

Thursday, March 31, 1988

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corrections*

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spec ✓

The Board of Commissioners of Multnomah County met at the
Courthouse at 9:30 A.M. this date.

Present: Commissioner McCoy, Chair; Commissioner Anderson;

Commissioner Kafoury; Commissioner Casterline. Excused:

Commissioner Miller;

The following proceedings were had:

Order in the matter of accepting deed for Inverness)
Property from the City of Portland for jail pur-)
poses - public testimony invited. (Time Certain at)
9:30 AM) - Continued from March 24 R-10)

Commissioner McCoy explained the City has not yet approved
this matter.

Upon motion of Commissioner Kafoury, duly seconded by ✓

Commissioner Anderson, it is unanimously

ORDERED that the above-entitled matter be continued to Thursday, April 7, 1988 at 11:00 AM in Room 602 of the County Courthouse.

At this time, Commissioner McCoy explained Commissioner Miller is out of town, and excused from this meeting.

Upon motion of Commissioner Casterline, duly seconded by Commissioner Anderson, on a roll call vote, the following matter was considered by unanimous consent:

In the matter of Adopting an Official)	
Name for the Multnomah County Inverness)	RESOLUTION
Jail	R-10a)	#88-31

Fred Pearce, Sheriff, requested the Board name the facility the Multnomah County Inverness Jail.

Commissioner Casterline read the Resolution amended as suggested by Sheriff Pearce, and moved, duly seconded by Commissioner Anderson, and upon a roll call vote, unanimously

ORDERED that said amended Resolution be approved.

(See Page _____ for copy)

Commissioner McCoy directed a letter and a copy of the Resolution be sent to the Parkrose Neighborhood Group. Commissioner Casterline agreed to do so.

At this time, Commissioner McCoy introduced those who were present, and thanked them for their willingness to serve on Boards and Committees as follows:

In the matter of the re-appointment of Betty Kay)
Jacobs, Dale Pearson and Richard Leonard to the)
Food Services Advisory Board R-1)

Upon motion of Commissioner Anderson, duly seconded by Commissioner Casterline, it is unanimously

ORDERED that said re-appointment(s) be confirmed.

In the matter of the appointment of Toni Waymire)

to the Multnomah County Community Health Council) R-2

Upon motion of Commissioner Anderson, duly seconded by
Commissioner Casterline, it is unanimously

ORDERED that said appointment be confirmed.

In the matter of the appointment of Jean Cauthorn)
to the Juvenile Services Commission R-3)

Upon motion of Commissioner Anderson, duly seconded by
Commissioner Casterline, it is unanimously

ORDERED that said appointment be confirmed.

In the matter of the appointment of Lee Moore to)
the Multnomah Cable Regulatory Commission R-4)

Upon motion of Commissioner Anderson, duly seconded by
Commissioner Casterline, it is unanimously

ORDERED that said appointment be confirmed.

In the matter of the appointment of John O. Fund)
and Marlene S. Fund to act as Animal Control)
Hearings Officers R-5)

Commissioner Casterline moved, duly seconded by
Commissioner Kafoury, that the above-entitled matter be approved.

Mike Oswald, Animal Control Director, stated the two chosen
to be Hearings Officers, have been active in dog fancier
organization^{the} for many years; and ^{they} they both understand animals,
animal behavior, and pet ownership. He said over 800 dogs have been
classified in the animal program, and there have been over 125
hearings held in the last eight months. Because there is a backlog
of cases waiting, it is necessary to have more hearings officers.
Before this program was in effect, 25% of the animals causing
problems in the County were repeaters within a year from the first
problem; that percentage has been cut to 4% ~~due to the program~~. The
Hearings Officer portion of the program is critical to community
acceptance and maintaining ^{the} integrity of the classification system.
In response to Commissioner Anderson's question, ^{he said} ~~that~~ though the
proposed appointees have been active in breeding Staffordshire Bull
Terriers, their names were submitted by the Dog Fanciers of Oregon;
and that the controversy over "pit bulls" is one that includes those
responsible people who breed the dog, ~~and are concerned about the~~
~~problems~~, and are trying to resolve community problems. The review
process involves only the facts of the case, and is not affected by

controversies over the type or breed of dog; the situation and the behavior of the individual dog is the focus of the hearings. He said he has confidence in the ordinance, and ^{that} the process will prevail.

At this time, the motion was considered, and it is unanimously

ORDERED that said appointment(s) be confirmed.

In the matter of the Acceptance of)	ORDER ACCEPTING DEED
a Deed from Andy Huserik granting)	TO PROPERTY FOR
to Multnomah County a Perpetual)	COUNTY ROAD - # <u>88-21a</u>
Easement for County Road Purposes)	
)	OLD GERMANTOWN ROAD
)	COUNTY ROAD NO. 504
)	(E of Germantown Road)
R-6)	Item 88-104

Upon motion of Commissioner Casterline, duly seconded by Commissioner Kafoury, unanimously passed per recommended Order.
(CHAIR)

(See Supplement, Roads - J. 159 for copy)

In the matter of proclaiming the week of). PROCLAMATION
April 2 - 9 as COMMUNITY DEVELOPMENT WEEK R-7) #88-32

Commissioner Casterline read the Proclamation, and moved,
duly seconded by Commissioner Anderson, unanimously

ORDERED that said Proclamation be approved.

(See Page _____ for copy)

In the matter of Proclaiming April 1988 as) PROCLAMATION
FAIR HOUSING MONTH IN MULTNOMAH COUNTY R-8) #88-33

Commissioner Casterline read the Proclamation, and moved
approval, duly seconded by Commissioner Kafoury.

LeRoy Patton, 2423 NE Ainsworth, Portland Community Housing
Development Resource Board Chairman, testified in support of the
Proclamation. He explained ~~that~~ the organization he represents
promotes fair housing in Portland, and Multnomah County. The
organization has recently received a grant from U.S. Department of
Housing and Urban Development for education projects for Fair
Housing; and "in-kind" monies from both the City of Portland and the
County to implement the program. He discussed the Fair Housing Act,
history of the program, and the progress made over the past twenty

years, but added there is more to achieve. April 1988 marks a milestone for the organization. He submitted posters to the Commissioners provided by HUD.

At this time, the motion was considered, and it is unanimo^ulsy

ORDERED that said Proclamation be approved.

(See Page _____ for copy)

In the matter of Imposing Gross Weight Restriction)
on Vehicles Using the Stark Street Bridge ~~Over~~)
Sandy River R-9)

O R D E R
#88-34

Commissioner Casterline explained that recent examinations of the structure have revealed the Stark Street Bridge is unsafe; and read closure times for bridge repair, and alternate routes for travel. She moved approval, duly seconded by Commissioner Anderson,

Commissioner Anderson asked if the closure times and alternate routes were to be published in the paper.

Commissioner Casterline ^{said} ~~explained that~~ she feels it has been done.

Following discussion, the ~~motion~~ ^{was} considered, and it is unanimously

ORDERED that said Order be approved.

(See Page _____ for copy)

Notice of Intent to apply to the Oregon Department)
of Education for \$149,640 to develop a parent)
education demonstration project in the Social Ser-)
vices Division R-11)

Commissioner Anderson explained that this ^{grant} will develop a program for parents of 0-7 year old children, and that it is a one-time-only request ~~for grant~~. She added a search for funding to continue the program, ^{is being conducted} and moved, duly seconded by Commissioner Kafoury, unanimously

ORDERED that said Notice of Intent be approved.

In the matter of ratification of an Intergovern-)

mental Agreement with Hood River County to pro-)
vide a Community Corrections Alternative Commu-)
ity Service Forest Work Camp at Wyeth, Hood River)
County R-12a)

In the matter of ratification of an Intergovern-)
mental Agreement with the U.S. Forest Service to)
provide a Community Corrections Alternative Com-)
munity Service Forest Work Camp at Wyeth, Hood)
River County R-12b)

Commissioner Kafoury explained that the Corrections
Division has two agreements; one with Hood River County, and one
with the U. S. ~~Forestry~~ Service. She submitted an amended agreement
with the ~~Forestry~~ Service which contains a change in the title, on
page one, of the person at Mt. Hood National Forest to the "Forest
Service Ranger"; and on Page 2 (F), the address has been corrected.
She moved approval, duly seconded by Commissioner Anderson.

Following discussion, the motion was considered, and it is
unanimously

ORDERED that said amended intergovernmental agreement with
Hood River County, and the corrected intergovernmental
agreement with the U.S. Forest Service be ratified.

Commissioner Anderson expressed her pleasure that ~~this kind~~^{of} ~~the~~ agreements has^{all} been approved, and is an example of alternatives to jail sentences. She hopes this program can become a model for other~~s~~ programs. ✓

Commissisoner Casterline explained this is a new cooperative venture with Hood River County; and she, too, is hopeful the program proves to be successful. ✓ Redone

First Reading - An Ordinance amending Ordinance)
#561 dated September 17, 1987 by changing the)
name of the Columbia River Gorge Interpretive/) ORDINANCE
Orientation Center, changing the number of mem-) NO. 572
bers of the citizens committee, and defining)
additional duties for the committee, and declar-)
ing an emergency R-13)

Copies of the above-entitled Ordinance were available to all persons wishing a copy. Ordinance was read by title only.

A hearing was held; no one wished to testify.

Commissioner Casterline explained changes to be made in the Ordinance include: the name is to be Columbia River Gorge Interpretive/Orientation Center (Page 1, Section 2A (A & B); and

adding a Section 2A(C). She read the proposed addition as follows:
Research and recommend the procedures for analysis of a utilities
feasibility study, a traffic study, a conceptual footprint of the
facility, overall project concept design and construction. Section
2B, Section 3, Membership is changed from [thirteen (13)] to
fourteen (14). She moved approval of the amended Ordinance, duly
seconded by Commissioner Kafoury.

Commissioner Anderson asked for clarification of the term
"conceptual footprint".

Commissioner Casterline explained it means the
architectural design is not complete, but is only a concept at this
point.

Following discussion, the motion was considered, and it is
unanimously

ORDERED that said amended Ordinance be adopted.

*as an
emergency.*

(See Supplement, Ordinances - J. 159 for copy)

Continued Second Reading - An Ordinance amending)
MCC Chapter 6.31 by making the EMS Policy Board)
advisory to the Board of County Commissioners,) ORDINANCE
and ratifying rules adopted by the EMS Policy) NO. 573
Board, and declaring an emergency (Continued)
from March 24) R-14)

Copies of the above-entitled Ordinance were available to
all persons wishing a copy. Ordinance was read by title only.

A hearing was held.

Laurence Kressel, County Counsel, advised Commissioners the
correct copy was designated by 9:2 at the end of the Ordinance. He
explained this copy includes the original ordinance plus changes
adopted by the Board to-date. He discussed the ordinance and the
purposes for which it was developed; and recommended nonsubstantive
amendments to be made on page 3, Section E, and page 7, Section
8C(3). He responded to Board questions, and advised the Board
request recommendations from the EMS Policy Board for an Ambulance
Service Area Plan following adoption of the ordinance.

At this time, Commissioner Kafoury moved approval, *AK*
seconded by Commissioner Anderson. *15*

2 Motion failed for lack of a second.

Commissioner Kafoury moved, duly seconded by Commissioner Anderson, to substitute, as suggested by Mr. Kressel, on page 3, Section (E), "state law" for the reference [ORS 823.180]; and on page 7, Section 8(C)(3), the following is to be added after the first sentence: The hearing shall include the opportunity for interested persons to present testimony and data.

Chris Thomas, AA Ambulance, explained he does not object to keeping the process going until a ruling is made, but he stressed this ordinance, if adopted, will adopt the single ASA plan without further action by the Board once the Court ruling is made. ~~He~~ He said he objects to the latter process because there is no evidence that going to a single ASA plan will reduce rates. He added ~~that~~ other cities following the same procedures, have had considerable rate increases as well as diminution of quality of service, and gave examples. In addition, he requested ~~that~~ language be ^{included} in the ordinance which guarantees ambulance companies the right to present testimony and data.

Following discussion, the motion was considered, and it is unanimously

ORDERED that said amended Ordinance be adopted.

(See Supplement, Ordinances - J. 159 for copy)

✓
Commissioner Kafoury moved to request the EMS Policy Board submit recommendations to the Board within 45 days; and that Commissioner McCoy be retained as the Board representative to that body.

Joe Acker, Emergency Medical Services Director, expressed his compliments to Board staff, EMS staff, County Counsel staff, Ambulance ^{company} representatives, and representatives from both Portland and Gresham for the cooperative manner in which the Ordinance just adopted was developed. He had expected "riff" between cities and the county and was pleased that expectation was not realized. He read optional wording for the request for recommendations by the EMS Policy Board: Option 1 - "The Board of County Commissioners, under the authority granted by Multnomah County Code 6.31.038, requests a recommendation from the EMS Policy Board concerning the ambulance service area plan for Multnomah County; and Option 2 - ^uThe Board of County Commissioners, under the authority granted by Multnomah County Code 6.31.038, requests a recommendation from the Emergency Medical Services Policy Board concerning an ambulance service area plan which causes the County to be divided into two similar ambulance service areas with a contractor for each chosen by the competitive bid process. He said either option will allow the Policy Board to begin the Ambulance Service Area Plan process starting April 4 following the EMS Policy Board meeting.

Following discussion Commissioner Kafoury moved approval,

duly seconded by Commissioner Casterline.

Following further discussion, Mr. Kressel explained his support for ~~Option~~ 1.

Mr. Acker responded to Board questions, and added that there are four parts to the Plan other than designation of the ASAs and the contractor procurement process.

Barbara Donin, Chair's staff, pointed out that though option 2 defines the process more narrowly, there are other options within that concept the Policy Board can debate. She suggested one subject might be whether or not the Board wants one provider to be able to secure both contracts, or whether the RFP should state the contract must have two separate providers.

Mr. Acker added maps could be drawn for the two service areas, and then the Policy Board will provide the Board of Commissioners with a recommendation for final proposed boundaries. The process now is the Policy Board will develop an ASA plan and recommendations for the Board of Commissioners, who will then hold hearings and adopt an ambulance service area plan. That plan will go to the State for approval; that approval will trigger the County contractor selection process. The process is expected to take until July 1 at which time, the ~~the~~ bid process will begin, should everything go as planned.

Commissioner McCoy asked if there is anything that can be done to change the rate structure before the process is completed.

Mr. Kressel requested time to study that question before making a recommendation to the Board.

The Board concurred.

Mr. Kressel advised the Board the Policy Board could advise or recommend against a two ASA plan.

Discussion followed regarding Board representation on the EMS Policy Board, and Commissioner McCoy agreed to go to the meeting on April 4.

At this time, the motion was considered, and it is unanimously

ORDERED that the Board request the EMS Policy Board provide recommendations for a two ASA Plan as suggested by Mr. Acker (Option 2).

Notice of Intent to apply for Funds from the)
National Institute of Drug Abuse R-15)

Norma Jaeger, Health Services, explained this application

is for an outreach demonstration research grant for intravenous drug users at risk of contracting and/or spreading AIDS. This is a cooperative effort between public and private agencies to reach out to IV users and entice them into a treatment system. The State Health Services Division will be the research component, and will subcontract for behavioral technology research through Kaiser Center for Health Research. She discussed County and State responsibility^{es} for services under the grant.

Upon motion of Commissioner Anderson, duly seconded by Commissioner Kafoury, on a roll call vote, the matter was considered by unanimous consent:

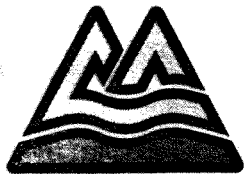
Commissioner Anderson moved, duly seconded by Commissioner Kafoury, ^{unanimously} ~~that the matter be approved~~
upon roll call vote

ORDERED that said Notice of Intent be approved.

There being no further business to come before the Board at this time, the meeting was adjourned until next ^{Tuesday} ~~Thursday~~ morning at 9:30 A.M.

BJ

0346C



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
ROOM 605, COUNTY COURTHOUSE
1021 S.W. FOURTH AVENUE
PORTLAND, OREGON 97204

GLADYS McCOY • Chair • 248-3308
PAULINE ANDERSON • District 1 • 248-5220
GRETCHEN KAFOURY • District 2 • 248-5219
CAROLINE MILLER • District 3 • 248-5217
POLLY CASTERLINE • District 4 • 248-5213
JANE McGARVIN • Clerk • 248-3277

AGENDA OF
MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS
FOR THE WEEK OF
MARCH 28 - APRIL 1, 1988

Tuesday, March 29, 1988 - 9:30 AM - Informal Briefings . Page 2

Tuesday, March 29, 1988 - 1:30 PM - Informal Meeting . . Page 3

Wednesday, March 30, 1988 - 10:00 AM - Finance Page 4
Committee Meeting

Thursday March 31, 1988 - 7:30 AM - Commissioners attending State
Region I Jail Siting Advisory Committee, Blue Room, Mayor Clark's
Office

Thursday, March 31, 1988 - 9:30 AM - Formal. Page 5

Tuesday, March 29, 1988 - 9:30 AM

Multnomah County Courthouse, Room 602

INFORMAL BRIEFING

1. Briefing on audit functions performed by Price Waterhouse for Multnomah County
2. Briefing by representatives of Fred S. James & Co. on findings of the focus group benefit analysis for county employees - Rich Reese and Ted Woods, Fred S. James & Co.

