of a Hillside and Erosion Control Permit in conjunction with the mining con-
10 ditional use approval. The Hillside and Erosion Control permit shall be required in place of all
11 references in the plan and code to obtaining a DOGAMI operating permit in recognition that
12 this level of mining activity is exempted by DOGAMI rules for such a permit.

13 I. To approve surface mining at a site zoned Exclusive Farm Use (EFU) the county shall find, as part of
14 the conditional use approval criteria, that the proposed activity:

15 1. Will not force a significant change in accepted farm or forest practices on surrounding lands devot-
16 ed to farm or forest use; and

17 2. Will not significantly increase the cost of accepted farm or forest practices on lands devoted to
18 farm or forest use.

19 J. To approve surface mining at a site zoned Commercial Forest Use (CFU), the county shall find, as part
20 of the conditional use approval criteria, that:

21 1. The proposed mining will not force a significant change in, or significantly increase the cost of,
22 accepted farming or forest practices on agriculture or forest lands;

23 2. The proposed mining will not significantly increase fire hazard or significantly increase fire sup-
24 pression costs or significantly increase risks to fire suppression personnel; and

25 3. A written statement recognizing the rights of adjacent and nearby property owners to conduct
26 accepted forest practices has been recorded with the property deed in accordance with OAR 660-

1 06-025 (1994).

2 K. The county shall not independently apply the Protected Aggregate and Mineral Resources Overlay
3 Subdistrict (PAM) to land within another county, or within a city or its urban growth boundary. The
4 county shall encourage protection of significant sites through cooperative agreements with another
5 county or a city where the resource or its impact area extends across jurisdictional boundaries.

6 L. The county shall require increased setbacks, insulation, screening, or similar measures as conditions of
7 approval for any new conflicting use within an impact area surrounding an aggregate or mineral
8 resource site when such measures are necessary to resolve conflicts identified in a site-specific Goal 5
9 analysis.

10 M. The county shall impose conditions on surface mining when necessary to lessen conflicts identified as
11 part of a site-specific Goal 5 analysis. Where such conditions conflict with criteria and standards in
12 the Protected Aggregate and Mineral Resources Overlay, the conditions developed through the Goal 5
13 process shall control.

14 N. Based upon the Goal 5 ESEE analysis and the existing base zoning district, the county shall determine
15 the appropriate post-mining use of the site.

16 O. The county recognizes the jurisdiction of the Department of Geology and Mineral Industries (DOGA-
17 MI) over mined land reclamation pursuant to ORS 517.750 to 517.900 (1994) and the rules adopted
18 thereunder.

19 P. Unless specifically determined on a case by case basis, it shall be the policy of the county, that
20 DOGAMI delay its final decision on approval of a reclamation plan and issuance of an operating per-
21 mit until the county decides all comprehensive plan amendments and/or conditional use approvals. It
22 is also the policy of Multnomah County to participate in and cooperate with DOGAMI in their review
23 of a permit application to that agency.

24 Q. No surface mining or processing activity, as defined by the zoning ordinance, shall begin without land
25 use approval from the county, and approval of a reclamation plan and issuance of an operating permit
26 by DOGAMI and Department of Environmental Quality.

1 R. When the aggregate or mineral site has been reclaimed, the county may rezone land to remove the
2 Protected Aggregate and Mineral Resources Overlay Subdistrict (PAM) without revising the ESEE
3 Analysis for the site. Rezoning shall not relieve requirements on the part of the owner or operator to
4 reclaim the site in accordance with ORS 517.750 through 517.900 and the rules adopted thereunder.

5 ~~[F. The Zoning Code should include provisions for:~~

- 6 ~~1. Mineral and aggregate extraction, processing, and distribution as a special conditional use with~~
7 ~~performance oriented criteria of approval for those sites receiving a "2A", "3A", or "3C" designa-~~
8 ~~tion as part of the ESEE analysis.]~~
- 9 ~~2. Associated processing and distribution activities as a conditional use that must meet all conditional~~
10 ~~use requirements if the site is not a "2A", "3A", or "3C" resource location.~~
- 11 ~~3. The exemption of small scale and farm and forest practice extraction sites from conditional use~~
12 ~~review.~~
- 13 ~~4. The establishment of extraction and rehabilitation standards for mineral and aggregate resources in~~
14 ~~compliance with DOGAMI regulations as applicable.~~
- 15 ~~5. Protection of natural resources.~~
- 16 ~~6. A standard setback buffer between "noise sensitive" land uses and extraction activities:~~
 - 17 ~~(a). The location of proposed extraction activities should be setback from existing "noise sensitive"~~
18 ~~uses.~~
 - 19 ~~(b). The location of "noise sensitive" land uses should be setback from both existing mining activi-~~
20 ~~ties and designated ESEE "2A", "3A", and "3C" resource site boundaries.~~
 - 21 ~~(c). Some reduction in the setback buffers may be appropriate if the "noise sensitive" land use~~
22 ~~property owner agrees to record a non remonstrance deed restriction agreeing to the reduced~~
23 ~~distance.]~~

1 Section III. Repeal of certain Zoning Code subsections.

2 The following subsections of Multnomah County Code Chapter 11.15 regarding setbacks between
3 land uses and mining operations are repealed:

4 .2016(F); .2058(G); .2096(K); .2138(F); .2218(F); .2258(F); .2360(H); .2480(I); .2692(K);
5 .2834(J); .2844(J); .2854(J); .2864(J); .2874(J); .2884(J); .2894(I); and .7025(H).