Tuesday, March 29, 1988 - 1:30 PM

Multnomah County Courthouse, Room 602

INFORMAL

1. Informal Review of Bids and Requests for Proposals:
NONE
2. Informal Review of Formal Agenda of March 31
3. Status Report regarding services provided by the Youth Services Centers, their integration into the County's Youth Program Office, and proposed areas for further study of the centers as part of the County's Youth Services system - Michael Morrissey, Ron Potrue
4. Briefing on Teens on Patrol (TOPS) - Grant Nelson

Wednesday, March 30, 1988 - 10:00 AM

FINANCE COMMITTEE

Room 602 - Multnomah County Courthouse

A G E N D A

1. Fee Schedule Review (Draft Resolution and Administrative Procedure) - Thien-Huong Palmer, George Brower
2. Capital Improvement Projects - Wayne George
3. Inmate Welfare Fund Status Report - Linda Alexander, Dave Warren
4. County Investment Policy as amended - Dave Boyer
5. Dedicated Revenue Funds (Draft Resolution and Administrative Procedure) - George Brower

Thursday, March 31, 1988, 9:30 AM

Multnomah County Courthouse, Room 602

Formal Agenda

REGULAR AGENDA

BOARD OF COUNTY COMMISSIONERS

- A
- R-1 In the matter of the re-appointment of Betty Kay Jacobs, Dale Pearson and Richard Leonard to the Food Services Advisory Board
 - R-2 In the matter of the appointment of Toni Waymire to the Multnomah County Community Health Council
 - R-3 In the matter of the appointment of Jean Cauthorn to the Juvenile Services Commission
 - R-4 In the matter of the appointment of Lee Moore to the Multnomah Cable Regulatory Commission

DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-5 In the matter of the appointment of John O. Fund and Marlene S. Fund to act as Animal Control Hearings Officers
- R-6 Order in the matter of the Acceptance of a Deed from Andy Huserik granting to Multnomah County a Perpetual Easement for County Road Purposes on Old Germantown Road, County Road No. 504, E of Germantown Road, Item 88-104
- R-7 Proclamation in the matter of proclaiming the week of April 2 - 9 as COMMUNITY DEVELOPMENT WEEK
- R-8 Proclamation in the matter of Proclaiming April 1988 as FAIR HOUSING MONTH IN MULTNOMAH COUNTY
- R-9 Order in the matter of Imposing Gross Weight Restriction on Vehicles Using the Stark Street Bridge Over Sandy River

SHERIFF'S OFFICE

- 10
- R-10 Order in the matter of accepting deed for Inverness Property from the City of Portland for jail purposes - public testimony invited. (Time Certain at 9:30 AM) - Continued from March 24)

DEPARTMENT OF HUMAN SERVICES

- A
- R-11 Notice of Intent to apply to the Oregon Department of Education for \$149,640 to develop a parent education demonstration project in the Social Services Division
 - R-12a In the matter of ratification of an Intergovernmental Agreement with Hood River County to provide a Community Corrections Alternative Community Service Forest Work Camp at Wyeth, Hood River County
 - R-12b In the matter of ratification of an Intergovernmental Agreement with the U.S. Forest Service to provide a Community Corrections Alternative Community Service Forest Work Camp at Wyeth, Hood River County

ORDINANCES - NONDEPARTMENTAL

- Ord. 572
- R-13 First Reading - An Ordinance amending Ordinance #561 dated September 17, 1987 by changing the name of the Columbia River Gorge Interpretive Center, changing the number of members of the citizens committee, and defining additional duties for the committee, and declaring an emergency
 - Ord 573
R-14 Continued Second Reading - An Ordinance amending MCC Chapter 6.31 by making the EMS Policy Board advisory to the Board of County Commissioners, and ratifying rules adopted by the EMS Policy Board, and declaring an emergency (Continued from March 24)

Thursday Meetings of the Multnomah County Board of Commissioners are recorded and can be seen at the following times:
Thursday, 10:00 PM, Channel 11 for East and West side subscribers
Friday, 6:00 P.M., Channel 27 for Rogers Multnomah East subscribers
Saturday 12:00 PM, Channel 21 for East Portland and East County subscribers

SUPPLEMENTAL AGENDA

THURSDAY, MARCH 31, 1988

The following will be considered by Unanimous Consent:

- A
- R-10a Resolution in the matter of Adopting an Official Name for the Inverness Corrections Facility
 - R-15 Notice of Intent to apply for Funds from the National Institute of Drug Abuse

SUPPLEMENTAL AGENDA

THURSDAY, MARCH 31, 1988

The following will be considered by Unanimous Consent:

R-10a Resolution in the matter of Adopting an Official Name for
the Inverness Corrections Facility

SUPPLEMENTAL AGENDA

THURSDAY, MARCH 31, 1988

The following will be considered by Unanimous Consent:

- R-10a Resolution in the matter of Adopting an Official Name for the Inverness Corrections Facility
- R-15 Notice of Intent to apply for Funds from the National Institute of Drug Abuse

DATE SUBMITTED 3/23/88

(For Clerk's Use)

Meeting Date 3/31/88
Agenda No. 41-2-13-4

REQUEST FOR PLACEMENT ON THE AGENDA

Subject: Appointments to Board and Commissions

Informal Only* _____
(Date)

Formal Only Thurs. March 31, 1988
(Date)

DEPARTMENT County Chair DIVISION _____

CONTACT Judy Boyer TELEPHONE 248-3308

*NAME(s) OF PERSON MAKING PRESENTATION TO BOARD Judy Boyer

BRIEF SUMMARY Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

Re-appointment of Betty Kay Jacobs, Dale Pearson and Richard Leonard to the Food Services Advisory Board.

Appointment of Toni Waymire to the Multnomah County Community Health Council

Appointment of Jean Cauthorn to the Juvenile Services Commission

Appointment of Lee Moore to the Multnomah Cable Regulatory Commission

(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

ACTION REQUESTED:

☐ INFORMATION ONLY ☐ PRELIMINARY APPROVAL ☐ POLICY DIRECTION ☒ APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA _____

IMPACT:

☐ PERSONNEL
☐ FISCAL/BUDGETARY
☐ General Fund
☐ Other _____

1988 MAR 23 PM 4:34
CLERK OF
JUVENILE COMMISSION
MULTNOMAH COUNTY
OREGON

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: Gladys McCoy

BUDGET / PERSONNEL _____

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) _____

OTHER _____
(Purchasing, Facilities Management, etc.)

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.



MULTNOMAH COUNTY OREGON

BOARDS AND COMMISSIONS

INTEREST FORM FOR BOARDS AND COMMISSIONS

In order for the County Executive 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 writings, 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)

Community Health Council

- B. Name Toni Waymire

Address 130 W. Arlington St.

City Gladstone State OR Zip 97027

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

Home Phone 1056-9431

- C. Current Employer United Way of the Columbia-Willamette

Address 718 W. Burnside

City Portland State OR Zip 97209

Your Job Title Specialist - Information and Referral

Work Phone 228-9131 (Ext) 365

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

- D. Previous Employers

Dates

Job Title

Planned Parenthood 10/83 - 10/87 Clinic Team Coordinator
Multnomah Co. Div of Direct Health Services - Child Development Specialist
4/77 - 6/80

CONTACT:

DENNIS BUCHANAN, COUNTY EXECUTIVE
1500 PORTLAND BUILDING
PORTLAND, OREGON 97204
(503) 248-3308

E. Please list all current and past volunteer/civic activities.

Name of Organization	Dates	Responsibilities
Clackamas County Women's Domestic Violence Program	1/83 -> 9/83	Fundraising office, phones
Clackamas Community College Women's Resource Center	9/82 -> 6/83	peer counseling office management student coordinator

F. Please list post-secondary school education.

Name of School	Dates	Degree/Course of Study
Clackamas Community College	June 1976	Associate of Science Developmental Disabilities
Portland State University	Sept 1983 -> Jan 1984	Biology, Spanish anthropology

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.

(Planned Parenthood)
 Thomas Britton MD 3231 SE 50th Portland 97206 775-0861
 Susan Lister 470 E. Clarendon, Gladstone 97027
 656-7322

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

F / White
 sex / racial ethnic background

birth date: Month 11 Day 27 Year 54

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 Tom R Wayman Date 3/8/88

lom
6/83



INTEREST FORM FOR BOARDS AND COMMISSIONS

In order for the County Executive 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 writings, 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)

Juvenile Services Commission

B. Name Jean Cauthorn

Address 3160 NE 156th Avenue

City Portland **State** Oregon **Zip** 97230

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

Home Phone 253-3321

C. Current Employer Volunteer worker

Address

City _____ State _____ Zip _____

Your Job Title

Work Phone (Ext)

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

D. Previous Employers	Dates	Job Title
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Oregon State Board of Health '53-58 Audiometrist

Lewis & Clark College '51-53 Research Ass't.

Dept. Stores, restaurants, etc'47-51	Paper grader, etc
	Salesperson,
	Waitress, etc.

CONTACT:

COUNTY EXECUTIVE
1500 PORTLAND BUILDING
PORTLAND, OREGON 97204
(503) 248-3308

Name of Organization	Dates	Responsibilities
Juvenile Court	'81-82	Monitored courtroom proceedings.
Juvenile Ct. Advisory Council	'82-present	Council member and past chair.
(1) Children's Services Division (2) Juvenile Ct., (3) Citizen Review Boards	'83-present	Review substitute care cases as: (1) an Internal admin. review board member; (2) Pilot review board member; (3) CRB member and chair.
Mt. Hood YMCA Youth Service Center	'85-present	Member of Neighborhood Accountability Board dispensing consequences to juvenile offenders diverted from the Court.
Dept. Justice Services Budget Advisory Committee	'86-'87	Studied and made recommendations to Board of County Commissioners regarding Juvenile Court.
Mult. County Medical Auxilliary	'75-present	Assist in redistribution of physician's drug samples, now being provided to local clinics for low income population.
Good Samaritan Hospital	'85	Assisted in cancer screening clinic.
White Shield Home	'63-68	Foster mother to 18 young expectant mothers.

E. Please list all current and past volunteer/civic activities.

<u>Name of Organization</u>	<u>Dates</u>	<u>Responsibilities</u>

F. Please list post-secondary school education.

<u>Name of School</u>	<u>Dates</u>	<u>Degree/Course of Study</u>
Lewis & Clark College	'49-'53	B.S./Psychology

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.

Judge Stephen Herrell	Mult. Co. Circuit Ct.	248-3060
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Judge Kristena LaMar	" " "	248-3204
----------------------	-------	----------

Linda Leisman	Dept. General Services 1225 Ferry St. Salem, OR 97310	378-4202
---------------	--	----------

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

I. Affirmative Action Information

F / Cauc.
sex / racial ethnic background

birth date: Month 4 Day 24 Year 31

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 Jean D. Cauthorn

Date 8/14/87

3:00 PM



MULTNOMAH COUNTY OREGON

✓
MAR 08 1988

BOARDS AND COMMISSIONS

INTEREST FORM FOR BOARDS AND COMMISSIONS

In order for the County Executive 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)

Planning Commission, Civil Service, other upon discussion and acceptance

- B. Name Lee E. Moore

Address 3805 S.E. Liebe Street

City Portland State OR Zip 97202

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

Home Phone (503) 775-7531

- C. Current Employer Tektronix, Inc.

Address 1500 N.W. 167th Place

City Beaverton State OR Zip 97006

Your Job Title Site Operations/Organizational Development Manager

Work Phone 690-7018 (Ext) _____

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

D. Previous Employers	Dates	Job Title
State of Oregon - General Services		Division Mgr Properties
" " " "		Division Mgr Procurement
" " - Labor & Industries		Division Mgr. Civil Rights

Note: My state of Oregon Service began in 1969 and continued through 1979

CONTACT:

GLADYS McCOY, MULTNOMAH COUNTY CHAIR

1021 SW 4TH, ROOM 134

PORTLAND, OREGON 97204

(503) 248-3308

E. Please list all current and past volunteer/civic activities.

Name of Organization	Dates	Responsibilities
Neighborhood House		Treasurer, Board Member
Multnomah County Planning Comm & Hearing Council		
Model Cities Law and Justice Committee		
City Club of Portland		

F. Please list all post-secondary school education.

Name of School	Dates	Degree/Course of Study
Portland Community College		Criminal Justice
University of Idaho		Social Science
Portland State University		Criminal Justice
Marylhurst College		Management

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.

John Rees	Don Clark
Sr. Vice President	Executive Director
Quadrant Corporation	Portland Housing Authority
1865 N.W. 169th Place	Portland, Oregon
Beaverton, OR 97006	

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

New site development activities for Tektronix

I. Affirmative Action Information

Black - Male
sex / racial ethnic background

birth date: Month 03 Day 11 Year 46

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 3-4-88

March 31, 1988

In the matter of the re-appointment of Betty Kay)
Jacobs, Dale Pearson and Richard Leonard to the)
Food Services Advisory Board R-1)

Upon motion of Commissioner Anderson, duly seconded by
Commissioner Casterline, it is unanimously

ORDERED that said re-appointment(s) be confirmed.

March 31, 1988

In the matter of the appointment of Toni Waymire)
to the Multnomah County Community Health Council) R-2

Upon motion of Commissioner Anderson, duly seconded by
Commissioner Casterline, it is unanimously

ORDERED that said appointment be confirmed.

March 31, 1988

In the matter of the appointment of Jean Cauthorn)
to the Juvenile Services Commission R-3)

Upon motion of Commissioner Anderson, duly seconded by
Commissioner Casterline, it is unanimously

ORDERED that said appointment be confirmed.

March 31, 1988

In the matter of the appointment of Lee Moore to)
the Multnomah Cable Regulatory Commission R-4)

Upon motion of Commissioner Anderson, duly seconded by
Commissioner Casterline, it is unanimously

ORDERED that said appointment be confirmed.

MAR 18 1988

Procedure # 1201

Page 3 of 4

DATE SUBMITTED _____

(For Clerk's Use)

Meeting Date 3/31/88

Agenda No. 17-5

REQUEST FOR PLACEMENT ON THE AGENDA

Subject: Appointing Animal Control
Hearings Officers

Informal Only* _____
(Date)

Formal Only _____
(Date)

DEPARTMENT Environmental Servies

DIVISION Animal Control

CONTACT Mike Oswald

TELEPHONE 667-4024

*NAME(s) OF PERSON MAKING PRESENTATION TO BOARD Mike Oswald

BRIEF SUMMARY Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

This item is to appoint two people as Animal Control Hearings Officers for the Potentially Dangerous Dog program, pursuant to Ordinance No. 517. Letters of credential attached.

(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

ACTION REQUESTED:

☐ INFORMATION ONLY ☐ PRELIMINARY APPROVAL ☐ POLICY DIRECTION ☒ APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA 10 minutes

IMPACT: Hearings Officers are volunteers.

PERSONNEL

☐ FISCAL/BUDGETARY

☐ General Fund

Other _____

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: Paul Yarborough SR

BUDGET / PERSONNEL _____

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) _____

OTHER _____

(Purchasing, Facilities Management, etc.)

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.

February 11, 1988

Dear Sirs,

The following are my credentials for placement as hearing officer. They are as follows:

Membership

Dog Fanciers Association of Oregon

Past President, current board member, chairperson in charge of presenting dog shows, served on many committees

Terrier Association of Oregon

Past President, board member, and officer

Served on many committees as chairperson and chairperson in charge of presenting training matches

Welsh Terrier Club of America

Past Treasurer and board member

Washington State Welsh Terrier Club

Officer

Show chairperson

Education

Attended WSU

Employment

Co-owner of company that is involved in the installation, repair, and maintenance of heating ventilation and automatic temperature controls. Working as Manager.

Currently own and maintain a private kennel. My wife and I have bred and shown Welsh Terriers for the past 20 years and Staffordshire Bull Terriers for the past 6 years.

Past involvement with community dog issues

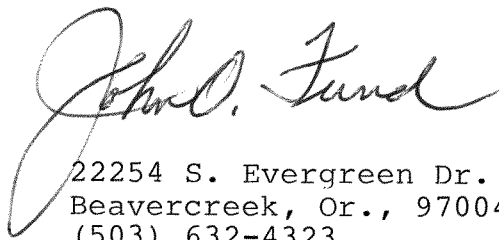
Served on the "Lost Dogs Committee"

Worked with the Clackamas County Dog Owners Association on kennel licensing.

I feel that my experience with the "dog community" will give me some insight to be able to help with the current dog legislation in Multnomah County that is using the hearings officer to determine how the vicious dog should be re-premanded.

Thank you for your consideration.