6

7 Section IV. Amendment of Zoning Code.

8 Multnomah County Code Chapter 11.15 is amended to read as follows:

9

10 **Classification of Districts, Zoning Map & References to Other Sections**

11 **11.15.1005 Districts**

12 The County of Multnomah, outside incorporated cities, is hereby divided into the following districts:

13 * * *

14 (B) Special Districts:

15 * * *

16 SPA - Special Plan Area District

17 PAM - Protected Aggregate and Mineral District

18 * * *

19

20 **Protected Aggregate and Mineral Resources PAM**

21 **11.15.6750 Purposes**

22 The purposes of the Protected Aggregate and Mineral Resources Overlay Subdistrict are:

23 (A) To provide a mechanism to identify and, where appropriate, protect significant aggregate and min-
24 eral resource sites;

25 (B) To allow surface mining subject to uniform operating standards; and

26 (C) To regulate conflicts with surface mining activities.

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11.15.6755 Area Affected

This subsection shall apply to those lands designated PAM on the Multnomah County Zoning Map. On the Zoning Map shall also be a reference to the relevant site-specific Comprehensive Plan documents.

Exemption activities as described in MCC .6760(A) and (B) are allowed in all districts, not only those designated PAM.

11.15.6760 Exemptions

(A) The following activities are exempt from the requirements of MCC .6750 through .6795 and .7305 through .7335. Operators or land owners have the burden of qualifying for any exemption.

(1) Mining on forest lands auxiliary to forestry operations occurring in compliance with the Forest Practices Act as administered by the Oregon Department of Forestry.

(2) Lawful mining operating under a DOGAMI "Grant of Total Exemption" on (the effective date of the Ordinance) on property owned or controlled by the operator. Abandonment, restoration, or alteration of this use shall be in compliance with the non-conforming use provisions of MCC .8805 and .8810.

(B) Mining less than 1,000 cubic yards of material in conjunction with mining an area of less than one acre is exempt from the requirements of MCC .6750 through .6795 and .7305 through .7335, but shall require the approval of a Hillside and Erosion Control Permit and any other permits as may be required in any overlay subdistrict.

(C) Mining a quantity in excess of (B), but mining less than 5,000 cubic yards of material or disturbing less than one acre of land within a period of 12 consecutive months until mining affects five or more acres is exempt from the requirement in MCC .7325 and .7331 to obtain a DOGAMI operating permit. However, mining at this level of activity shall:

- 1 (1) Be on a "protected site" as determined by, and subject to restrictions warranted by, the Goal 5
2 process;
- 3 (2) Be approved as a mining conditional use pursuant to the provisions and requirements of MCC
4 .7305 through .7335; and
- 5 (3) Obtain approval of a Hillside and Erosion Control Permit in conjunction with the mining con-
6 ditional use approval. The Hillside and Erosion Control permit shall be required in place of all
7 references in the plan and MCC 11.15 to obtaining a DOGAMI operating permit in recognition
8 that this level of mining activity is exempted by DOGAMI rules for such a permit.

9

10 **11.15.6765 Definitions**

11 As used in this subdistrict and MCC .7305 through .7335, unless otherwise noted, the following words
12 and their derivations shall have the following meanings:

- 13 (A) Conflicting Use – A use authorized in the underlying zone which, if allowed, could adversely
14 affect operations at a protected aggregate and mineral resource site. As used in this subsection, a
15 conflicting use is also another inventoried significant Goal 5 resource located on or adjacent to a
16 protected aggregate or mineral site if that resource could force a change in mining or processing at
17 the site.
- 18 (B) Dust Sensitive Use – A conflicting use which is primarily used for habitation. Residential struc-
19 tures, churches, hospitals, schools, public libraries, and campgrounds are considered dust sensitive
20 uses during their period of use. Forest uses and farm uses are not dust sensitive uses unless deter-
21 mined through the Goal 5 process.
- 22 (C) ESEE Analysis – The analysis of Economic, Social, Environmental and Energy consequences of
23 allowing mining at a significant site, and allowing conflicting uses to displace mining at a signifi-
24 cant site. The ESEE analysis is the basis for determining the level of protection to be given the
25 resource.

1 (D) Extraction Area – The area of a protected aggregate and mineral resource site in which mining and
2 associated processing is permitted.

3 (E) Goal 5 Process – The planning process required by Oregon Administrative Rules Chapter 660,
4 Division 16. The Goal 5 process involves identifying resource sites, determining their signifi-
5 cance, identifying conflicting uses, analyzing the economic, social, environmental and energy con-
6 sequences of conflicting uses, determining the level of protection given to a resource site, and
7 implementing a program to protect significant sites.

8 (F) Impact Area – The area where uses may occur that could adversely affect the resource site or be
9 adversely affected by use of the resource site.

10 (G) Mining – The excavation of sand, aggregate (gravel), clay, rock, or other similar surface or subsur-
11 face resources. Mining does not include:

12 (1) Excavations conducted by a landowner or tenant on the landowner or tenant's property for the
13 primary purpose of reconstructing or maintaining access roads,

14 (2) Excavation or grading conducted in the process of farm or cemetery operations,

15 (3) Excavation or grading conducted within a road right-of-way or other easement for the primary
16 purpose of road construction, reconstruction or maintenance, or

17 (4) Removal, for compensation, of materials resulting from on-site construction for which a devel-
18 opment permit and a construction time schedule have been approved by the county.

19 (H) Noise Sensitive Use – A conflicting use which is primarily used for habitation. Residential struc-
20 tures, churches, hospitals, schools, public libraries, and campgrounds are considered noise sensi-
21 tive uses during their period of use. Forest uses and farm uses are not noise sensitive uses unless
22 determined through the Goal 5 process.

23 (I) PAM Overlay Subdistrict – A special purpose zoning designation for the purposes of MCC .6750
24 that is placed on a zoning map over a base zoning district (ie. CFU). The provisions of the PAM
25 subdistrict shall apply to land uses as specified, notwithstanding the provisions of the underlying
26 zone district.

1 (J) Processing – The washing, crushing, screening, and handling of aggregate and mineral resources.
2 Batching and blending of asphalt or portland cement concrete are included in the definition of pro-
3 cessing.

4 (K) Protected Site – Significant resource sites which are identified through the Goal 5 Process as
5 resources that the county will protect from conflicting uses. The special district designation
6 Protected Aggregate and Mineral Resources (PAM) shall only be applied to protected sites.

7 (L) Restrictive Covenant – An enforceable promise, given by the owner of a parcel whose use and
8 enjoyment of that parcel may be restricted in some fashion by mining occurring on another parcel,
9 not to object to the terms of a permit issued by a local government, state agency or federal agency.
10 The restrictive covenant shall be recorded in the real property records of the county, shall run with
11 the land, and is binding upon the heirs and successors of the parties. The covenant shall state that
12 obligations imposed by the covenant shall be released when the site has been mined and reclama-
13 tion has been completed.

14 (M) Significant Site – A site containing either significant aggregate resources or significant mineral
15 resources. The county will judge the significance of mineral and aggregate resources on a case by
16 case basis, under the standards and procedures in LCDC's Goal 5 interpretive rules.

17
18 **11.15.6770 PAM Overlay Special Subdistricts**

19 The Protected Aggregate and Mineral Resource Subdistrict (PAM) comprises two areas, the *Extraction*
20 *Area* (PAM-EA) and the *Impact Area* (PAM-IA).

21 (A) The *Extraction Area* shall be applied to the portion of *protected sites* where mining and associated
22 processing is to occur. The *Extraction Area* may consist of one or more parcels or portions of
23 parcels, and may be applied to contiguous properties under different ownership. The *Extraction*
24 *Area* boundary may be modified through the *Goal 5 process* to reduce conflicts with *conflicting*
25 *uses* existing when the overlay is applied. The *Extraction Area* shall be shown on the zoning map
26 with the designation PAM-EA.

1 (B) The Impact Area shall be applied to parcels or portions of parcels adjacent to the Extraction Area
2 and within the Impact Area deemed appropriate through the Goal 5 process. The Impact Area shall
3 be shown on the zoning map with the designation PAM-IA.

4
5 **11.15.6775 Procedure For Applying The PAM Subdistrict**

6 (A) A PAM subdistrict shall be established by amendment of the Comprehensive Framework Plan and
7 Zoning Map. The relevant factors for the establishment of the subdistrict are within the Oregon
8 Administrative Rules Chapter 660, Division 16; Comprehensive Plan Policy 16-B; MCC
9 11.05.290(1) and (2); and the applicable provisions of MCC 11.15.8205 through .8295. The factors
10 in MCC 11.15.8230(D) and (E) shall not apply.

11 (B) Under the applicable provisions of OAR Chapter 660, Division 16 and Comprehensive Plan Policy
12 16-B and based upon the analysis of information about the location, quality, and quantity of the
13 aggregate and mineral resource, the county shall make the following determinations regarding the
14 inventory status of the resource site and, if appropriate, continuation of the Goal 5 process:

15 (1) If the information about the location, quality, and quantity of a resource site is not adequate to
16 allow a determination of significance, the site shall be placed on a plan inventory of "poten-
17 tial sites" and shall remain on that inventory until information is available to determine
18 whether or not the site is significant, or

19 (2) If the resource site does not meet the definition of a significant site, the site shall be placed on
20 a plan inventory of "not significant sites", or

21 (3) If the resource site meets the definition of a significant site, the Goal 5 process shall be con-
22 tinued.

23 (C) Under the applicable provisions of OAR Chapter 660, Division 16 and Comprehensive Plan Policy
24 16-B and based upon the ESEE analysis, the county shall determine the amount of protection to be
25 given each significant site. Each determination shall be incorporated into the comprehensive plan,
26 and shall be reflected on the zoning maps. One of the following determinations shall be made:

- 1 (1) Protect the site fully and allow surface mining as a conditional use. The county shall place the
2 site on the *Protected Sites* inventory, apply the Protected Aggregate and Mineral Resources
3 Subdistrict, specify the planned use of the site following reclamation, and prohibit the estab-
4 lishment of *conflicting uses* within the *Extraction Area* and the *Impact Area*. Conditional use
5 approval of surface mining shall be pursuant to MCC .7305 through .7335 and shall not be
6 subject to the conditional use provisions of MCC .7110(C), .7110(E), .7115, .7120, and .7125.
- 7 (2) Balance protection of the site and conflicting uses, allow surface mining as a conditional use.
8 The county shall place the site on the *Protected Sites* inventory, apply the Protected
9 Aggregate and Mineral Resources Subdistrict, specify the planned use of the site following
10 reclamation, and identify which uses in the underlying zone are allowed outright, allowed
11 conditionally, or prohibited. Conditional use approval of surface mining shall be pursuant to
12 any site-specific requirements developed through the *Goal 5 process* and MCC .7305 through
13 .7335. Review criteria and conditions shall not include the conditional use provisions of
14 MCC .7110(C), .7110(E), .7115, .7120, and .7125. Site-specific requirements developed
15 through the *Goal 5 process*, MCC .6780, and .6785 shall govern development of *conflicting*
16 *uses*.
- 17 (3) Allow *conflicting uses* fully and do not allow surface mining except as exempted in MCC
18 .6760. The county shall then place the site on the “Not Protected Sites” inventory in accor-
19 dance with Framework Plan Policy 16-B, not apply the Protected Aggregate and Mineral
20 Resource Subdistrict, and not protect the site from *conflicting uses*.

21

22 **11.15.6780 Extraction Area (PAM-EA) - Allowed Uses**

23 Notwithstanding the use provisions of the underlying district, the following use provisions shall apply
24 in the PAM-EA Subdistrict:

- 25 (A) *Primary Uses, Uses Permitted Outright, Uses Permitted Under Prescribed Conditions, and*
26 *Conditional Uses* allowed in the underlying district may be permitted subject to the underlying dis-

1 strict provisions and criteria of approval, except as provided for in this subsection.

2 (1) Uses identified through the Goal 5 process to be prohibited within the Extraction Area shall
3 not be permitted.

4 (2) Noise or dust sensitive uses not prohibited in (1) may be permitted under the conditional use
5 procedural provisions of MCC .7105 through .7140 when found by the Hearing Authority to
6 satisfy the approval criteria of MCC .6790 and the approval criteria of the underlying district.