Very Truly Yours,



22254 S. Evergreen Dr.
Beavercreek, Or., 97004
(503) 632-4323

February 11, 1988

Dear Sirs,

You asked for my credentials for placement as a hearings officer. They are as follows:

Membership

Dog Fanciers of Oregon

Served on many committees as chairperson and assisted in presenting dog shows.

Terrier Association of Oregon

Past president and officer

Served on many committees as chairperson and chairperson in charge of presenting training matches

Welsh Terrier Club of America

Washington State Welsh Terrier Club

Officer

Show chairperson

Staffordshire Bull Terrier Club of America

Education

BS Portland State University elementary education

Employment

Co-owner of company that is involved in the installation, repair and maintenance of heating, ventilation and automatic temperature controls. Working as office manager.

Currently own and maintain a private kennel. My husband and I have bred and shown Welsh Terriers for the last 20 years and Staffordshire Bull Terriers for the last 6 years.

Past involvement with legislative issues

Chairman Clackamas County Dog Owners Committee

For resolution of kennel licensing.

Pro tem member of the committee to revise the current Multnomah County vicious dog ordinance.

I feel that my experience with the dogs that we own and the dogs that we have been involved with in the past 20 years, which also include Dachshunds, Fox Terriers, and Airedales, as well as the two breeds that we still maintain, Welsh and Staffordshire Bull Terriers, could perhaps give some insight that the kennel owner and breeder might contribute.

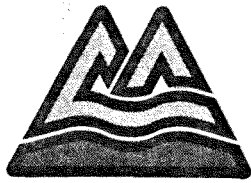
Thank you for your consideration.

Very Truly Yours,

Marlene S Furd

22254 S. Evergreen Dr.
Beavercreek, Or., 97004
(503) 632-4323

RECEIVED
MULTNOMAH COUNTY
1988 MAR 17 AM 11:23
ENVIRONMENTAL SERVICES



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
ROOM 605, COUNTY COURTHOUSE
1021 S.W. FOURTH AVENUE
PORTLAND, OREGON 97204

GLADYS McCOY • Chair • 248-3308
PAULINE ANDERSON • District 1 • 248-5220
GRETCHEN KAFOURY • District 2 • 248-5219
CAROLINE MILLER • District 3 • 248-5217
POLLY CASTERLINE • District 4 • 248-5213
JANE McGARVIN • Clerk • 248-3277

March 31, 1988

Mr. Paul Yarborough, Director
Department of Environmental Services
2115 SE Morrison
Portland, OR

Dear Mr. Yarborough:

Be it remembered, that at a meeting of the Board of County Commissioners held March 31, 1988, the following action was taken:

In the matter of the appointment of John O. Fund)
and Marlene S. Fund to act as Animal Control)
Hearings Officers R-5)

Commissioner Casterline moved, duly seconded by Commissioner Kafoury, that the above-entitled matter be approved.

Mike Oswald, Animal Control Director, stated the two chosen to be Hearings Officers, have been active in dog fancier organizations for many years; and that they both understand animals, animal behavior, and pet ownership. He said over 800 dogs have been classified in the animal program, and there have been over 125 hearings held in the last eight months. Because there is a backlog of cases waiting, it is necessary to have more hearings officers. Before this program was in effect, 25% of the animals causing problems in the County were repeaters within a year from the first problem; that percentage has been cut to 4%. The Hearings Officer portion of the program is critical to community acceptance and maintaining the integrity of the classification system. In response to Commissioner Anderson's question, he said that though the proposed appointees have been active in breeding Staffordshire Bull Terriers, their names were submitted by the Dog Fanciers of Oregon; and that the controversy over "pit bulls" is one that includes those responsible people who breed the dogs and are trying to resolve community problems. The review process involves only the facts of the case, and is not affected by controversies over the type or breed of dog; only the situation and the behavior of the individual dog is the focus of the hearings. He said he has confidence in the ordinance, and feels the process will prevail. He urged the Board to approve the appointments.

-2-

At this time, the motion was considered, and it is
unanimously

ORDERED that said appointments be confirmed.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS

By Jane McGarvin
Jane McGarvin
Clerk of the Board

jm
cc: Animal Control

MAR 21 1988

DATE SUBMITTED _____

(For Clerk's Use)

Meeting Date 3/31/88

Agenda No. R-6

REQUEST FOR PLACEMENT ON THE AGENDA

Subject: Deed/Order for County Road Purposes

Informal Only* _____
(Date)

Formal Only _____
(Date)

DEPARTMENT Environmental Services

DIVISION Transportation

CONTACT Dick Howard *DHW*

TELEPHONE 3599

*NAME(s) OF PERSON MAKING PRESENTATION TO BOARD _____

BRIEF SUMMARY

OLD GERMANTOWN ROAD/COUNTY ROAD No. 504

Deed for Road purposes from Andy Huserik. Order Accepting Deed conveying property for county road purposes.

Director of DES recommends said deed be accepted and recorded in Multnomah County Deed Records, together with the EXHIBIT "A", which is attached to said deed.

ACTION REQUESTED:

☐ INFORMATION ONLY ☐ PRELIMINARY APPROVAL ☐ POLICY DIRECTION ☒ APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA _____

IMPACT:

PERSONNEL

☐ FISCAL/BUDGETARY

☐ General Fund

Other _____

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: *Paul Yarbrough*

BUDGET/PERSONNEL _____ /

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) *J. H. D. B.*

OTHER _____
(Purchasing, Facilities Management, etc.)

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.

In the Matter of the Acceptance of a Deed) ORDER ACCEPTING DEED
from Andy Huserik granting to Multnomah) TO PROPERTY FOR #88-31 A
County a Perpetual Easement for County) COUNTY ROAD
Road Purposes.)
)
) OLD GERMANTOWN ROAD
) COUNTY ROAD No. 504
) (E. of Germantown Road)
) Item 88-104
)

It further appearing that said property is desirable for use as a part of the road system of Multnomah County, and that the Director of the Department of Environmental Services has recommended that said deed be accepted and said property accepted and established as a county road;

NOW, THEREFORE, IT IS HEREBY ORDERED that the deed of Andy Huserik, conveying to Multnomah County a perpetual easement for road purposes, to be known as Old Germantown Road, County Road No. 504, the following described property, situated in the County of Multnomah, State of Oregon, to-wit:

A parcel of land situated in the southeast one-quarter of Section 8, T1N, R1W, W.M., Multnomah County, Oregon, being more particularly described as follows:

The north 10.00 feet of the south 30.00 feet of that tract of land conveyed to Andy Huserick by deed, recorded March 11, 1987, in Book 1986, Page 456, Deed Records, Multnomah County, Oregon, which is described as follows:

The northeast one-quarter of the southeast one-quarter of Section 8, T1N, R1W, W.M., Multnomah County, Oregon, excepting therefrom that tract of land described as follows:

Beginning at the southeast corner of the north one-half of the southeast one-quarter of Section 8, T1N, R1W, W.M., Multnomah County, Oregon, running thence north along the section line 160.00 feet; thence west 150.00 feet; thence south 160.00 feet; thence east 150.00 feet to the point of beginning.

Containing 11,700 square feet, more or less.

As shown on attached map marked Exhibit "A", and hereby made a part of this document.

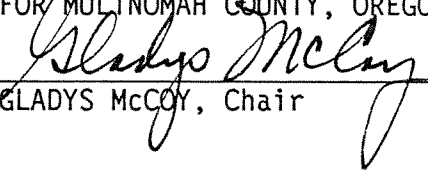
ORDER ACCEPTING DEED
OLD GERMANTOWN ROAD
County Road No. 504
Item 88-104
Andy Huserik
Page 2

be accepted for County Road Purposes and placed of record in the County of
Multnomah, State of Oregon.


March 31, 1988

(SEAL)

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

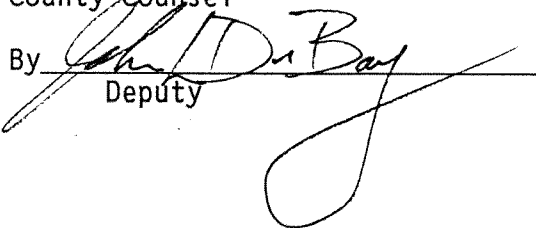

GLADYS MCCOY, Chair

APPROVED:


LARRY F. NICHOLAS
County Engineer

APPROVED AS TO FORM:

LAURENCE KRESSEL
County Counsel

By 
Deputy

(Deed for Road Purposes - Individual)

Old Germantown Road
(E. of Germantown Road)
Item 88-104

KNOW ALL MEN BY THESE PRESENTS, That Andy Huserik, in consideration of One Dollar, and other good and valuable considerations to him paid by Multnomah County, a political subdivision of the State of Oregon, has granted, bargained, sold and conveyed, and does hereby grant, bargain, sell and convey unto said Multnomah County, its successors and assigns, and hereby forever dedicates to the use of the public as a public road, all the following bounded and described real property situated in the County of Multnomah and State of Oregon; to wit:

A parcel of land situated in the southeast one-quarter of Section 8, T1N, R1W, W.M., Multnomah County, Oregon, being more particularly described as follows:

The north 10.00 feet of the south 30.00 feet of that tract of land conveyed to Andy Huserick by deed, recorded March 11, 1987, in Book 1986, Page 456, Deed Records, Multnomah County, Oregon, which is described as follows:

The northeast one-quarter of the southeast one-quarter of Section 8, T1N, R1W, W.M., Multnomah County, Oregon, excepting therefrom that tract of land described as follows:

Beginning at the southeast corner of the north one-half of the southeast one-quarter of Section 8, T1N, R1W, W.M., Multnomah County, Oregon, running thence north along the section line 160.00 feet; thence west 150.00 feet; thence south 160.00 feet; thence east 150.00 feet to the point of beginning.

Containing 11,700 square feet, more or less.

As shown on attached map marked Exhibit "A", and hereby made a part of this document.

TO HAVE AND TO HOLD the above granted property unto the said Multnomah County, its successors and assigns, forever.

Old Germantown Road
(E. of Germantown Road)
Item 88-104
Page 2

IN WITNESS WHEREOF, the grantor _____ above named has hereunto
set his hand this 16th day of March A.D., 1988

APPROVED:

Larry F. Nicholas, P. E.
LARRY F. NICHOLAS, P. E.
County Engineer

Andy Huserik
Andy Huserik, Grantor

APPROVED AS TO FORM:

LAURENCE KRESSEL
County Counsel

By John D. Bay

STATE OF OREGON, County of Multnomah

SIGNED BEFORE ME 16th day March 1988, personally appeared the
above-named Andy Huserik, who
acknowledged the foregoing instrument to be his voluntary act.

Dee A. Hawes
Notary Public for Oregon

My Commission expires 6-5-89, 1989

0531W/0634W

EXHIBIT A
SE 1/4 SEC. 8, T1N, R1W.

80⁴² Ac.

(ROSS)

(39)
20.00 Ac.

(38)
2.80
Ac.

(25)
1.15 Ac.

(3)
1.98
Ac.

(15)
38.50 Ac.

GERMANTOWN RD.
NO. 1281-60

(20)
36.18 Ac.

OLD GERMANTOWN RD.
1170

10.00' DEDICATION
(PARCEL CONVEYED BY
ANDY HUSERICK TO
MULTNOMAH COUNTY)

(29)
2.60 Ac.

(41)
2.00 Ac.

(23)
.55
Ac.

(16)
34.19 Ac.

(17)
33.4 Ac.

(3)
42 A.

CR. CREEK

24.76'

Prescott

March 31, 1988

RECEIVED FROM JANE MCGARVIN

CLERK, BOARD OF COUNTY COMMISSIONERS • MULTNOMAH COUNTY, OREGON

RECORDING

ZONING

ENGINEERING

ORDER ACCEPTING DEED FROM ANDY HUSERIK ON OLD GERMANTOWN ROAD
R-6

DEED TO BE RECORDED

RECEIVED

MAY 17 1988

(Multnomah County
Zoning Division

PS
PLEASE SIGN & RETURN THIS RECEIPT TO COMMISSIONERS OFFICE

BOARD OF
COUNTY COMMISSIONERS

1988 JUN 14 AM 11:14 17

MULTNOMAH COUNTY
OREGON

March 31, 1988

RECEIVED FROM JANE MCGARVIN

CLERK, BOARD OF COUNTY COMMISSIONERS . MULTNOMAH COUNTY, OREGON

RECORDING

ZONING

ENGINEERING

ORDER ACCEPTING DEED FROM ANDY HUSERIK ON OLD GERMANTOWN ROAD

R-6

DEED TO BE RECORDED

RECEIPT ATTACHED.
DOCUMENT(S) WILL BE
RETURNED IN APPROX.

1 1/2 WEEK(S).

364 34
036435

BOARD OF
COUNTY COMMISSIONERS

1988 MAY 17 PM 3:59

MULTNOMAH COUNTY
OREGON

05-17-88

2 0.001

36434

35

★ NS

7598.2

A

March 31, 1988

RECEIVED FROM

JANE MCGARVIN

CLERK, BOARD OF COUNTY COMMISSIONERS • MULTNOMAH COUNTY, OREGON

RECORDING

ZONING

ENGINEERING

ORDER ACCEPTING DEED FROM ANDY HUSERIK ON OLD GERMANTOWN ROAD
R-6

DEED TO BE RECORDED



BOARD OF
COUNTY COMMISSIONERS

1988 MAY 18 AM 11:07

MULTNOMAH COUNTY
OREGON

MAR 18 1988

Procedure # 1201

Page 3 of 4

DATE SUBMITTED 3/18/88

(For Clerk's Use)

Meeting Date 3/31/88

Agenda No. R-7

REQUEST FOR PLACEMENT ON THE AGENDA

Subject: Community Development Week

Informal Only* 3/29/88

(Date)

Formal Only 3/31/88

(Date)

DEPARTMENT Environmental Services

DIVISION Community Development

CONTACT Jane Burda

TELEPHONE 248-5000

*NAME(s) OF PERSON MAKING PRESENTATION TO BOARD Jane Burda

BRIEF SUMMARY Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

Discussion and action on County Proclamation declaring the week of April 2-9 as Community Development Week.

(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

ACTION REQUESTED:

☐ INFORMATION ONLY ☐ PRELIMINARY APPROVAL ☐ POLICY DIRECTION ☒ APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA 5 minutes

IMPACT:

PERSONNEL

☐ FISCAL/BUDGETARY

☐ General Fund

Other _____

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: Jane Burda

BUDGET / PERSONNEL 1

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) _____

OTHER _____

(Purchasing, Facilities Management, etc.)

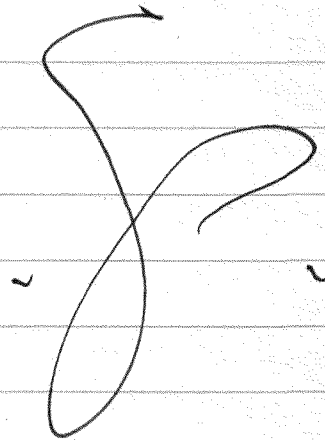
NOTE: If requesting unanimous consent, state situation requiring emergency action on back.

June -

3/30

2 originals C.D. Week
Proclamation

Please execute i nat.



BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF MULTNOMAH COUNTY

In the matter of)
proclaiming the week)
of April 2-9 as)
COMMUNITY DEVELOP-)
MENT WEEK)

PROCLAMATION
#88-32

WHEREAS, the COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM has operated since 1974
to provide local governments with the resources required to meet the needs of
persons of low and moderate income;

WHEREAS, community development block grant funds are used by thousands of
neighborhood-based nonprofit organizations throughout the Nation to address
pressing neighborhood and human service needs;

WHEREAS, in the last several years the Federal Government has reduced Federal
assistance to local governments and nonprofit organizations;

WHEREAS, during this time of constricted Federal contributions to the task of
meeting the needs of low and moderate income persons, the problems have grown
as evidenced by the dwindling supply of affordable housing, the massive rise
in homelessness, and the resurfacing of hunger and malnutrition;

WHEREAS, during this time of Federal withdrawal from responsibility, the
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM has assumed increasing importance
for meeting pressing community problems;

WHEREAS, the Congress and the Nation has often overlooked the critical value of the
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM and the significant number of
organizations and projects that rely on its funds for support;

WHEREAS, the Congress of the United States has declared April 2-9, 1988

NATIONAL COMMUNITY DEVELOPMENT WEEK and has called upon the President and all people of the United States to observe the week with appropriate ceremonies and activities;

NOW, THEREFORE, BE IT RESOLVED THAT, the Multnomah County Board of Commissioners proclaim April 2-9 COMMUNITY DEVELOPMENT WEEK and call upon all citizens of our County to participate in activities celebrating the COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

Adopted this 31st day of March, 1988.

BOARD OF COUNTY COMMISSIONERS

Gladys McCoy
Gladys McCoy, Chair

Pauline Anderson
Pauline Anderson
Commissioner

Gretchen Kafoury
Gretchen Kafoury
Commissioner

Caroline Miller
Caroline Miller
Commissioner

Polly Casterline
Polly Casterline
Commissioner



March 31, 1988

In the matter of proclaiming the week of)
April 2 - 9 as COMMUNITY DEVELOPMENT WEEK R-7) PROCLAMATION
#88-32

Commissioner Casterline read the Proclamation, and moved,
duly seconded by Commissioner Anderson, unanimously

ORDERED that said Proclamation be approved.