7 (3) Conflicting uses required by the Goal 5 process to be conditionally approved may be permit-
8 ted under the procedural provisions of MCC .7105 through .7140 when found by the Hearing
9 Authority to satisfy the approval criteria of MCC .6790 and the approval criteria of the under-
10 lying district.

11 (B) The following uses may be permitted subject to a finding by the Hearing Authority that all stan-
12 dards adopted as part of the Goal 5 process and the provisions of MCC .7305 through .7335 are
13 met. Review by the Hearing Authority shall be under the procedural provisions of MCC .7105,
14 .7107, .7110(A), .7110(B), .7110(D), .7130 and .7135.

15 (1) Mining;

16 (2) Processing, except the batching or blending of aggregate and mineral materials into asphalt
17 concrete within two miles of a planted commercial vineyard existing on the date of condition-
18 al use approval;

19 (3) Stockpiling of aggregate and mineral materials;

20 (4) Sale of mineral products excavated and processed on-site;

21 (5) Storage of equipment or vehicles used in on-site mining or processing;

22 (6) Buildings, structures, and activities necessary and accessory to mining or reclaiming aggre-
23 gate or mineral resources.

1 **11.15.6785 Impact Area (PAM-IA) - Allowed Uses**

2 Notwithstanding the use provisions of the underlying district, the following use provisions shall apply
3 in the PAM-IA Subdistrict. Primary Uses, Uses Permitted Outright, Uses Permitted Under Prescribed
4 Conditions, and Conditional Uses allowed in the underlying district may be permitted subject to the
5 underlying district provisions and criteria of approval, except as follows:

6 (A) Uses identified through the Goal 5 process to be prohibited within the Impact Area shall not be
7 permitted;

8 (B) Noise or dust sensitive uses not prohibited in (A) may be permitted under the conditional use pro-
9 cedural provisions of MCC .7105 through .7140 when found by the Hearing Authority to satisfy
10 the approval criteria of MCC .6790 and the approval criteria of the underlying district; and

11 (C) Conflicting uses required by the Goal 5 process to be conditionally approved may be permitted
12 under the procedural provisions of MCC .7105 through .7140 when found by the Hearing
13 Authority to satisfy the approval criteria of MCC .6790 and the approval criteria of the underlying
14 district.

15
16 **11.15.6790 Use Approval Criteria**

17 (A) In acting to approve a Conditional Use subject to these provisions, the Hearing Authority shall find
18 that:

19 (1) The proposed use will not interfere with or cause an adverse impact on lawfully established
20 and lawfully operating mining operations;

21 (2) The proposed use will not cause or threaten to cause the mining operation to violate any
22 applicable standards of this chapter, or the terms of a state agency permit. The applicant for a
23 new noise sensitive use shall submit an analysis prepared by an engineer or other qualified
24 person, showing that applicable DEQ noise control standards are met or can be met by a
25 specified date by the nearby mining operation; and

26 (3) Any setbacks or other requirements imposed through the Goal 5 process have been met, or

1 can be met by a specified date.

2 **(B) Approval Conditions.**

3 (1) Compliance with the use approval criteria may be satisfied through the imposition of clear
4 and objective conditions of approval.

5 (2) Approval of any conflicting use in the extraction area or impact area shall be conditioned
6 upon execution of a restrictive covenant in favor of the mining operator. The restrictive
7 covenant shall incorporate all approval conditions, and an agreement not to object to the con-
8 duct of lawful operations conducted at the nearby surface mine.

9
10 **11.15.6795 Termination of the Protected Aggregate and Mineral Resources Subdistrict**

11 When the aggregate or mineral site has been reclaimed, the county may rezone land to remove the
12 Protected Aggregate and Mineral Resources Overlay Subdistrict (PAM) without revising the ESEE
13 Analysis for the site. Rezoning shall not relieve requirements on the part of the owner or operator to
14 reclaim the site in accordance with ORS 517.750 through 517.900 and the rules adopted thereunder.

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16 * * *

17
18 **Conditional Uses CU**

19 **11.15.7105 Purposes**

20 Conditional uses as specified in a district or described herein, because of their public convenience,
21 necessity, unique nature, or their effect on the Comprehensive Plan, may be permitted as specified in
22 the district or described herein, provided that any such conditional use would not be detrimental to the
23 adjoining properties or to the purpose and intent of the Comprehensive Plan.

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25 Certain conditional use provisions of time limits, conditions, restrictions, and approval criteria shall not
26 apply to Mineral Extraction conditional uses.

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11.15.7107 Mineral Extraction Exemptions from Standards

Mineral Extraction conditional uses are exempted from the provisions of MCC .7110(C), .7110(E), .7115, .7120, .7122, and .7125.

11.15.7110 General Provisions

(A) Application for approval of a Conditional Use shall be made in the manner provided in MCC .8205 through .8280.

(B) The Approval Authority shall hold a public hearing on each application for a Conditional Use, modification thereof, time extension or reinstatement of a revoked permit.

(C) ~~[Except as provided in MCC .7330, t]~~ The approval of a Conditional Use shall expire two years from the date of issuance of the Board Order in the matter, or two years from the date of final resolution of subsequent appeals, unless:

- (1) The project is completed as approved, or
- (2) The Approval Authority establishes an expiration date in excess of the two year period, or
- (3) The Planning Director determines that substantial construction or development has taken place. That determination shall be processed as follows:
 - (a) Application shall be made on appropriate forms and filed with the Director at least 30 days prior to the expiration date.
 - (b) The Director shall issue a written decision on the application within 20 days of filing. That decision shall be based on findings that:
 - (i) Final Design Review approval has been granted under MCC .7845 on the total project; and
 - (ii) At least ten percent of the dollar cost of the total project value has been expended for construction or development authorized under a sanitation, building or other development permit. Project value shall be as determined by MCC .9025(A) or .9027(A).