Fair Hsg Proc.



PORTLAND PUBLIC SCHOOLS
Office of the Asst. Superintendent
DISTRICT-WIDE PROGRAMS

LE ROY PATTON
Administrative Specialist

6318 S.W. Corbett
Portland, Oregon 97201

Office Phone:
280-5782

Date 3/31/88

NAME

LeRoy Patton

ADDRESS

Portland CHRB

Street

P.O. Box 2067

Portland, 97208

City

Zip

I wish to speak on Agenda Item # R-8

Subject Fair Hsg Procurement



FOR

AGAINST

Procedure # 1201

Page 3 of 4

DATE SUBMITTED 3/18/88

(For Clerk's Use)

Meeting Date 3/31/88Agenda No. A-8

REQUEST FOR PLACEMENT ON THE AGENDA

Subject: Fair Housing MonthInformal Only* 3/29/88

(Date)

Formal Only 3/29/88

(Date)

DEPARTMENT Environmental ServicesDIVISION Community DevelopmentCONTACT Jane Burda/Cecile PittsTELEPHONE 248-5000*NAME(s) OF PERSON MAKING PRESENTATION TO BOARD Cecile Pitts

BRIEF SUMMARY Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

Discussion and action of County Proclamation declaring April 1988 Fair Housing Month.

(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

ACTION REQUESTED:

☐ INFORMATION ONLY ☐ PRELIMINARY APPROVAL ☐ POLICY DIRECTION ☒ APPROVAL
INDICATE THE ESTIMATED TIME NEEDED ON AGENDA 5 minutes

IMPACT:

PERSONNEL

☐ FISCAL/BUDGETARY☐ General Fund

Other _____

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: Jane BurdaBUDGET / PERSONNEL /

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) _____

OTHER _____

(Purchasing, Facilities Management, etc.)

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.

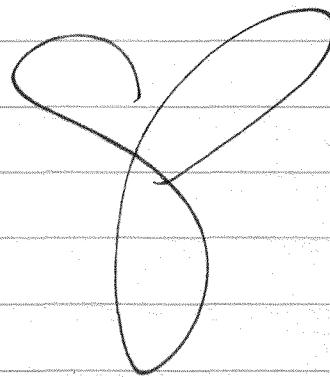
1988 MAR 21 PM 2:24
 COUNTY COMMISSIONER
 MULTNOMAH COUNTY
 OREGON

3/30

Jane-

2 originals Fr Hsg Month
Proclamation.

Please execute i mat.



BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the Matter of Proclaiming April 1988
as FAIR HOUSING MONTH IN
MULTNOMAH COUNTY

] PROCLAMATION
]
88-33

WHEREAS, April 1988 marks the twentieth anniversary of the enactment of Title VIII of the Civil Rights act of 1968, known as the Federal Fair Housing law and,

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) has designated April as National Fair Housing Month and,

WHEREAS, Multnomah County's housing policies affirm the County's support and encouragement of Fair Housing and,

WHEREAS, achievement of Equal Housing Opportunity required the public's knowledge of Fair Housing issues and support of Fair Housing activities.

NOW THEREFORE, BE IT RESOLVED THAT:

The Multnomah County Board of Commissioners declares its observation of April as Fair Housing Month in Multnomah County and affirms its support of Fair Housing and Equal Opportunity.

Adopted this 31st day of March, 1988.

BOARD OF COUNTY COMMISSIONERS

Gladys McCoy
Gladys McCoy, Chair

Pauline Anderson
Pauline Anderson
Commissioner

Gretchen Kafoury
Gretchen Kafoury
Commissioner

Caroline Miller
Caroline Miller
Commissioner

Polly Casterline
Polly Casterline
Commissioner



March 31, 1988

In the matter of Proclaiming April 1988 as) PROCLAMATION
FAIR HOUSING MONTH IN MULTNOMAH COUNTY R-8) #88-33

Commissioner Casterline read the Proclamation, and moved approval, duly seconded by Commissioner Kafoury.

LeRoy Patton, 2423 NE Ainsworth, Portland Community Housing Development Resource Board Chairman, testified in support of the Proclamation. He explained the organization he represents promotes fair housing in Portland, and Multnomah County. The organization has recently received a grant from U.S. Department of Housing and Urban Development for education projects for Fair Housing; and "in-kind" monies from both the City of Portland and the County to implement the program. He discussed the Fair Housing Act, history of the program, and the progress made over the past twenty years, but added there is more to achieve. April 1988 marks a milestone for the organization. He submitted posters to the Commissioners provided by HUD.

At this time, the motion was considered, and it is unanimously

ORDERED that said Proclamation be approved.

DATE SUBMITTED _____

(For Clerk's Use)
Meeting Date 3/31/88
Agenda No. A-9

REQUEST FOR PLACEMENT ON THE AGENDA

Subject: Stark Street Bridge - Weight Restriction

Informal Only* _____
(Date)

Formal Only _____
(Date)

DEPARTMENT Environmental Services

DIVISION Transportation

CONTACT Stan Ghezzi

TELEPHONE 3595

*NAME(s) OF PERSON MAKING PRESENTATION TO BOARD _____

BRIEF SUMMARY

Imposing a load limit on the Stark Street Bridge over the Sandy River until July 31, 1989, or until repairs have been completed restoring the structure to sufficient standards to permit heavier loads.

ACTION REQUESTED:

// INFORMATION ONLY // PRELIMINARY APPROVAL // POLICY DIRECTION /X/ APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA 5 minutes

IMPACT:

PERSONNEL

// FISCAL/BUDGETARY

// General Fund

Other _____

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: _____

BUDGET/PERSONNEL _____

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) _____

OTHER _____
(Purchasing, Facilities Management, etc.)

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.



MULTNOMAH COUNTY OREGON

DEPARTMENT OF ENVIRONMENTAL SERVICES
TRANSPORTATION DIVISION
1620 S.E. 190TH AVENUE
PORTLAND, OREGON 97233
(503) 248-5050

BOARD OF COUNTY COMMISSIONERS
GLADYS McCOY • CHAIR OF THE BOARD
PAULINE ANDERSON • DISTRICT 1 COMMISSIONER
GRETCHEN KAFOURY • DISTRICT 2 COMMISSIONER
CAROLINE MILLER • DISTRICT 3 COMMISSIONER
POLLY CASTERLINE • DISTRICT 4 COMMISSIONER

March 8, 1988

Gladys McCoy, Chair
Board of County Commissioners
134 County Court House
1021 SW Fourth Avenue
Portland, OR 97204

SUBJECT: Stark Street Bridge over Sandy River
Weight Restriction

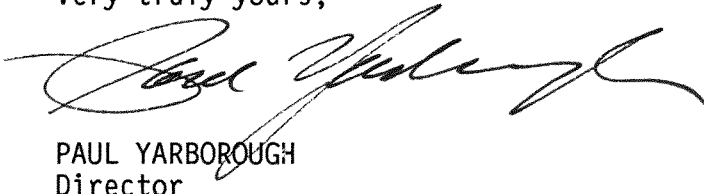
Recently, a condition investigation which included a thorough field inspection and structural analysis was completed on the Stark Street Bridge over the Sandy River. Results of the investigation identified various bridge members have deteriorated which reduce its structural quality and safety.

This Department is currently proceeding with preliminary engineering for the required repair in order to restore the structure to sufficient standards. It is anticipated repair work will commence this summer, and be completed by July 31, 1989.

Enclosed is an order for the gross weight restriction of 15 tons for 2 axle vehicles, 17 tons for 3 axle vehicles and 30 tons for 5 axle vehicles until July 31, 1989, or until construction work is completed.

It is the recommendation of this Department that the Board authorize this restriction of gross weight on the Stark Street Bridge over the Sandy River to prevent undue damage to the County structure, and to protect the interest and safety of the general public.

Very truly yours,



PAUL YARBOROUGH
Director

PY/SG:vh

Enc:

4006V

For Fire, Police, or Ambulance: Dial 911 in Portland and Multnomah County.

AN EQUAL OPPORTUNITY EMPLOYER



OFFICE MEMORANDUM . . . DEPARTMENT OF ENVIRONMENTAL SERVICES

TO: Paul Yarborough
Larry Nicholas

FROM: Stan Ghezzi

DATE: March 9, 1988

SUBJECT: Stark Street Bridge Over Sandy River
Weight Restriction

Recently, a condition investigation which included a thorough field inspection and structural analysis was completed on the Stark Street Bridge over the Sandy River. Results of the investigation identified various bridge members have deteriorated which reduce its structural quality and safety. Because of the structural inadequacy and need to prolong the structure life, it will be necessary to place gross weight restrictions on the structure until repairs can be made to restore the structure to sufficient standards.

Enclosed for your signature and further distribution find the following:

1. Transmittal letter to McCoy.
2. Request for Placement on Agenda.
3. Board Order
4. Press Release

SG:vh

4006V

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the Matter of Imposing Gross)
Weight Restriction on Vehicles)
Using the Stark Street Bridge)
Over Sandy River.)

O R D E R
#88-34

It appearing that under Oregon Law, the Board of County Commissioners is given jurisdiction over county roads and is responsible for the maintenance and repair of said roads; and

It further appearing that the Board is empowered to prohibit the operation, upon highways or streets within its jurisdiction, of any or all vehicles, impose limits as to any gross weight or any dimension of any vehicle or combination of vehicles; and

It further appearing that the Stark Street Bridge over the Sandy River has deteriorated reducing its structural quality and safety; and

It further appearing that it is necessary for the safety of motorists and for the preservation of the County Road, and the Board being fully advised in the premises herein, it is

ORDERED, that the Stark Street Bridge over the Sandy River is restricted to gross weights of 15 tons for 2 axle vehicles, 17 tons for 3 axle vehicles and 30 tons for 5 axle vehicles until July 31, 1989, or until repairs are completed to sufficient standards as to permit heavier loads; and it is

FURTHER ORDERED, that the County Engineer is directed to post and maintain signs in a conspicuous manner as may be necessary to inform the public of the gross weight limitations.

DATED this 31st day of March, 1988.

(SEAL)

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

By Gladys McCoy
Gladys McCoy, Chair

APPROVED AS TO FORM:

by: Laurence Kressel
County Counsel



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
ROOM 605, COUNTY COURTHOUSE
1021 S.W. FOURTH AVENUE
PORTLAND, OREGON 97204

GLADYS McCOY • Chair • 248-3308
PAULINE ANDERSON • District 1 • 248-5220
GRETCHEN KAFOURY • District 2 • 248-5219
CAROLINE MILLER • District 3 • 248-5217
POLLY CASTERLINE • District 4 • 248-5213
JANE McGARVIN • Clerk • 248-3277

March 31, 1988

Mr. Paul Yarborough, Director
Department of Environmental Services
2115 SE Morrison
Portland, OR

Dear Mr. Yarborough:

Be it remembered, that at a meeting of the Board of County Commissioners held March 31, 1988, the following action was taken:

In the matter of Imposing Gross Weight Restriction)
on Vehicles Using the Stark Street Bridge over)
Sandy River R-9)

O R D E R
#88-34

Commissioner Casterline explained that recent examinations of the structure have revealed the Stark Street Bridge is unsafe; and read closure times for bridge repair, and alternate routes for travel. She moved approval, duly seconded by Commissioner Anderson.

Commissioner Anderson asked if the closure times and alternate routes were to be published in the newspaper.

Commissioner Casterline said she feels it has been done.

Following discussion, the motion was considered, and it is unanimously

ORDERED that said Order be approved.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS

By

Jane McGarvin
Jane McGarvin
Clerk of the Board

jm

cc: Transportation (Stan Ghezzi)

DATE SUBMITTED _____

(For Clerk's Use)

Meeting Date 3/24/88

Agenda No. R-9

REQUEST FOR PLACEMENT ON THE AGENDA

Subject: Inverness Jail Project

Informal Only* March 22, 1988

(Date)

Formal Only March 24, 1988

(Date)

DEPARTMENT Sheriff's Office

DIVISION _____

Assistant Sheriff Robert Skipper

CONTACT Executive Assistant Sally Anderson

TELEPHONE 255-3600

*NAME(s) OF PERSON MAKING PRESENTATION TO BOARD _____

BRIEF SUMMARY Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

- 1) Order accepting deed for Inverness Property from City of Portland

Time Certain 9:30 A.M.

(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

ACTION REQUESTED:

☐ INFORMATION ONLY ☐ PRELIMINARY APPROVAL ☐ POLICY DIRECTION ☐ APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA _____

IMPACT:

☐ PERSONNEL
☐ FISCAL/BUDGETARY
☐ General Fund

☐ Other _____

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: *Fred B. Bean*

BUDGET / PERSONNEL 1

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) _____

OTHER _____

(Purchasing, Facilities Management, etc.)

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.

BOARD OF
COUNTY COMMISSIONERS
1988 MAR 16 AM 8:21
MULTNOMAH COUNTY
OREGON

You have indicated that
you wish to be notified when
JAIL issues are before the
Board of County Commissioners.
The highlighted issue may
be of interest to you.

Clerk of the
Board

ASK me
BJ



Multnomah County Sheriff's Office

FRED B. PEARCE
SHERIFF

12240 N.E. GLISAN ST., PORTLAND, OREGON 97230

(503) 255-3600

ADM
MAR 08 1988
GM
EDN

MEMORANDUM

TO: Gladys McCoy, County Chair
Fred B. Pearce, Sheriff
Dave Warren, Budget Director
Dave Boyer, Finance Manager
Wayne George, Director, Facilities Management
Kathy Busse, Director, Purchasing
John Angell, Director, Justice Services
Pete Casting, County Counsel
Hank Miggins, Executive Assistant, County Chair's Office
Bob Skipper, Assistant Sheriff
John Schwietzer, Commander, Support Division
Wendy Keller, Management Analyst
Jerry Milstead, Milstead & Associates

CC: Joe Golden, Chief, Facilities Division

FROM: Sally Anderson, Executive Assistant *Sally TF*

DATE: March 3, 1988

SUBJECT: Inverness Jail Project Bid & Financing Schedule

Attached is a revised schedule of Bid and Financing related activities for the next month. Some of you have already received an earlier version, others have not. This is the final schedule. I hope all goes well on the project while I'm gone.

I'll see you on the 30th!

**INVERNESS JAIL PROJECT
BID & FINANCING SCHEDULE**

Feb 23	10:00 am	Budget, Financing Package- Justice Center, Room 308 Dave Boyer, Dave Warren, Sally Anderson, Wayne George
Feb 23	1:30 pm	Board of County Commissioners- Advertise for Bids Multnomah County Courthouse, Room 602 Sally Anderson, Wayne George
Feb 29		Send letter to Board regarding bid information Kathy Busse per Wayne George
Mar 2		File Agenda Placement Form with Barbara Donin, Clerks Office for Mar. 29th, 31st- Sally Anderson
Mar 2,3,4		Bid specifications and drawings available Purchasing- Ford Building
Mar 14		Briefing of City Council Staff- Pete Casting Hank Miggins to schedule with Ed Marihart of Bob Koch's Office. Bob Skipper, Wayne George, Jerry Milstead to attend.
Mar 21 - 25		Brief Board of County Commissioners (Individually) Dave Warren, Dave Boyer, Wayne George, Bob Skipper John Angell. Kathy Busse will schedule
Mar 23	9:30 am	City Council acts on transfer of property to County Fred B. Pearce, Gladys McCoy, Bob Skipper, Wayne George Hank Miggins to coordinate with Mayor's Office. Pete Casting to attend.
* Mar 31	9:30	Mar 31 - <i>Tails - (Accept Deed) (send agenda & list)</i>
Mar 29	1:30 pm	Board of County Commissioners- Informal Meeting Fred B. Pearce, Bob Skipper, Wayne George, Kathy Busse Dave Warren, Dave Boyer
Mar 29	2:00 pm	Bids Opened
Mar 30		Review Bids Jerry Milstead, Wayne George, Bob Skipper, Wendy Keller John Schweitzer, Carl Moseley (Sally Anderson returns from Mexico)
Mar 31		Bid, 3rd Party Financing Package and Deed acceptance from City of Portland- Fred B. Pearce, Sally Anderson, Wayne George, Kathy Busse, Dave Boyer, Bob Skipper
Apr 1		Letter of Award & Notice to Proceed- Kathy Busse
Apr 4		Break ground

BIDSALLY/tf 3-2-88

Add public testimony invited

Conrad letter



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
ROOM 605, COUNTY COURTHOUSE
1021 S.W. FOURTH AVENUE
PORTLAND, OREGON 97204

GLADYS McCOY • Chair • 248-3308
PAULINE ANDERSON • District 1 • 248-5220
GRETCHEN KAFOURY • District 2 • 248-5219
CAROLINE MILLER • District 3 • 248-5217
POLLY CASTERLINE • District 4 • 248-5213
JANE McGARVIN • Clerk • 248-3277