1 (c) Notice of the Planning Director decision shall be mailed to all parties as defined in MCC
2 .8225.

3 (d) The decision of the Planning Director shall become final at the close of business on the
4 tenth day following mailed notice unless a party files a written notice of appeal. Such
5 notice of appeal and the decision shall be subject to the provisions of MCC .8290 and
6 .8295.

7 (D) A Conditional Use permit shall be issued only for the specific use or uses, together with the limita-
8 tions or conditions as determined by the Approval Authority. Any change of use or modification
9 of limitations or conditions shall be subject to approval authority approval after a public hearing.

10 (E) The findings and conclusions made by the approval authority and the conditions, modifications or
11 restrictions of approval, if any, shall specifically address the relationships between the proposal
12 and the approval criteria listed in MCC .7120 and in the district provisions.

13
14 **11.15.7115 Conditions and Restrictions**

15 [~~Except as provided for Mineral Extraction and Processing activities approved under MCC .7305~~
16 ~~through .7325 and .7332 through .7335, t]~~ The approval authority may attach conditions and restric-
17 tions to any conditional use approved. Conditions and restrictions may include a definite time limit, a
18 specific limitation of use, landscaping requirements, off-street parking, performance standards, perfor-
19 mance bonds, and any other reasonable conditions, restrictions or safeguards that would uphold the
20 purpose and intent of this Chapter and mitigate any adverse effect upon the adjoining properties which
21 may result by reason of the conditional use allowed.

22
23 **11.15.7120 Conditional Use Approval Criteria**

24 (A) A Conditional Use shall be governed by the approval criteria listed in the district under which the
25 conditional use is allowed. If no such criteria are provided, the approval criteria listed in this sec-
26 tion shall apply. In approving a Conditional Use listed in this section, the approval authority shall

1 find that the proposal:

- 2 (1) Is consistent with the character of the area;
- 3 (2) Will not adversely affect natural resources;
- 4 (3) Will not conflict with farm or forest uses in the area;
- 5 (4) Will not require public services other than those existing or programmed for the area;
- 6 (5) Will be located outside a big game winter habitat area as defined by the Oregon Department of
7 Fish and Wildlife or that agency has certified that the impacts will be acceptable;
- 8 (6) Will not create hazardous conditions; and
- 9 (7) Will satisfy the applicable policies of the Comprehensive Plan.

10 ~~[(B) Except for off site stockpiling, subpart (A) of this subsection shall not apply to applications for~~
11 ~~mineral extraction and processing activities. Proposals for mineral extraction and processing shall~~
12 ~~satisfy the criteria of MCC .7325.]~~

13
14 * * *

16 Mineral Extraction CU

17 11.15.7305 Definitions

18 As used in this section, the words and their derivations defined in MCC .6765 shall have the meanings
19 given therein.

20 ~~[(A) Mining means the removal of minerals or aggregate material, whether extracted from land or~~
21 ~~water, by any method, including but not limited to shoveling, blasting, scooping, and dredging.~~

22 ~~(B) Minerals include any and all solid mineral products, metallic and non-metallic, extracted for com-~~
23 ~~mercial, industrial or construction use from natural deposits.~~

24 ~~(C) Aggregate material includes crushed or uncrushed gravel, crushed stone, or sand from natural~~
25 ~~deposits.~~

26 ~~(D) Reclamation Plan shall have the meaning contained in ORS 517.750.~~

1 ~~(E) Noise Sensitive Uses include dwellings, schools, public parks, churches, hospitals, public libraries,~~
2 ~~offices or other similar uses determined to be noise sensitive uses by the Department of~~
3 ~~Environmental Quality.~~

4 ~~(F) Dust Sensitive Uses include dwellings, schools, public parks, churches, hospitals, public libraries,~~
5 ~~offices, food service or other similar uses determined to be dust sensitive uses by the Department~~
6 ~~of Environmental Quality.~~

7 ~~(G) ESEE is an abbreviation for the "Economic, Social, Environmental, and Energy" analysis proce-~~
8 ~~dure for Goal 5 resources described in OAR 660-16-000 through 660-16-025 and which is adopted~~
9 ~~as a part of the Comprehensive Plan.]~~

11 11.15.7310 Board Findings

12 (A) There is a need to conserve and protect known mineral and aggregate resources for present and
13 future generations.

14 (B) There is a need to plan and make allowances for interim, transitional, and secondary use utilization
15 of mineral and aggregate resource extraction areas.

16 (C) There is a need to promote healthy and visually attractive environments; and to reduce conflicts
17 between different land uses.

18 (D) There is a need to provide regulations in accordance with LCDC Statewide Planning Goals.

20 11.15.7315 Purposes

21 The purposes of the Mineral Extraction section are to promote the public health, safety and general
22 welfare[,] through the protection of mineral and aggregate resources [a]] in accordance with [~~ORS~~
23 ~~215, ORS 517, and 522,~~] LCDC Statewide Planning Goal #5, and the Multnomah County
24 Comprehensive Plan. The regulations [~~of uses within this district]~~ are designed to:

25 (A) Recognize mineral and aggregate resource extraction as a land use influenced largely by the loca-
26 tion of the natural resource and the location of the market;

- 1 (B) Provide maximum flexibility for location of the extraction process within a variety of underlying
2 zones, while at the same time minimizing potentially adverse effects on the public and property
3 surrounding the extraction site;
- 4 (C) Recognize mineral and aggregate resource sites which receive an ESEE designation for protection
5 of "2A", "3A", or "3C" as being appropriate for extraction operations when in compliance with
6 MCC .7325 - .7332; and
- 7 (D) Recognize mineral extraction as a temporary use dependent to a large degree upon market condi-
8 tions and resource size and that reclamation and the potential for future use of the land for other
9 activities must also be considered.

10
11 ~~11.15.7320 Uses~~

- 12 ~~(A) Extraction of materials including the storage, stockpiling, distribution, and sale thereof;~~
13 ~~(B) Installation and operation of plants or apparatus for rock crushing and cement treatment of miner-~~
14 ~~als excavated at the site for which the Conditional Use is being requested, including screening,~~
15 ~~blending, washing, loading, and conveying of materials.~~
16 ~~(C) Mining and processing of geothermal resources.~~
17 ~~(D) Activities utilizing the extracted minerals such as mixing or batching plants, or manufacturing the~~
18 ~~extracted minerals into finished products.~~
19 ~~(E) Structures, facilities and mobile homes for the repair, maintenance, and storage of equipment or~~
20 ~~supplies, office spaces or watchmen, as are reasonably necessary for the conduct of the proposed~~
21 ~~use.]~~

22
23 **11.15.7322 Exceptions**

24 Exempted from the requirements of this section are those mineral extraction sites and activities as
25 given in MCC .6760. ~~[which:~~

- 26 ~~(A) If zoned EFU, produce less than 1,000 cubic yards of material and affect less than one acre, or~~

- 1 ~~(B) Produce less than 5,000 cubic yards of material and affect less than one acre in any consecutive 12~~
2 ~~month period, and which over time affect less than a total of five acres, or~~
3 ~~(C) Produce materials which are used by the owner or tenant for construction and maintenance of on-~~
4 ~~site access roads, and farming or forest practices.]~~

5
6 **11.15.7325 Criteria for Approval**

7 The approval authority shall find that:

- 8 (A) The site is [~~designated "2A", "3A", or "3C" through an ESEE analysis~~] included on the inventory
9 of protected aggregate and mineral resource sites in the Comprehensive Plan.
10 (B) There is a proposed reclamation plan which will allow the property to be utilized as provided in [as
11 envisioned by] the Comprehensive Plan and the underlying district.
12 (C) [~~The following general operation requirements and standards have been, or will be met:~~] The
13 applicant has shown that the standards of this section, or site-specific requirements adopted as part
14 of a comprehensive plan amendment, can or will be met by a specified date.

15 (1) Access and traffic.

- 16 (a) Prior to any surface mining activity, all on-site roads used in the mining operation and all
17 roads from the site to a public right-of-way shall be designed and constructed to accom-
18 modate the vehicles and equipment which will use them.
19 (b) All on-site and private access roads shall be paved or adequately maintained to minimize
20 dust and mud generation within 100 feet of a public right-of-way or 250 feet of a *dust*
21 *sensitive* land use.
22 (c) No material which creates a safety or maintenance problem shall be tracked or discharged
23 in any manner onto any public right-of-way.
24 (d) The applicant shall submit all traffic information and traffic management plans required
25 in any site-specific Comprehensive Plan Program. The County Engineer shall review the
26 submitted plans and shall certify, based on findings relating to the *Multnomah County*

1 Rules for Street Standards, that the roads appropriately identified in the Plan:

2 (i) Are adequate to safely accommodate any additional traffic created by the extraction
3 operation for the duration of the activity, or

4 (ii) If the roads are inadequate to safely accommodate any additional traffic created by
5 the extraction operation for the duration of the activity that:

6 • The applicant has committed to finance installation of the necessary improve-
7 ments under the provisions of 02.200(a) or (b) of the *Multnomah County Rules*
8 *for Street Standards*, and

9 • A program has been developed for the numbers and weight of trucks from the
10 site that can safely be accommodated at specific levels of road improvement.
11 Based upon those findings, the Hearing Authority may attach related conditions
12 and restrictions to the conditional use approval.

13 (e [d]) If there are no traffic management requirements in the site-specific Comprehensive
14 Plan Program requirements, [F] the applicant shall identify the most commonly used
15 routes of travel from the site, [and t] The County Engineer shall certify, based on findings
16 relating to the *Multnomah County Rules for Street Standards*, that the applicant has iden-
17 tified the appropriate roads, and those roads:

18 (i) Are adequate to safely accommodate any additional traffic created by the extraction
19 operation for the duration of the activity, or

20 (ii) If the roads [A] are inadequate to safely accommodate any additional traffic created
21 by the extraction operation for the duration of the activity that:

22 • The applicant has submitted a traffic management plan that is sufficient for the
23 County Engineer to make relevant findings regarding necessary road improve-
24 ments;

25 • [, but t] The applicant has committed to finance installation of the necessary
26 improvements under the provisions of 02.200(a) or (b) of the *Multnomah*

1 County Rules for Street Standards; and

- 2 • A program has been developed for the numbers and weight of trucks from the
3 site that can safely be accommodated at specific levels of road improvement.
4 Based upon those findings, the Hearing Authority may attach related conditions
5 and restrictions to the conditional use approval.

6 (2) Screening, landscaping and visual appearance.

7 (a) All existing vegetation and topographic features which would provide screening and
8 which are within 100 [50] feet of the boundary of the proposed area of extraction shall be
9 preserved.

10 (b) If the site-specific Goal 5 analysis determines that existing [natural] vegetation and
11 topography is [found to be] insufficient to obscure [views of] the site from key viewing
12 areas and corridors, then measures as identified in the Goal 5 analysis to reduce or elimi-
13 nate conflicts shall be implemented: [the site shall be screened with] Methods of screen-
14 ing may include landscape berms, hedges, trees, walls, fences or similar features. Any [R]
15 required screening shall be in place prior to commencement of the extraction activities.

16 (c) The Approval Authority shall grant exceptions to the screening requirements [only upon
17 finding that] if:

18 (i) The proposed extraction area is not visible from any [dwelling, school, public park,
19 church, hospital, public library, or publicly maintained road] key viewing areas and
20 corridors identified in (b) above, or

21 (ii) Screening will be ineffective because of the topographic location of the site with
22 respect to surrounding properties, or

23 (iii) The area is part of the completed portion of a reclamation plan.

24 (3) Signing.