NOTICE

The Multnomah County Board of Commissioners will be considering the acceptance of an Order in the matter of accepting deed for Inverness Property from the City of Portland for jail purposes and public testimony is invited. The hearing will be held Thursday, March 24, 1988 at 9:30 AM, in Room 602 of the Multnomah County Courthouse, 1021 SW Fourth, Portland

Jane McGarvin, Clerk of the Board



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
ROOM 605, COUNTY COURTHOUSE
1021 S.W. FOURTH AVENUE
PORTLAND, OREGON 97204

GLADYS McCOY • Chair • 248-3308
PAULINE ANDERSON • District 1 • 248-5220
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CAROLINE MILLER • District 3 • 248-5217
POLLY CASTERLINE • District 4 • 248-5213
JANE McGARVIN • Clerk • 248-3277

NOTICE

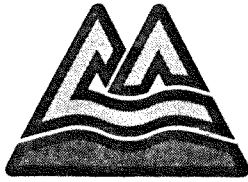
The Multnomah County Board of Commissioners will be considering the acceptance of an Order in the matter of accepting deed for Inverness Property from the City of Portland for jail purposes and public testimony is invited. The hearing will be held Thursday, March 24, 1988 at 9:30 AM, in Room 602 of the Multnomah County Courthouse, 1021 SW Fourth, Portland

NOTE: THIS MATTER WAS CONTINUED TO MARCH 31, 1988 AT 9:30 A.M. IN ROOM 602 OF THE COUNTY COURTHOUSE

*Notice sent to jail interest list
3/25/88*

BJ
0283C

3/25/88



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
ROOM 605, COUNTY COURTHOUSE
1021 S.W. FOURTH AVENUE
PORTLAND, OREGON 97204

GLADYS McCOY • Chair • 248-3308
PAULINE ANDERSON • District 1 • 248-5220
GRETCHEN KAFOURY • District 2 • 248-5219
CAROLINE MILLER • District 3 • 248-5217
POLLY CASTERLINE • District 4 • 248-5213
JANE McGARVIN • Clerk • 248-3277

March 31, 1988

Sheriff Fred Pearce
12240 NE Glisan
Portland, OR

Dear Sheriff Pearce:

Be it remembered, that at a meeting of the Board of County Commissioners held March 31, 1988, the following action was taken:

Order in the matter of accepting deed for Inverness)
Property from the City of Portland for jail pur-)
poses - public testimony invited. (Time Certain at)
9:30 AM) - Continued from March 24 R-10)

Commissioner McCoy explained the City has not yet approved this matter.

Upon motion of Commissioner Kafoury, duly seconded by Commissioner Anderson, it is unanimously

ORDERED that the above-entitled matter be continued to Thursday, April 7, 1988 at 11:00 AM in Room 602 of the County Courthouse.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS

By Jane McGarvin
Jane McGarvin
Clerk of the Board

jm

UNANIMOUS CONSENT

Procedure # 1201

Page 3 of 4

DATE SUBMITTED March 29, 1988

(For Clerk's Use)

Meeting Date _____

Agenda No. _____

REQUEST FOR PLACEMENT ON THE AGENDA

Subject: Resolution Naming Inverness Correction FacilityInformal Only* _____
(Date)Formal Only March 31, 1988
(Date)DEPARTMENT BCC DIVISION Commissioner Polly CasterlineCONTACT Ramsay Weit TELEPHONE 5275*NAME(s) OF PERSON MAKING PRESENTATION TO BOARD Commissioner Casterline

BRIEF SUMMARY Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

Officially names "Inverness Jail"

(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

ACTION REQUESTED:

☐ INFORMATION ONLY ☐ PRELIMINARY APPROVAL ☐ POLICY DIRECTION ☒ APPROVALINDICATE THE ESTIMATED TIME NEEDED ON AGENDA 5 minutes

IMPACT:

PERSONNEL

☐ FISCAL/BUDGETARY☐ - General Fund

Other _____

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: Polly CasterlineBUDGET / PERSONNEL /COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) Arminia/Bur

OTHER _____

(Purchasing, Facilities Management, etc.)

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.
As requested by the Board.BOARD OF
COUNTY COMMISSIONERS
1988 MAR 30 AM 8:39
MULTI-COUNTY
OREGON

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the Matter of Adopting an Official)
Name for the Multnomah County Inverness) R E S O L U T I O N
Corrections Facility) #88

WHEREAS, to date, the new corrections facility to be constructed on the Inverness site has not formally been named and,

WHEREAS, it is appropriate for the facility to have an official name so as to be recognizable in the community and,

WHEREAS, the facility is most often identified by its site,

NOW THEREFORE, BE IT RESOLVED THAT:

The corrections facility at the Inverness site will henceforth be identified as the Multnomah County Inverness ~~Corrections Facility~~.

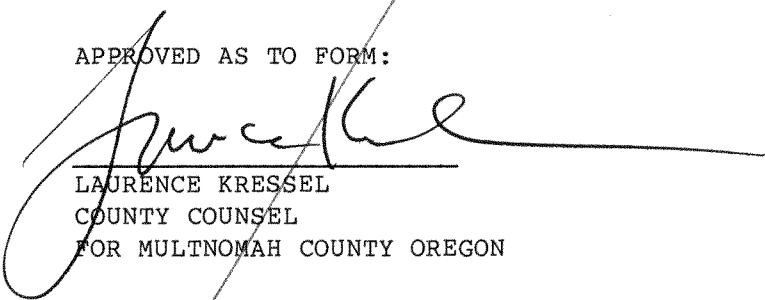
DATED this _____ day of _____, 1988.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

(SEAL)

Gladys McCoy, County Chair

APPROVED AS TO FORM:



LAURENCE KRESSEL
COUNTY COUNSEL
FOR MULTNOMAH COUNTY OREGON

In the Matter of Adopting an Official)
Name for the Inverness Corrections Facility) R E S O L U T I O N

WHEREAS, it is appropriate for the facility to have an official name so as to be recognizable in the community and,

NOW THEREFORE, BE IT RESOLVED THAT:

DATED this 1 day of January, 1988.

(SEAL)

APPROVED AS TO FORM:

LAURENCE KRESSEL
COUNTY COUNSEL

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the Matter of Adopting an Official)
Name for the Multnomah County Inverness) R E S O L U T I O N
Jail) #88-31

WHEREAS, to date, the new corrections facility to be constructed on the Inverness site has not formally been named and,

WHEREAS, it is appropriate for the facility to have an official name so as to be recognizable in the community and,

WHEREAS, the facility is most often identified by its site,

NOW THEREFORE, BE IT RESOLVED THAT:

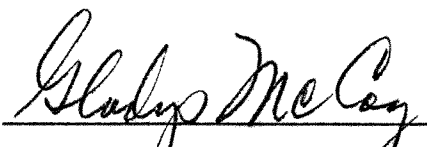
The corrections facility at the Inverness site will henceforth be identified as the Multnomah County Inverness Jail.

DATED this 31st day of March, 1988.

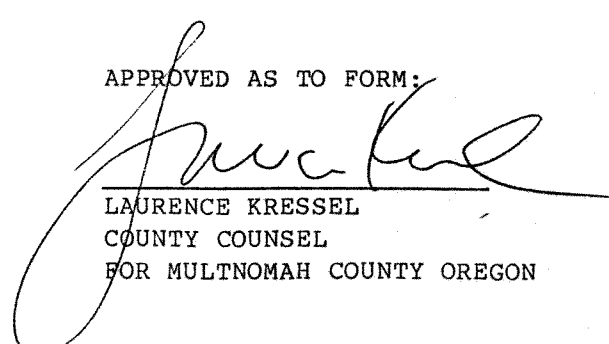
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

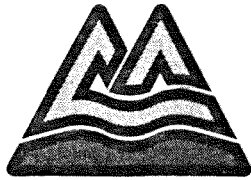
(SEAL)

(SEAL)


Gladys McCoy, County Chair

APPROVED AS TO FORM:


LAURENCE KRESSEL
COUNTY COUNSEL
FOR MULTNOMAH COUNTY OREGON



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
ROOM 605, COUNTY COURTHOUSE
1021 S.W. FOURTH AVENUE
PORTLAND, OREGON 97204

GLADYS McCOY • Chair • 248-3308
PAULINE ANDERSON • District 1 • 248-5220
GRETCHEN KAFOURY • District 2 • 248-5219
CAROLINE MILLER • District 3 • 248-5217
POLLY CASTERLINE • District 4 • 248-5213
JANE MCGARVIN • Clerk • 248-3277

March 31, 1988

Sheriff Fred Pearce
12240 NE Glisan
Portland, OR

Dear Sheriff Pearce:

Be it remembered, that at a meeting of the Board of County Commissioners held March 31, 1988, the following action was taken:

Upon motion of Commissioner Casterline, duly seconded by Commissioner Anderson, on a roll call vote, the following matter was considered by unanimous consent:

In the matter of Adopting an Official)	
Name for the Multnomah County Inverness)	
Jail	R-10a)	RESOLUTION #88-31

Fred Pearce, Sheriff, requested the Board name the facility the Multnomah County Inverness Jail.

Commissioner Casterline read the Resolution amendment as suggested by Sheriff Pearce, and moved, duly seconded by Commissioner Anderson, and upon a roll call vote, unanimously

ORDERED that said amended Resolution be approved.

Commissioner McCoy directed a letter and a copy of the Resolution be sent to the Parkrose Neighborhood Group. Commissioner Casterline agreed to do so.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS

By

Jane McGarvin
Jane McGarvin
Clerk of the Board

jm

PRESS LIST

DATE 3/36/88

THE FOLLOWING WERE CALLED THIS DATE REGARDING:

a) Meeting

b) Executive Meeting

c) Other Unanimous Consent - Naming "INVERNESS JAIL"

Signed

Lynell L. Stanton

KOIN Channel 6

243-6614 Assignment Desk ✓

KGW Channel 8

226-5111 Assignment Desk ✓

KATU Channel 2

231-4260 Assignment Desk ✓

KPTV Channel 12

222-9921 News Desk ✓

KEX 1190 A.M.

222-1929 Newsroom/Message ✓

KSGO 1520 A.M.

656-1441 News Desk ✓

KXL 750 A.M.

231-0750 Newsroom/Message ✓

KGW 62 A.M.

226-5095 News Desk ✓

K-103 FM

643-5103 Newsroom ✓

KXYQ - 105

226-6731 ^{Will} Call back. ✓

OREGONIAN

221-8566 Harry Bodine ✓

GRESHAM OUTLOOK

665-2181 Dave Pinson ✓

SKANNER

287-3562 ✓

DATE SUBMITTED 3/23/88

(For Clerk's Use)
Meeting Date 3/31/88
Agenda No. R-11

REQUEST FOR PLACEMENT ON THE AGENDA

Subject: Notice of Intent

Informal Only* _____
(Date)

Formal Only _____
(Date)

DEPARTMENT Human Services DIVISION Social Services

CONTACT Ron Potrue TELEPHONE 3691

*NAME(s) OF PERSON MAKING PRESENTATION TO BOARD Ron Potrue, Youth Program Office

BRIEF SUMMARY Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

Notice of Intent to apply to the Oregon Department of Education for \$149,640 to develop a parent education demonstration project.

(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

ACTION REQUESTED:

☐ INFORMATION ONLY ☐ PRELIMINARY APPROVAL ☐ POLICY DIRECTION ☒ APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA _____

IMPACT:

PERSONNEL

☒ FISCAL/BUDGETARY No match is required.

☐ General Fund

Other _____

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: Pauline Anderson PE
Duane Tussy (CO)

BUDGET / PERSONNEL Township /

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) _____

OTHER _____

(Purchasing, Facilities Management, etc.)

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.

NOTICE OF INTENT

TO: BOARD OF COUNTY COMMISSIONERS

DATE: March 10, 1988

DEPARTMENT AND CONTACT PERSON: Human Services/Social Services Division, Gary Smith

GRANTOR AGENCY: Oregon Department of Education

BEGINNING DATE OF GRANT: July 1, 1988

PROJECT TITLE: Parents are Important Project

PROJECT DESCRIPTION/GOALS:

1. To provide parents with information on child development; interpersonal communication, discipline, and strategies to help their children succeed in school.
2. To create both formal and informal support systems that will help parents solve problems and respond to their family needs.
3. To provide parents with information about community resources to reduce family stress and isolation.
4. To promote networking between community agencies and public schools.

PROJECT ESTIMATED BUDGET:

Direct/Indirect

FEDERAL SHARE	\$	_____ / _____	_____ %
STATE SHARE	\$	148,600 / 1,040	_____ %
LOCAL SHARE	\$	_____ / _____	_____ %
TOTAL	\$	148,600 / 1,040	_____ %

EXPLANATION OF LOCAL SHARE: (Explain indirect costs, hard-match, in-kind, etc.)

No match required, the proposal identifies the project administration to be done by the county as in-kind. Indirect will be collected @ the pass through rate.

SPECIFY REPORTING AND/OR BILLING REQUIREMENTS OF GRANTOR AND WHO REPORTS:

FINANCE _____ DEPARTMENT _____ IF DEPT. REPORTS, INDICATE REASONS.

Quarterly budget reports per Department of Education form.

GRANT DURATION AND FUTURE RATIO: (INDICATE AMOUNT OF COUNTY MATCH PER YEAR)

July 1, 1988, through June 30, 1989. No county match required.

ADVANCE REQUESTED X YES _____ NO _____ IF NOT, INDICATE REASON.

PERSONNEL DETAIL
(Use appropriate County
classification with
yearly costs.)

FULL TIME

FRINGE

TOTAL

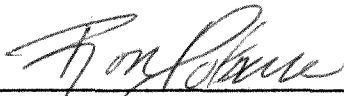
All services will be contracted.

Pass through	\$148,600
Indirect costs @ .007%	1,040
	<u>\$149,640</u>


EXPLAIN MATERIALS AND SERVICES AND CAPITAL EXPENDITURES WITH
TOTAL DOLLAR AMOUNTS

COMMENTS


GRANT MANAGER

<u></u>	<u>3/23/88</u>
Signature	Date

BUDGET DIVISION

<u></u>	<u>3-24-88</u>
Signature	Date

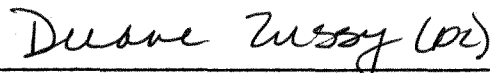
FINANCE DIVISION

<u></u>	<u>3/24/88</u>
Signature	Date

PERSONNEL DIVISION

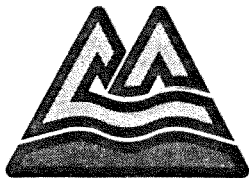
_____ Signature	_____ Date
--------------------	---------------

DEPARTMENT DIRECTOR

<u></u>	<u>3/24/88</u>
Signature	Date

DIVISION DIRECTOR

<u></u>	<u>3/23/88</u>
Signature	Date



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
ROOM 605, COUNTY COURTHOUSE
1021 S.W. FOURTH AVENUE
PORTLAND, OREGON 97204

GLADYS McCOY • Chair • 248-3308
PAULINE ANDERSON • District 1 • 248-5220
GRETCHEN KAFOURY • District 2 • 248-5219
CAROLINE MILLER • District 3 • 248-5217
POLLY CASTERLINE • District 4 • 248-5213
JANE MCGARVIN • Clerk • 248-3277

March 31, 1988

Mr. Duane Zussy, Director
Department of Human Services
426 SW Stark
Portland, OR

Dear Mr. Zussy:

Be it remembered, that at a meeting of the Board of County Commissioners held March 31, 1988, the following action was taken:

Notice of Intent to apply to the Oregon Department)
of Education for \$149,640 to develop a parent)
education demonstration project in the Social Ser-)
vices Division R-11)

Commissioner Anderson explained that this grant will develop a program for parents of 0-7 year old children, and that it is a one-time-only request. She added a search for funding to continue the program is being conducted, and moved, duly seconded by Commissioner Kafoury, unanimously

ORDERED that said Notice of Intent be approved.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS

By Jane McGarvin
Jane McGarvin
Clerk of the Board

jm
cc: Budget
Social Services

DATE SUBMITTED March 23, 1988.

(For Clerk's Use)
Meeting Date 3/31/88
Agenda No. R-12a+b

REQUEST FOR PLACEMENT ON THE AGENDA

Subject: Intergovernmental Agreement

Informal Only* _____
(Date)

Formal Only March 31, 1988
(Date)

DEPARTMENT Justice Services DIVISION Community Corrections

CONTACT Harley Leiber or Susan Kaeser TELEPHONE 248-3980 or 248-3007

*NAME(s) OF PERSON MAKING PRESENTATION TO BOARD Harley Leiber

BRIEF SUMMARY Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

Intergovernmental agreement between Multnomah County and Hood River County to provide a Community Corrections Alternative Community Service Forest Work Camp at Wyeth, Hood River County, Oregon.

Intergovernmental agreement between Multnomah County and U.S. Forest Service to provide a Community Corrections Alternative Community Service Forest Work Camp at Wyeth, Hood River County, Oregon.