25 Signing shall be controlled by the standards of MCC .7932(A)-(D), except that only one sign
26 for each point of access to each differently named improved street may be allowed for any

1 operation not in a GC, EC, LM, GM, HM, C-2, M-4, M-3, M-2, and M-1 district.

2 (4) If no {H} hours and days of operation are contained in the site-specific Comprehensive Plan
3 Program, the following shall apply: [.]

4 (a) Operating hours shall be allowed from 7:00 am to 6:00 pm. No operation shall be allowed
5 on Sundays or on New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving
6 Day, and Christmas Day.

7 (b) ~~[(a) The Approval Authority may allow alternative hours on sites for which the ESEE anal-~~
8 ~~ysis has identified other potential operating time periods;]~~ Blasting shall be restricted to
9 the hours of 9:00 am to 5:00 pm. No blasting shall be allowed on Saturdays, Sundays or
10 on New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, and
11 Christmas Day.

12 (c) ~~[(b)]~~ Short-term exceptions to the hours [and] days of operation may be approved pursuant to
13 the provisions of MCC .8705.

14 (5) Air, water, and noise quality.

15 (a) ~~[The discharge of airborne contaminants and dust created by the extraction operation shall~~
16 ~~comply with the air quality standards established by the Department of Environmental~~
17 ~~Quality.]~~ The applicant shall obtain and comply with the standards of all applica-
18 ble emission discharge permits from the Department of Environmental Quality. Copies of all
19 required permits shall be provided to the county prior to beginning mining.

20 (b) ~~[Sedimentation and erosion resulting from the extraction operation shall comply with the~~
21 ~~standards established by the Department of Environmental Quality.]~~ The applicant shall
22 obtain and comply with the standards of all applicable waste water discharge permits
23 from the Department of Environmental Quality. Copies of all required permits shall be
24 provided to the county prior to beginning mining.

25 (c) Sound generated by an operation shall comply with the noise control standards of the
26 Department of Environmental Quality. Compliance with the standards can be demonstrat-

1 ed by the report of a certified engineer. Methods to control and minimize the effects of
2 sound generated by the operation on ~~[off-site locations]~~ noise sensitive uses existing or
3 approved (valid action or administrative decision) on the date of application may include,
4 but not be limited to, the installation of earth berms, equipment location, limitations on
5 the hours of operation, and relocation of access roads.

6 (6) Fish and wildlife protection.

7 ~~[(a)]~~ Fish and wildlife habitat, water bodies, streams, and wetlands ~~[identified by]~~ inventoried
8 in the Comprehensive Plan ~~[-, or recognized as significant by an ESEE analysis, or found to be~~
9 ~~significant during project review]~~ shall be protected ~~[to the maximum possible]~~ according to
10 the program contained in the Comprehensive Plan. ~~[Where appropriate, such habitat may be~~
11 ~~mitigated by such enhancement measures as the provision of additional feed and cover for~~
12 ~~wildlife or fish stream habitat.~~

13 ~~(b) The extent of the operation's impact on and the importance of the fish and wildlife values~~
14 ~~present shall be determined in consultation with the State Department of Fish and~~
15 ~~Wildlife.~~

16 ~~(c) Streamside riparian vegetation shall be retained for all streams not a part of direct extrac-~~
17 ~~tion activities.]~~

18 (7) Setbacks.

19 (a) For mineral and aggregate processing activities:

20 (i) 200 feet to a property line, or

21 (ii) 400 feet to a *noise and dust sensitive* land use existing or approved (valid action or
22 administrative decision) on the date of application ~~[February 20, 1990];~~

23 (b) For access roads and residences located on the same parcel as the mining or processing
24 activity, setbacks shall be as required by the underlying district; and

25 (c) For mineral extraction and all other activities:

26 (i) 100 ~~[50]~~ feet to a property line, or

1 (ii) 400 [250] feet to a noise and sensitive land use existing or approved (valid action or
2 administrative decision) on the date of application [February 20, 1990].

3 (8) Reclaimed Topography.

4 All final reclaimed surfaces shall be stabilized by sloping, benching, or other ground control
5 methods. Reclaimed surfaces shall blend into the natural landforms of the immediately sur-
6 rounding terrain. These reclamation standards shall not apply where the Approval Authority
7 finds that the standards conflict with the reclamation plan provided in the Comprehensive Plan
8 or where DOGAMI finds that the standards are less restrictive than DOGAMI reclamation
9 standards.

10 [~~(9) Blasting shall be restricted to the hours of 9:00 am to 5:00 pm, Monday through Saturday.~~]

11 (9 [40]) Safety and security.

12 Safety and security measures, including fencing, gates, signing, lighting, or similar measures,
13 shall be provided to prevent public trespass to identified hazardous areas such as steep slopes,
14 water impoundments, or other similar hazard where it is found that such trespass is probable
15 and not otherwise preventable.

16 (10 [44]) Phasing program.

17 All phases of an extraction operation shall be reclaimed before beginning the next, except
18 where the Approval Authority or DOGAMI finds that the different phases cannot be operated
19 and reclaimed separately.

20 (11 [42]) Reclamation Schedule.

21 The reclamation plan shall include a timetable for continually reclaiming the land. The
22 timetable shall provide for beginning reclamation within twelve (12) months after extraction
23 activity ceases on any segment of the mined area and for completing reclamation within three
24 (3) years after all mining ceases, except where the Approval Authority or DOGAMI finds that
25 these time standards cannot be met.

1 (D) The proposed operations will not result in the creation of a geologic hazard to surrounding proper-
2 ties, such as through slumping, sliding, or drainage modifications, and have been certified by a
3 registered soils or mining engineer, or engineering geologist as meeting this requirement.

4 (E) Proposed blasting activities will not adversely affect the quality or quantity of groundwater within
5 wells in the vicinity of the operation.