(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

ACTION REQUESTED:

☐ INFORMATION ONLY ☐ PRELIMINARY APPROVAL ☐ POLICY DIRECTION ☒ APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA 10 minutes

IMPACT:

☐ PERSONNEL
☐ FISCAL/BUDGETARY
☐ General Fund
☐ Other _____

*Note
2 agreements
original to
Susan Kaeser -
3/31/88*

1988 MAR 29 AM 11:58
CLERK OF
JUDICIAL DEPARTMENT
OREGON

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: *John E. Angell*

BUDGET / PERSONNEL /

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) _____

OTHER _____
(Purchasing, Facilities Management, etc.)

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.

Agreement Between
Multnomah County Department of Justice Services/Community
Corrections
and the
Mt Hood National Forest USDA Forest Service

This Agreement is made and entered into this 31st day of March, 1988, between the Multnomah County Department of Justice Services, Community Corrections Division, hereinafter known as the "SPONSOR" and the USDA Forest Service, acting by and through the Regional Forester, Region 6, hereinafter called the "HOST" for the purpose of providing work and training programs for the SPONSOR's probationers on or adjacent to the Mt. Hood National Forest under the authority of P.L. 94-148.

The parties hereto desire to cooperate in meeting objectives of the respective agencies through mutual endeavors. The objective of the SPONSOR is to enhance the rehabilitation of probationers by placing them in an environment where productive work and the development of good work habits is shown to be of value. A corollary objective is the acquisition of job skills provided by specific work projects.

The objective of the HOST is to accomplish high priority work projects on the Mt. Hood National Forest which are essential to the proper protections and management of such lands.

To these ends, the following terms and conditions are agreed to:

I. The SPONSOR agrees:

- A. To assume sole responsibility for the work supervision, monitoring and security of the probationers at all times. If a probationer leaves a crew while working on the HOST's lands, which, for some reason, is not known to the SPONSOR, the HOST has no responsibility other than to report the offender leaving if known to the HOST.
- B. To provide transportation for the probationers between urban assembly points and the project facility.
- C. To provide meals to the offenders at the project facility and at all work sites.
- D. To provide qualified supervisory personnel to properly and fully supervise the discipline and control of the probationers while performing project work under this agreement. The SPONSOR shall not provide supervisory personnel at field camps.

- E. To provide probationers with boots, field clothing, and gloves appropriate to the season and to the job to be performed.
- F. To bill the HOST monthly for the cost of fuel for transportation of the crew from the project campsite to work project sites on HOST's land except as the SPONSOR may have agreed to perform specific work projects at no cost for fuel or labor or both (see Section II, paragraph C and Section III, paragraph B).

Billings will include the number of gallons of fuel at SPONSOR's unit cost per vehicle. Billings will be sent:

Mt. Hood National Forest
ATTN: Human Resource Coordinator
2445 NW Division
Gresham, Oregon 97030

- G. Upon request of the HOST, make available from the SPONSOR, between ten and thirty probationers per day with a supervisor, Monday through Friday, March 1 to November 31 each year to work on conservation projects in the Mt. Hood National Forest.

From December 1 to February 28, projects will be scheduled in advance by both the SPONSOR and HOST with emphasis placed on community related projects at sites off the Mt. Hood National Forest. The USDA Forest Service would not be responsible for transportation from the project facility to these worksites.

- H. That costs of meals, clothing, phones, supervision and other expenses not listed in Section I, paragraph F or Section II, paragraph C will be borne by the SPONSOR.
- I. To notify the HOST if the SPONSOR is unable to furnish the necessary probationers to form crews. Such notification will be as far in advance as possible.

II. The HOST agrees:

- A. To provide project work plans to the SPONSOR at least two weeks in advance, including technical specifications and standards.
- B. The HOST will assure that properly trained and qualified employees are available to provide technical guidance concerning specific work as indicated in the work plan and to insure that all work complies with USDA Forest Service requirements. The HOST will also provide the supervisory personnel to properly and fully supervise the probationers at the field camps. Upon completion of a project, the HOST will also review the quality of work performed by the SPONSOR.

Agreement Between
Multnomah County Department of Justice Services
Community Corrections

and the

Mt Hood National Forest USDA Forest Service

This Agreement is made and entered into this 31st day of March, 1988, between the Multnomah County Department of Justice Services, Community Corrections Division, hereinafter known as the "SPONSOR" and the USDA Forest Service, acting by and through the Forest Service Ranger at Mt. Hood National Forest hereinafter called the "HOST" for the purpose of providing work and training programs for the SPONSOR's probationers on or adjacent to the Mt. Hood National Forest under the authority of P.L. 94-148.

The parties hereto desire to cooperate in meeting objectives of the respective agencies through mutual endeavors. The objective of the SPONSOR is to enhance the rehabilitation of probationers by placing them in an environment where productive work and the development of good work habits is shown to be of value. A corollary objective is the acquisition of job skills provided by specific work projects.

The objective of the HOST is to accomplish high priority work projects on the Mt. Hood National Forest which are essential to the proper protections and management of such lands.

To these ends, the following terms and conditions are agreed to:

I. The SPONSOR agrees:

- A. To assume sole responsibility for the work supervision, monitoring and security of the probationers at all times. If a probationer leaves a crew while working on the HOST's lands, which, for some reason, is not known to the SPONSOR, the HOST has no responsibility other than to report the offender leaving if known to the HOST.
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- F. To bill the HOST monthly for the cost of fuel for transportation of the crew from the project campsite to work project sites on HOST's land except as the SPONSOR may have agreed to perform specific work projects at no cost for fuel or labor or both (see Section II, paragraph C and Section III, paragraph B).

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Mt. Hood National Forest
ATTN: Human Resource Coordinator
2995 NW Division
Gresham, Oregon 97030

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From December 1 to February 28, projects will be scheduled in advance by both the SPONSOR and HOST with emphasis placed on community related projects at sites off the Mt. Hood National Forest. The USDA Forest Service would not be responsible for transportation from the project facility to these worksites.

- H. That costs of meals, clothing, phones, supervision and other expenses not listed in Section I, paragraph F or Section II, paragraph C will be borne by the SPONSOR.
- I. To notify the HOST if the SPONSOR is unable to furnish the necessary probationers to form crews. Such notification will be as far in advance as possible.

II. The HOST agrees:

- A. To provide project work plans to the SPONSOR at least two weeks in advance, including technical specifications and standards.
- B. The HOST will assure that properly trained and qualified employees are available to provide technical guidance concerning specific work as indicated in the work plan and to insure that all work complies with USDA Forest Service requirements. The HOST will also provide the supervisory personnel to properly and fully supervise the probationers at the field camps. Upon completion of a project, the HOST will also review the quality of work performed by the SPONSOR.

- C. To pay the SPONSOR in accordance with its itemized billing described in Section I, paragraph F, the following:
1. Fuel costs incurred by the SPONSOR in providing probationer transportation for work projects on the Mt. Hood National Forest.
- D. To instruct its personnel not to mail or deliver letters to or for probationers, nor barter, gamble, furnish money, alcohol, drugs, tangible goods, or any other item or substance prohibited by the SPONSOR to crew members or SPONSOR employees, except as may otherwise be allowed by this agreement. The SPONSOR shall provide to the HOST a listing of any prohibited items or substances not specifically described above.
- E. Loan essential tools and equipment and provide necessary materials for the adequate completion of project work which is not already provided by the SPONSOR. Tools and equipment shall be returned when no longer needed for the project(s) in like condition when loaned, except for normal wear and tear. Unused materials shall likewise be returned upon project completion.
- F. To provide a base camp facility (including housing, sanitation facilities, cooking and camping equipment) for ten probationers in the Spring of 1988 and for up to twenty additional probationers by the Summer of 1988. All tents, camp equipment and/or facilities shall be maintained by the SPONSOR and shall be returned, when no longer needed, in like condition when loaned, except for normal wear and tear.
- G. To provide essential safety instruction to the SPONSOR's supervisors and staff at the start of each new project and on a regular basis thereafter.
- H. That sanitation and upkeep of camps and/or facilities will be the responsibility of the HOST when such camps and/or facilities are for National Forest purposes. This will include water supplies and sanitation facilities which meet minimum standards established by the State. Probationers may be used to perform miscellaneous camp duties which will include maintenance of facilities.

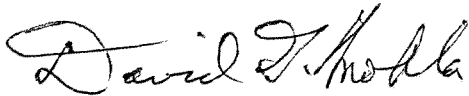
III. Both parties agree:

- A. The SPONSOR and HOST shall meet as often as necessary to affect administration of this agreement in a mutually acceptable manner. Both parties will designate liaison officers in writing to the other.

- B. As project work plans are presented to the SPONSOR for which the SPONSOR agrees to provide fuel for transportation at no costs (Section I, paragraph F), a written notation to that effect will be prominently displayed at the top of the project plan which will indicate whether fuel costs will be provided at no charge to the HOST. The SPONSOR's accomplishment of the work will be construed to mean the SPONSOR's agreement to perform those projects at no cost for fuel.
- C. Any facilities or land resources developed or improved under this agreement will be the property of the United States.
- D. Not to employ or use probationers on any work project which would result in the displacement of employed workers in the impairment of existing contracts for services.
- E. Probationers, although working on Federal lands, will not be considered Federal employees within the meaning of the laws administered by the U.S. Office of Personnel Management and will not have Federal Employee status. There is no coverage under the Federal Tort Claims Act nor the Federal Employee Compensation Act when working under the direct supervisory control of the SPONSOR.
- F. Nothing in this agreement shall be construed as obligating the HOST or SPONSOR to expend funds in excess of those appropriated by their respective governing bodies.
- G. No member of, or delegate to, Congress or Resident Commissioner shall be admitted to any share or part of this agreement, or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.
- H. To carry out this agreement so there shall be no discrimination against any person because of race, sex, age, marital status, color, political affiliations, national origin, religion, handicap, or other non merit factor.
- I. To the extent it may legally do so, the SPONSOR shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of National Forest lands under this permit, however, the SPONSOR shall not be required to indemnify the United States for any such liability arising out of the negligence or wrongful acts of employees or agents of the United States.
- J. Amendments to this agreement may be made at any time upon mutual agreement.

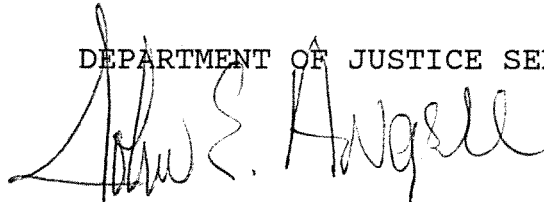
K. This agreement shall remain in effect until October 1, 1990 unless cancelled by either party upon thirty (30) days written notice, or sooner, by mutual agreement.

USDA FOREST SERVICE



Dave Mohla
Forest Supervisor, Mt. Hood
National Forest

DEPARTMENT OF JUSTICE SERVICES



John Angell
Director, Multnomah County
Department of Justice Services

Date

4/1/88

Date 3.23.88

APPROVED AS TO FORM



LARRY KRESSEL
COUNTY COUNSEL

A G R E E M E N T

THIS AGREEMENT pursuant to ORS 190 is made and entered into this 31st day of March, 1988, by and between MULTNOMAH COUNTY, a political subdivision of the State of Oregon, the U.S. FOREST SERVICE, and HOOD RIVER COUNTY, a political subdivision of the State of Oregon.

WHEREAS, the Hood River County Board of Commissioners and the Multnomah County Board of Commissioners agree that there is a need for alternatives to county jails, and that a Community Service Forest Project (CSFP) located on U.S. Forest Service property at Wyeth, Hood River County, Oregon will provide an alternative. The cost of the CSFP will be the responsibility of Multnomah County and the U.S. Forest Service. Hood River County will bear no expenses as a result of this project.

IT IS HEREBY AGREED BETWEEN Multnomah County, the U.S. Forest Service, and Hood River County that there shall be compliance with the following conditions for site improvements and operation of the CSFP:

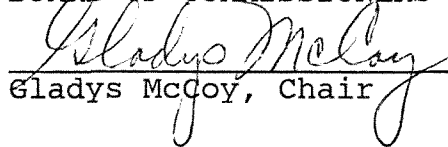
1. The CSFP is to accommodate up to 30 individuals. Three slots will be from Hood River County. Selected individuals from Hood River County shall meet all program criteria as applied by Multnomah County CSFP personnel and, upon assignment from Hood River County, shall work under complete direction of CSFP personnel as per Intergovernmental Agreement with the U.S. Forest Service, dated March 31, 1988.

2. The septic tank and water system at the CSFP Wyeth site shall meet appropriate State of Oregon and Hood River County Health Department requirements.
3. All remodeling of existing buildings at Wyeth for the use of the CSFP shall be to the Uniform Building Code and receive approval from the Hood River County Building Official. Hood River County's fees for Building Permits are waived.
4. A copy of the screening criteria for all participants in the program shall be kept on file in the Administrator's and Sheriff's offices in Hood River County and at the City Hall in Cascade Locks.
5. Hood River County shall have four positions on the CSFP Steering Committee, including representation from the City of Cascade Locks.
6. Any serious problem that occurs to the program shall be referred to the CSFP Steering Committee, and the Steering Committee may recommend modifications to CSFP's activities, including a suspension of the activities, as appropriate.
7. The Hood River County Board of Commissioners shall receive a CSFP Annual Report. An annual request shall be made to the Hood River County Board of Commissioners for their continued endorsement of the CSFP.
8. When any formal report on the CSFP is made to the Multnomah County Sheriff or the Multnomah County Board of Commissioners, the same report shall be made to the Hood River County Board of Commissioners.

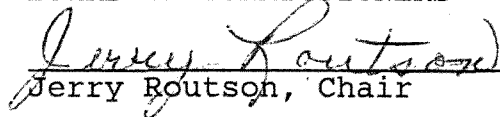
Agreement - Multnomah County,
U.S. Forest Service, Hood River County
Page 3

The duration of this agreement shall be perpetual but
may be cancelled by either party upon thirty (30) days
written notice, or sooner, by mutual agreement.

MULTNOMAH COUNTY
BOARD OF COMMISSIONERS


Gladys McCoy, Chair

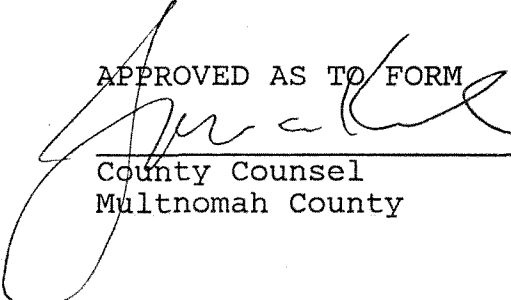
HOOD RIVER COUNTY
BOARD OF COMMISSIONERS


Jerry Routson, Chair

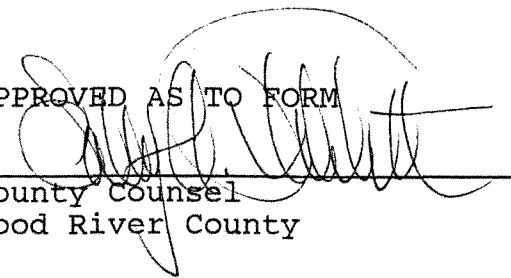
USDA FOREST SERVICE


Dave Mohla, Forest Supervisor

APPROVED AS TO FORM


County Counsel
Multnomah County

APPROVED AS TO FORM


County Counsel
Hood River County



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
ROOM 605, COUNTY COURTHOUSE
1021 S.W. FOURTH AVENUE
PORTLAND, OREGON 97204

GLADYS McCOY • Chair • 248-3308
PAULINE ANDERSON • District 1 • 248-5220
GRETCHEN KAFOURY • District 2 • 248-5219
CAROLINE MILLER • District 3 • 248-5217
POLLY CASTERLINE • District 4 • 248-5213
JANE McGARVIN • Clerk • 248-3277

March 31, 1988

Mr. John Angell, Director
Department of Justice Services
1120 SW Fifth
Portland, OR

Dear Mr. Angell:

Be it remembered, that at a meeting of the Board of County Commissioners held March 31, 1988, the following action was taken:

In the matter of ratification of an Intergovern-)
mental Agreement with Hood River County to pro-)
vide a Community Corrections Alternative Commu-)
nity Service Forest Work Camp at Wyeth, Hood River)
County R-12a)

In the matter of ratification of an Intergovern-)
mental Agreement with the U.S. Forest Service to)
provide a Community Corrections Alternative Com-)
munity Service Forest Work Camp at Wyeth, Hood)
River County R-12b)

Commissioner Kafoury explained that the Corrections Division has two agreements; one with Hood River County, and one with the U. S. Forest Service. She submitted an amended agreement with the Forest Service which contains a change in the title, on page one, of the person at Mt. Hood National Forest to the "Forest Service Ranger"; and on Page 2 (F), the address has been corrected. She moved approval, duly seconded by Commissioner Anderson.

Following discussion, the motion was considered, and it is unanimously

ORDERED that said amended intergovernmental agreement with Hood River County, and the corrected intergovernmental agreement with the U.S. Forest Service be ratified.

Commissioner Anderson expressed her pleasure that these agreements have been approved, and said she feels this is a good example of an alternative to jail sentences. She hopes this program can become a model for other programs.

-2-

Commissioner Casterline explained this is a new cooperative venture with Hood River County; and she, too, is hopeful the program proves to be successful for both counties.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS

By Jane McGarvin
Jane McGarvin
Clerk of the Board

jm
cc: Budget
Finance
Purchasing
Harriet Weber
Community Corrections

Clerks Copy

Procedure # 1201

Page 3 of 4

DATE SUBMITTED February 25, 1988

BOARD OF
COUNTY COMMISSIONERS

1988 MAR 18 AM 9:07

(For Clerk's Use)

Meeting Date 3/31/88

Agenda No. R-13

REQUEST FOR PLACEMENT ON THE AGENDA

OREGON
Subject: Amendment to Columbia Gorge Interpretive Center

Informal Only* April 7, 1988
(Date)

Ordinance

Formal Only X
(Date)

DEPARTMENT Board of County Commissioners DIVISION Casterline

CONTACT Chris Moir TELEPHONE 248-5443

*NAME(s) OF PERSON MAKING PRESENTATION TO BOARD Polly Casterline

BRIEF SUMMARY Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

This is to ammend Ordinance # 561 to add language to direct the advisory committee of further tasks

(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

ACTION REQUESTED:

☐ INFORMATION ONLY ☐ PRELIMINARY APPROVAL ☐ POLICY DIRECTION ☒ APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA 5 minutes

IMPACT:

PERSONNEL

☐ FISCAL/BUDGETARY

☐ - General Fund

Other _____

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: Polly Casterline

BUDGET / PERSONNEL /

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) [Signature]

OTHER _____

(Purchasing, Facilities Management, etc.)

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.

ORDINANCE FACT SHEET

Procedure #1201

Page 4 of 4

Title Columbia Gorge Interpretive Center Effective Date _____

Brief statement of purpose of ordinance (include the rationale for adoption of ordinance, a description of persons benefited, and other alternatives explored).

Amendment to an existing ordinance (#561) establishing a citizen advisory committee on the Columbia River Gorge National Scenic Area Interpretive Centers.

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

Does Not Apply

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

Does Not Apply

What authority is there for Multnomah County to adopt this legislation? (State statute, home rule charter). Are there constitutional problems?

Multnomah County Charter

Fiscal Impact Analysis

Does Not Apply

SIGNATURES:

Office of County Counsel 

Office of County Management _____

Department Head _____

Liaison Commissioner Polly Carterline

(Underlined sections are new or replacements; [bracketed] sections are deleted.)

BEFORE THE BOARD OF COMMISSIONERS

FOR THE COUNTY OF MULTNOMAH

ORDINANCE NO. 572

An Ordinance amending Ordinance #561 dated September 17, 1987 by changing the name of the Columbia River Gorge Interpretive Center, changing the number of members on the citizens committee, and defining additional duties for the committee; declaring an emergency.

Multnomah County ordains as follows: 1

Section 1. Findings.

A. Ordinance #561 dated September 17, 1987 created a Multnomah County Citizens Advisory Committee on the Columbia River Gorge Interpretive Center to satisfy the need for citizen involvement in the development of Multnomah County's policy and position regarding the placement and number of interpretive centers to be located on the Oregon side of the Columbia River Gorge National Scenic Area.

B. The Multnomah County Board of County Commissioners now deems it desirable to increase the number of members of the Board from 13 to 14, to change the name of the center to more accurately reflect the function of the proposed center, and to further define the duties of citizens advisory committee as herein set forth.

Section 2. Amendments.

A. Section 2 of Ordinance #561 is amended to read:

Section 2. Duties.

There is hereby established a Multnomah County Citizens Advisory Committee on the Columbia River Gorge Interpretive/Orientation Center. The Committee shall advise the Chair and the Board of County Commissioners of Multnomah County on issues and proposed policy

relating to the development of a Gateway Interpretive/Orientation Center in the Gorge, including but not limited to:

A. Recommend a location for the Gateway Interpretive/Orientation Center; and

B. Identify and recommend the functions to be provided by the Gateway Interpretive/Orientation Center, including historical, cultural, recreational, educational and natural resources purposes to be served by the Center[.]; and

C. Research and recommend the procedures for analysis of a utilities feasibility study, a traffic study, a conceptual footprint of the facility, overall project concept design and construction.

B. Section 3 of Ordinance #561 is amended to read:

Section 3. Membership.

The Committee shall consist of [thirteen (13)] fourteen (14) members at large to be appointed by the Chair of Multnomah County with the approval of the Board of County Commissioners. The Chair of Multnomah County shall designate the Chair of the Committee.

Section 3. Emergency Clause.

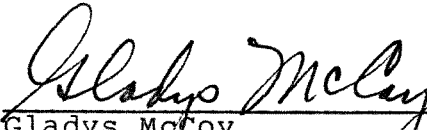
This Ordinance, being necessary for the health, safety, and general welfare of the people of Multnomah County, an emergency is declared and the Ordinance shall take effect upon its execution by the County Chair, pursuant to Section 5.50 of the Charter of Multnomah County.

ADOPTED this 31st day of March, 1988, being the date
of its first reading before the Board of County Commissioners
of Multnomah County, Oregon.

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

(SEAL)


BY


Gladys McCoy
Multnomah County Chair

APPROVED AS TO FORM: 1

LAURENCE KRESSEL, COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

BY


John L. DuBay
Assistant County Counsel

0538R/sh
031588:3:1



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
ROOM 605, COUNTY COURTHOUSE
1021 S.W. FOURTH AVENUE
PORTLAND, OREGON 97204

GLADYS McCOY • Chair • 248-3308
PAULINE ANDERSON • District 1 • 248-5220
GRETCHEN KAFOURY • District 2 • 248-5219
CAROLINE MILLER • District 3 • 248-5217
POLLY CASTERLINE • District 4 • 248-5213
JANE McGARVIN • Clerk • 248-3277

March 31, 1988

Mr. Lawrence Kressel, County Counsel
1121 SW Fifth, Room 1400
Portland, OR

Dear Mr. Kressel:

Be it remembered, that at a meeting of the Board of County Commissioners held March 31, 1988, the following action was taken:

First Reading - An Ordinance amending Ordinance)
#561 dated September 17, 1987 by changing the)
name of the Columbia River Gorge Interpretive/)
Orientation Center, changing the number of mem-)
bers of the citizens committee, and defining)
additional duties for the committee, and declar-)
ing an emergency)
R-13) ORDINANCE
NO. 572

Copies of the above-entitled Ordinance were available to all persons wishing a copy. Ordinance was read by title only.

A hearing was held; no one wished to testify.

Commissioner Casterline explained changes to be made in the Ordinance include: the name is to be Columbia River Gorge Interpretive/Orientation Center (Page 1, Section 2A (A & B); and adding a Section 2A(C). She read the proposed addition as follows: Research and recommend the procedures for analysis of a utilities feasibility study, a traffic study, a conceptual footprint of the facility, overall project concept design and construction. Section 2B, Section 3, Membership is changed from [thirteen (13)] to fourteen (14). She moved approval of the amended Ordinance, duly seconded by Commissioner Kafoury.

Commissioner Anderson asked for clarification of the term "conceptual footprint".

Commissioner Casterline explained it means the architectural design is not complete, but is only a concept at this point.

-2-

Following discussion, the motion was considered, and it is unanimously

ORDERED that said amended Ordinance be adopted as an emergency.

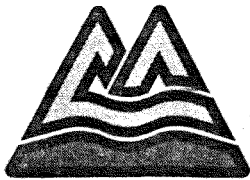
Very truly yours,

BOARD OF COUNTY COMMISSIONERS

By Jane McGarvin
Jane McGarvin
Clerk of the Board

jm

cc: Commissioner Casterline



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
ROOM 605, COUNTY COURTHOUSE
1021 S.W. FOURTH AVENUE
PORTLAND, OREGON 97204

GLADYS McCOY • Chair • 248-3308
PAULINE ANDERSON • District 1 • 248-5220
GRETCHEN KAFOURY • District 2 • 248-5219
CAROLINE MILLER • District 3 • 248-5217
POLLY CASTERLINE • District 4 • 248-5213
JANE McGARVIN • Clerk • 248-3277

March 31, 1988

Mr. Duane Zussy, Director
Department of Human Services
426 SW Stark
Portland, OR

Dear Mr. Zussy:

Be it remembered, that at a meeting of the Board of County Commissioners held March 31, 1988, the following action was taken:

Continued Second Reading - An Ordinance amending)
MCC Chapter 6.31 by making the EMS Policy Board)
advisory to the Board of County Commissioners,)
and ratifying rules adopted by the EMS Policy)
Board, and declaring an emergency (Continued)
from March 24) R-14)

ORDINANCE
NO. 573

Copies of the above-entitled Ordinance were available to all persons wishing a copy. Ordinance was read by title only.

A hearing was held.

Laurence Kressel, County Counsel, advised Commissioners the correct copy was designated by 9:2 at the end of the Ordinance. He explained this copy includes the original ordinance plus changes adopted by the Board to-date. He discussed the ordinance and the purposes for which it was developed; and recommended nonsubstantive amendments to be made on page 3, Section E, and page 7, Section 8C(3). He responded to Board questions, and advised the Board request recommendations from the EMS Policy Board for an Ambulance Service Area Plan following adoption of the ordinance.

At this time, Commissioner Kafoury moved approval. Motion failed for lack of a second.

Commissioner Kafoury moved, duly seconded by Commissioner Anderson, to substitute, as suggested by Mr. Kressel, on page 3, Section (E), "state law" for the reference [ORS 823.180]; and on page 7, Section 8(C)(3), the following is to be added after the first sentence: The hearing shall include the opportunity for interested persons to present testimony and data.

Chris Thomas, AA Ambulance, explained he does not object to keeping the process going until a ruling is made, but he stressed this ordinance, if adopted, will adopt the single ASA plan without further action by the Board once the Court ruling is made. He said he objects to the latter process because there is no evidence that going to a single ASA plan will reduce rates. He added other cities following the same procedures, have had considerable rate increases as well as diminution of quality of service, and gave examples. In addition, he requested language be included in the ordinance which guarantees ambulance companies the right to present testimony and data.

Following discussion, the motion was considered, and it is unanimously

ORDERED that said amended Ordinance be adopted.

Commissioner Kafoury moved to request the EMS Policy Board to submit recommendations to the Board within 45 days, and that Commissioner McCoy be retained as the Board representative to that body.

Joe Acker, Emergency Medical Services Director, expressed his compliments to Board staff, EMS staff, County Counsel staff, Ambulance Company representatives, and representatives from both Portland and Gresham for the cooperative manner in which the Ordinance just adopted was developed. He had expected "riff" between cities and the county and was pleased that expectation was not realized. He read optional wording for the request for recommendations by the EMS Policy Board: Option 1 - "The Board of County Commissioners, under the authority granted by Multnomah County Code 6.31.038, requests a recommendation from the EMS Policy Board concerning the ambulance service area plan for Multnomah County"; and Option 2 - "The Board of County Commissioners, under the authority granted by Multnomah County Code 6.31.038, requests a recommendation from the Emergency Medical Services Policy Board concerning an ambulance service area plan which causes the County to be divided into two similar ambulance service areas with a contractor for each chosen by the competitive bid process". He said either option will allow the Policy Board to begin the Ambulance Service Area Plan process starting April 4 following the EMS Policy Board meeting.

Following discussion Commissioner Kafoury moved approval, duly seconded by Commissioner Casterline.

Following further discussion, Mr. Kressel explained his support for Option 1.

Mr. Acker responded to Board questions, and added that there are four parts to the Plan other than designation of the ASAs and the contractor procurement process.

Barbara Donin, Chair's staff, pointed out that though Option 2 defines the process more narrowly, there are other Options within that concept the Policy Board can debate. She suggested one subject might be whether or not the Board wants one provider to be able to secure both contracts, or whether the RFP should state the contract must have two separate providers.

Mr. Acker added maps could be drawn for the two service areas, and then the Policy Board will provide the Board of Commissioners with a recommendation for final proposed boundaries. The process now is the Policy Board will develop an ASA plan and recommendations for the Board of Commissioners, who will then hold hearings and adopt an ambulance service area plan. That plan will go to the State for approval; and that approval will trigger the County contractor selection process. The process is expected to take until July 1 at which time, the bid process will begin, should everything go as planned.

Commissioner McCoy asked if there is anything that can be done to change the rate structure before the process is completed.

Mr. Kressel requested time to study that question before making a recommendation to the Board.

The Board concurred.

Mr. Kressel advised the Board the Policy Board could advise or recommend against a two ASA plan.

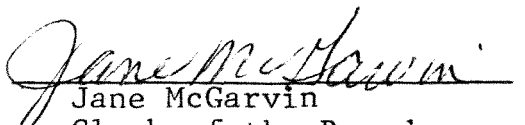
Discussion followed regarding Board representation on the EMS Policy Board, and Commissioner McCoy agreed to go to the meeting on April 4.

At this time, the motion was considered, and it is unanimously

ORDERED that the Board request the EMS Policy Board provide recommendations for a two ASA Plan as suggested by Mr. Acker (Option 2).

Very truly yours,

BOARD OF COUNTY COMMISSIONERS

By 
Jane McGarvin
Clerk of the Board

jm
cc: County Counsel
Emergency Medical Services



MULTNOMAH COUNTY OREGON

R-14
3/31/88

DEPARTMENT OF GENERAL SERVICES
COUNTY COUNSEL SECTION
1120 S.W. FIFTH AVENUE, SUITE 1400
P.O. BOX 849
PORTLAND, OREGON 97207-0849
(503) 248-3138

BOARD OF COUNTY COMMISSIONERS
GLADYS McCOY, CHAIR
PAULINE ANDERSON
POLLY CASTERLINE
GRETCHEN KAFOURY
CAROLINE MILLER

M E M O R A N D U M

COUNTY COUNSEL
LAURENCE KRESSEL

CHIEF ASSISTANT
ARMINDA J. BROWN

ASSISTANTS

JOHN L. DU BAY
SANDRA N. DUFFY
J. MICHAEL DOYLE
H. H. LAZENBY, JR.
PAUL G. MACKEY
MARK B. WILLIAMS

TO: Board of County Commissioners
Gladys McCoy, Chair
Pauline Anderson
Polly Casterline
Gretchen Kafoury
Caroline Miller

FROM: Larry Kressel
County Counsel *LK*

DATE: March 29, 1988

RE: EMS Code Amendments

At the Board's request, I met late last week with EMS staff and representatives of licensees to discuss certain aspects of the pending code amendments. The following summarizes the discussion. (In the material below, all references to MCC are to the draft before the Board on March 24. The draft is identified by the marking "032488:8:2" on the last page.)

1. MCC 6.31.037(E) (ordinance p. 3)

The debate here was technical in nature. It was agreed to reword the final sentence in MCC 6.31.037(E) to read: "The plan shall comply with the rules and regulations of the State Health Division and state law." The phrase "state law" replaces the reference to ORS 823.180 in the draft.

This is a non-substantive amendment and should be made at the hearing this week.

2. MCC 6.31.039 (ordinance p. 4 at top)

This section ratifies all existing EMS rules. The purpose is to remove the legal cloud created by Judge Crookham's ruling that the EMSPB could not exercise legislative authority. The cloud is removed by Board legislative action to ratify the rules.

Of particular concern to AA Ambulance is the fact that the section ratifies the much-disputed single ASA rule. (The section makes the rule effective upon conclusion of the pending appeals.) In the litigation, AA has argued that the EMSPB did not follow proper procedures for adopting the rule. AA is concerned that, by ratifying the single ASA rule, the Board may be mooting those procedural objections.

I do not recommend changing the present language of MCC 6.31.039. It is legitimate for the Board to try, by amending the EMS legislation, to eliminate legal bases for attacking the ASA plan. Indeed, this entire process for amending the code is motivated by the desire to eliminate as many areas of legal exposure as possible.

3. MCC 6.31.062(C)(1)(ordinance p. 6)

The final issue of debate concerns the procedure for adopting EMS rules. When I drafted this amendment, one of my goals was to simplify and streamline that procedure. AA is concerned that the draft goes too far. Specifically, AA is concerned that the draft does not guarantee a provider's right to present testimony at some stage of the rulemaking process.

The current draft sets forth a three stage process for adopting a nonemergency rule: (1) a director's hearing, (2) an EMSPB hearing, and (3) a hearing by the County Commission.

The current draft includes language governing the director's hearing which I view as vague and fraught with procedural pitfalls. The language is favored by AA. Section 6.31.062(C)(1) reads:

(C) (1) When the director proposes action on a rule [to recommend that the policy board adopt, amend or repeal a rule], he shall give notice of a director's hearing as required by subsection (C)(2) of this section and give interested persons reasonable opportunity to submit data or views, which may include the submission of statements describing the financial impact of the rule. The director shall consult with persons directly affected by the proposed action and each of the ambulance companies and fire departments operating EMS vehicles as well as an organization representing hospitals and shall fully consider every submission.