6 (F) ~~[Conditional or preliminary approval for all phases of the proposed operation, including reclama-
7 tion, has been received from all governmental agencies having jurisdiction over mineral extraction,
8 and the applicable requirements in ORS 517 and ORS 522 have been complied with.]~~

9 If the site is zoned Exclusive Farm Use (EFU), the proposed operations:

10 (1) Will not force a significant change in accepted farm or forest practices on surrounding lands
11 devoted to farm or forest use; and

12 (2) Will not significantly increase the cost of accepted farm or forest practices on lands devoted to
13 farm or forest use.

14 (G) If the site is zoned Commercial Forest Use (CFU):

15 (1) The proposed operations will not force a significant change in, or significantly increase the
16 cost of, accepted farming or forest practices on agriculture or forest lands;

17 (2) The proposed operations will not significantly increase fire hazard or significantly increase
18 fire suppression costs or significantly increase risks to fire suppression personnel; and

19 (3) A written statement recognizing the rights of adjacent and nearby property owners to conduct
20 accepted forest practices has been recorded with the property deed in accordance with OAR
21 660-06-025 (1994).

22 ~~[(G) The Approval Authority may establish a program for periodic monitoring and reporting.]~~

23
24 **[11.15.7328 Operation Limitations**

25 ~~On sites with an ESEE analysis designation of "3C" the Approval Authority may place restrictions on~~
26 ~~extraction activities found to impact other Statewide Planning Goal 5 resources, noise sensitive uses,~~

1 ~~and other conflicting uses identified in the ESEE analysis. Restrictions may include limitations on the~~
2 ~~operating season and size or location of extraction activity, among others. Restrictions shall be site~~
3 ~~specific and directly related to the findings of the ESEE analysis and shall consider the need to balance~~
4 ~~the importance of the competing resources and conflicting uses against the mineral and aggregate~~
5 ~~resource.]~~

6
7 **[~~11.15.7329 Off-Site Stockpiling and Processing~~**

8 ~~Stockpiling, processing, and distribution activities listed in MCC .7320, related to but not including~~
9 ~~extraction, may be approved by the Approval Authority under the procedural provisions of MCC .7110~~
10 ~~through .7120 on sites other than ESEE designated "2A", "3A", and "3C" resource locations upon a~~
11 ~~finding that the applicable standards of MCC .7325 are satisfied.]~~

12
13 **[~~11.15.7330 Time Limit~~**

14 ~~A Conditional Use permit hereunder shall be valid for a maximum of five years from date of final~~
15 ~~approval. The Approval Authority may allow a time limit of a maximum of ten years on sites for which~~
16 ~~the ESEE analysis has identified a longer potential time limit. The applicant may apply for renewal not~~
17 ~~less than 90 days prior to the expiration of such permit. The renewal application may be denied,~~
18 ~~approved subject to previous conditions, or approved subject to new conditions in light of the follow-~~
19 ~~ing factors, among others:~~

20 ~~(A) Previous impacts of the use upon surrounding lands and activities;~~

21 ~~(B) Changes in technology and activities of the operation which will impact the surrounding lands and~~
22 ~~activities, and~~

23 ~~(C) Compliance with MCC .7325 and conditions of approval.]~~
24
25
26

1 **11.15.7331 Site Reclamation**

2 (A) No mining shall begin without the operator providing the county a copy of a DOGAMI operating
3 permit and approved reclamation permit or exemption certificate.

4 (B) When approving an application under this section the county shall determine the post-mining use
5 of the property. The determination of post-mining use shall be coordinated with DOGAMI to
6 ensure technical feasibility. The designated post-mining use shall conform to the Comprehensive
7 Plan.

8
9 **11.15.7332 Monitoring**

10 The Planning Director shall periodically monitor all extraction operations. The beginning dates and fre-
11 quency of monitoring shall be determined by the Approval Authority based upon any such requirement
12 in the Comprehensive Plan Program and upon the number and type of noise and dust sensitive land
13 uses, and other Goal 5 resources identified in the ESEE Analysis. If the Director determines that an
14 extraction operation is not in compliance with MCC .7325 or site-specific requirements of the
15 Comprehensive Plan Program, such enforcement proceedings deemed appropriate by the Multnomah
16 County Legal Counsel shall be instituted to require compliance.

17
18 **11.15.7335 Existing Operations**

19 All mineral extraction uses that have been approved under MCC .5575, .5580, and .7305 through
20 .7335, prior to July 26, 1979, shall continue to comply with the ~~[following requirements:]~~ zoning stan-
21 dards and conditions of approval imposed at the time of approval.

22 ~~[(A) No production from an open pit or the removal of sand or gravel shall leave a slope exceeding one~~
23 ~~foot horizontal for one foot vertical.~~

24 ~~(B) No mining, quarrying, excavating or processing of material shall be permitted closer than 100 feet~~
25 ~~from the boundaries of a Natural Resource, Rural, Residential, Office or Commercial district.~~

26 ~~(C) Properties to be used for surface mining shall be enclosed on the boundaries by a sight obscuring~~

1 ~~fence, except for reasonable areas of access and egress, as designated by the approval authority.~~

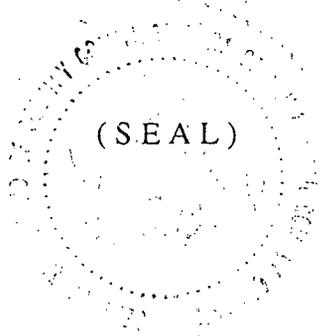
2 ~~(D) No permanent structure, such as rock crusher, washer or sorter, shall be located closer than 500~~
3 ~~feet from any district boundary.~~

4 ~~(E) Any conditions of operation imposed as a result of previous zoning controls or regulations shall~~
5 ~~continue.]~~

6
7 Section V. Adoption.

8 ADOPTED THIS 3rd day of November, 1994, being the date of its Fourth
9 reading before the Board of County Commissioners of Multnomah County.

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By *Beverly Stein*
Beverly Stein
Multnomah County Chair

REVIEWED:
JOHN DUBAY, CHIEF ASSISTANT COUNTY COUNSEL
for MULTNOMAH COUNTY, OREGON

By *John Dubay*