Board of County Commissioners
March 29, 1988
Page 3

The version I originally drafted (marked as 022288:7:1) deleted all the language after the phrase "this section." I still recommend that approach.

I also believe that AA is unjustified in contending that it might be denied any chance to testify during the rulemaking process. An obvious purpose of each stage of the three stage process is to consider public reaction to a rule.

However, if the Board wishes to amend the code to expressly assure a right to present testimony during the rulemaking process, I have an amendment to propose.

The section I would amend (MCC 6.31.062(C)(3)) is on page 7 of the draft and deals with the procedure followed by the EMSPB. As currently written, the section reads:

(3) Upon receipt of the director's report and recommendation, the policy board shall conduct a public hearing thereon and may recommend that the Board of County Commissioners adopt, amend or repeal the rule. The recommendation shall be in writing, signed by the Presiding Officer and filed promptly with the Clerk of the Board of County Commissioners. The record of testimony and documents received by the policy board shall also be filed with the clerk.

My proposal is to add the following after the first sentence quoted above: "The hearing shall include the opportunity for interested persons to present testimony and data." This would assure those in attendance of a chance to testify before the EMSPB. County Commission rules of procedure reiterate that right for matters coming before the Commission.

0692R/dm

cc: Barbara Donin
Joe Acker
Chris Thomas
Tom Lindley
Dr. Gary Oxman

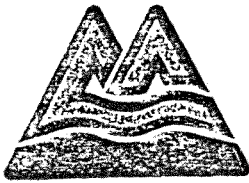
R-14
3/31/88

Tab Option 3

The BCC under the authority granted by MCC 6.31.038 requests a recommendation from the EMS PB concerning the ASA plan for Mult. Co.

Lang for Request for EMS Rec.

The BCC under the authority granted by MCC 6.31.038 requests a recommendation ^{from} the ~~the~~ EMS PB concerning ^{the} ASA plan which ~~provides that~~ causes the county to be divided into ^{then} similar ASA's with a contractor for each chosen by a competitive bid process.



MULTNOMAH COUNTY OREGON

DEPARTMENT OF GENERAL SERVICES
COUNTY COUNSEL SECTION
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(503) 248-3138

BOARD OF COUNTY COMMISSIONERS
GLADYS McCOY, CHAIR
PAULINE ANDERSON
POLLY CASTERLINE
GRETCHEN KAFOURY
CAROLINE MILLER

M E M O R A N D U M

TO: Board Staff

FROM: Larry Kressel
County Counsel

DATE: February 1, 1988

RE: Options for Revising EMS Code Provisions

COUNTY COUNSEL
LAURENCE KRESSEL

CHIEF ASSISTANT
ARMINDA J. BROWN

ASSISTANTS
JANET NOELLE BILLUPS
J. MICHAEL DOYLE
H.H. LAZENBY, JR.
PAUL G. MACKAY
LIA SAROYAN
JANE ELLEN STONECIPHER
MARK B. WILLIAMS

A. Background

1. BCC adopted Ordinance 229 (MCC 6.31) in 1980. Major features are:

- a. creates EMSPB and advisory committees.
- b. applies only in unincorporated area (IGR's make it enforceable in cities). See MCC 6.31.005 and 6.31.200.
- c. empowers EMSPB to adopt administrative rules and to grant/revoke licenses. (MCC 6.31.037).
- d. rules are to establish (MCC 6.31.060):
 - i. ambulance and equipment standards
 - ii. training levels
 - iii. protocols
 - iv. procedures to monitor EMT performance and for submission of citizen complaints

- hospital(s)
- v. standards for designating resource
 - vi. penalties and procedures for rule violations
 - vii. other requirements to implement purposes of ordinance.
- e. Ordinance amended in 1982 to add that EMSPB must:

"Adopt an ambulance plan under ORS 485.573 (now 823.180) relating to the need for, and coordination of, ambulance service. The Board (EMSPB) shall establish ambulance service areas consistent with the plan for the efficient and effective provision of ambulance service and the Board shall adopt rules requiring persons to conform to the ambulance plan and ambulance service areas. The plan and service areas shall be adopted under the rulemaking provisions of this chapter."

2. EMSPB adopted and enforced numerous administrative rules. The "ambulance plan" consisted of Ordinance 229 and the EMSPB's rules.

3. Until 1986, the rules divided county into several service areas and assigned private companies to them. Concerns about rates led to a Task Force and a rate study (Fitch). Task force and Medical Society recommended a single service area and one provider.

4. In December '86, EMSPB amended rule on service areas to provide for a single area, effective in the future. Also directed staff to prepare "an ambulance service area plan" that incorporates Task Force recommendation for single area. Provider to be selected by RFP process.

5. In December '87, circuit court ruled the single area plan invalid. Three reasons (now on appeal):

a. ORS 823 says county plan must establish "service areas" consistent with plan; a single area is not allowed;

b. BCC's delegation of authority to EMSPB cannot include power to adopt a single ambulance area because that would be a delegation of legislative power, violating county charter;

c. An attempt to grant an exclusive franchise violates Portland Charter.

B. Legal Framework

1. ORS 823.180 requires county to adopt plan and service areas. A city can regulate ambulances or EMT's if Health Division approves and if regulations are as strict as state law. See ORS 823.220.

2. Health Division rules define "plan" imprecisely. See OAR 333-28-100 to 333-28-130. State rules also allow county to delegate authority for development and administration of county plan to "an intergovernmental body which has legal authority to adopt and enforce ordinances and rules" (EMSPB can adopt rules but not ordinances).

3. Section 2.20 of County Charter:

"Except as this charter or a state constitutional or statutory provision regarding the initiative and referendum provides to the contrary, the legislative power of the county shall be vested in and exercisable only by the Board of county commissioners. Any other power of the county not vested by the charter elsewhere shall be vested in the board but may be delegated by it."

4. City Charter bars City Council from granting an exclusive franchise.

C. Code Amendment Options

1. Do nothing and await appeal outcome.

2. Make EMSPB advisory as to rulemaking and plan adoption.

3. Split policy functions between BCC and EMSPB (BCC gives explicit guidance as to objectives of rules to be adopted by EMSPB. BCC controls portion of the plan that establishes areas and selects providers.

4. Other

9934C/dm

OREGON ADMINISTRATIVE RULES
CHAPTER 333, DIVISION 28 - HEALTH DIVISION

Advertising of an Ambulance

333-28-060 (1) An ambulance owner may advertise only when the ambulance(s) meet(s) the requirements of ORS 823.010 to 823.990 and these rules.

(2) If an ambulance owner does not provide the level of service advertised, licenses for ambulances may be denied, suspended, or revoked in accordance with the provisions of ORS 183.310 to 183.500 for failure to comply.

Stat. Auth.: ORS Ch. 823

Hist.: HD 1-1981, f. & cf. 1-14-81; HD 19-1984, f. & cf. 9-10-84; HD 16-1986, f. & cf. 9-9-86

Standards for Summoning and Dispatching Aid

333-28-063 (1) The recommended training standard for all emergency medical services dispatchers is completion of the U.S. Department of Transportation, National Highway Traffic Safety Administration, Emergency Medical Services Dispatcher National Standard Curriculum. A copy of the course curriculum is available at the Division office.

(2) The instructor(s) of the Emergency Medical Services Dispatcher Course must have experience as a telecommunications operator, be a currently certified EMT III or above, and have an American Heart or Red Cross CPR Instructors certificate. It is permissible to have more than one instructor to meet the above criteria.

(3) Compliance to the standard listed in section (1) of this rule is totally voluntary for EMS dispatching agencies.

Stat. Auth.: ORS Ch. 823

Hist.: HD 19-1984, f. & cf. 9-10-84; HD 16-1986, f. & cf. 9-9-86

Authority to Enact Local Laws Governing Ambulances and Emergency Medical Technicians

333-28-065 (1) To enact local laws governing ambulances and emergency medical technicians, the political subdivision, as defined in ORS 823.220(1), must request permission in writing from the Division.

(2) This request, including a copy of the proposed ambulance ordinance, must be submitted to the Division at least ninety days prior to scheduled implementation.

(3) The Division Administrator shall notify the political subdivision, in writing, of the acceptance or non-acceptance of the ambulance ordinance based on compliance with applicable Oregon laws.

Stat. Auth.: ORS Ch. 823

Hist.: HD 1-1981, f. & cf. 1-14-81; HD 16-1986, f. & cf. 9-9-86

County Ambulance Service Area Plans

Definitions

333-28-100 (1) "Ambulance Service Area (ASA)" means a geographic area which is served by one ambulance provider, and may include a county, two or more contiguous counties, or a portion of such county(ies).

(2) "Ambulance Service Plan" means a plan which describes the need for and coordination of ambulance services and establishes ambulance service areas.

(3) "Notification Time" means the length of time between the ambulance service's receipt of the request for the ambulance and the notification of the ambulance crew.

(4) "Response Time" means the length of time between the notification of the ambulance crew and the arrival of the ambulance at the incident scene.

Stat. Auth.: ORS Ch. 823

Hist.: HD 16-1986, f. & cf. 9-9-86

Submittal and Approval of Ambulance Service Plans

333-28-105 (1) Within one year from the effective date of these rules, each county shall submit to the State Health Division a ground ambulance service plan meeting the requirements of these rules. This requirement may be met by a plan submitted in conjunction with another contiguous county or counties.

(2) Prior to the adoption of an Ambulance Service Plan, the county(ies) shall provide for the solicitation of comments through a public hearing.

(3) Within 60 days of receipt of a plan, the Division will provide written approval/denial of the plan. For those plans with deficiencies, the county(ies) shall have 30 days to correct the deficiencies and resubmit.

(4) The Health Division may seek the advice of the Ambulance and EMT I Advisory Council concerning plan compliance with these rules.

Stat. Auth.: ORS Ch. 823

Hist.: HD 16-1986, f. & cf. 9-9-86

Contents of Plan

333-28-110 A plan must demonstrate that all ASAs will be served by an effective and efficient ambulance service:

(1) Effectiveness of service is demonstrated by complying with requirements for boundaries, coordination and service standards.

(2) Efficiency of service is demonstrated by selecting an ambulance provider that will meet the effectiveness standards of the plan at a reasonable cost to the consumer.

Stat. Auth.: ORS Ch. 823

Hist.: HD 16-1986, f. & cf. 9-9-86

Boundaries

333-28-115 (1) ASA boundaries must be designed to minimize the effects of artificial and geographical barriers on response times in order to facilitate the quickest response for all county residents and visitors.

(2) All of the county must be included in a service area.

(3) The plan must describe all "9-1-1", fire district and incorporated city boundaries within the county(ies). Boundaries for ASAs must be designed to promote cooperation and coordination among these jurisdictions in order to assure timely and appropriate response.

Stat. Auth.: ORS Ch. 823

Hist.: HD 16-1986, f. & cf. 9-9-86

Standards

333-28-120 (1) The following must be described in the plan for all ASAs. Each must meet or exceed requirements listed in ORS 823.010 through 823.990, in regard to:

(a) Level of response (first responder, ambulance);

(b) Level of care (Basic Life Support, Advanced Life Support);

(c) Staffing;

(d) Patient care equipment; and

OREGON ADMINISTRATIVE RULES
CHAPTER 333, DIVISION 28 - HEALTH DIVISION

(e) Vehicles.

(2) Initial and continued training for ambulance personnel must be described in the plan and be sufficient to meet initial and recertification standards under ORS 823.010 through 823.990 and ORS 677.610 through 677.700.

(3) Ambulance notification and response times must be described in the plan. A standard for each ASA must be set in the plan which is expressed in terms of percent of calls which do not exceed a specified number of minutes. Multiple response time standards may be established within the ASA to accommodate variations as determined by the county. A notification and response time monitoring process for all areas must be described.

(4) The plan must either demonstrate that the call volume of all ASAs is sufficient to financially support the level of service required or else demonstrate financial soundness of the areas through other income sources.

Stat. Auth.: ORS Ch. 823

Hist.: HD 16-1986, f. & cf. 9-9-86

Coordination

333-28-125 (1) The county(ies) may delegate authority for development and administration of the county plan to an intergovernmental body which has legal authority to adopt and enforce ordinances and rules.

(2) The plan must provide for ongoing input to the county from prehospital care consumers, providers, and the medical community. This input may be provided by an appointed Emergency Medical Services Advisory Committee.

(3) The plan must describe the mutual aid agreements for ambulance responses from outside of the service area and responses to other service areas. Mutual aid agreements must be signed between all ambulance providers in the county.

(4) The plan must describe ambulance providers' responsibilities in the event of a disaster, including coordination with county resources other than ambulances and methods for obtaining out-of-county resources other than ambulances. The ambulance disaster response plan must be recognized and approved by the County Emergency Management Administration.

(5) The plan must identify all additional personnel and equipment resources which are available and describe the coordination of these resources with the ASA provider.

Additional resources include but are not limited to personnel and equipment with capabilities responsive to:

(a) Hazardous Materials;

(b) Search and Rescue;

(c) Specialized Rescue; and

(d) Extrication.

(6) The plan must describe emergency radio and telephone communications systems for the county(ies). Mechanisms for the following must be in operation or scheduled for implementation:

(a) Access to the Emergency Medical Services System through centralized emergency telephone numbers.

(b) Dispatch of appropriately staffed ambulances and other emergency resources based on emergency medical protocols.

(c) U.S. Department of Transportation, National Highway Traffic Safety Administration, Emergency Medical Services Dispatcher: National Standard Curriculum or equivalent training for all Emergency Medical Services Dispatchers.

(7) The plan must describe a quality assurance program which monitors the efficiency and effectiveness of ambulance service, and which provides legal sanctions for violations of the plan provisions.

[Publications: The publication(s) referred to or incorporated by reference in this rule are available from the office of the

Stat. Auth.: ORS Ch. 823

Hist.: HD 16-1986, f. & cf. 9-9-86

Provider Selection

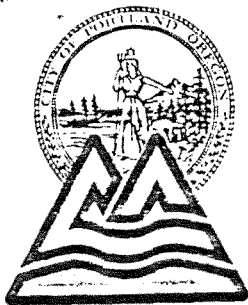
333-28-130 (1) The plan must describe a mechanism for assignment and reassignment of providers to ASAs. The county(ies) is (are) solely responsible for designating and administering the process of selection. The plan must include a mechanism for responding to an application by a provider for an ASA and responding to notification that an ASA is being vacated. The process must include procedures for resolving disputed cases which includes an appeal to elected officials.

(2) The ASA plan must be in compliance with existing local statutes/ordinances and ORS 823.220.

[Publications: The publication(s) referred to or incorporated by reference in this rule are available from the office of the Health Division.]

Stat. Auth.: ORS Ch. 823

Hist.: HD 16-1986, f. & cf. 9-9-86



Emergency Medical Services

Multnomah County · City of Portland · Fairview · Gresham · Troutdale · Wood Village

EMS System Options

Judge Crookham's opinion letter of December 8th raises certain issues regarding past Policy Board actions and current directions. The court's letter appears to limit the options which may be considered in preparation and implementation of an Ambulance Service Area (ASA) Plan for Multnomah County.

Three major options which would be in conformance with the Judge's letter are available.

- 1) Retain a four-ASA system. Existing providers would be assigned to each of these areas. System modifications would be instituted to control ambulance charge rates and to improve medical control.

Comments:

.The Rate Study Task Force, Medical Advisory Board, and Board of County Commissioners have all previously considered variations of this approach and have rejected them.

.An ASA reassignment process would have to be developed. This process would have to assure any party requesting an ASA (or a portion of an ASA) an equitable process to compete for the the opportunity to provide ambulance services.

.The issue of antitrust liability arising from collaboration among existing providers in the process of "dividing up" the county is not solved.

.A base rate upon which to start rate regulation would be difficult to determine because of variations among the four ASA's in a) operations; b) indigent patient population; c) volume of calls; and d) management style and cost behavior of each provider.

.The current EMS ordinance does not provide for any form of rate regulation. The ordinance would have to be rewritten and adopted by intergovernmental agreement among all six of the involved governments.

.A system with four ASA's is inherently inefficient because of duplication of resources including management, training, internal dispatch, billing, equipment, physical plant, public relations, etc. Further, arbitrary geographical boundaries do not allow for a maximally efficient use of resources. This inefficiency leads to increased costs and, therefore, increased rates. Additionally, current experience suggests that at least ten percent of emergency calls are not responded to by the closest ambulance.

2) Develop an ASA plan which divides Multnomah County into two ASAs.

Suboptions:

- 1) Equally divided ASA's. The two ASA's would be roughly equal in call volume, indigent population and geographical barriers to service.
- 2) Unequal ASA's: NW corner and remainder of County. The two ASA's would be a) the area roughly bordered by Cornell Road on the South, the Washington County line on the Northwest, the Columbia River on the Northeast, and the Columbia County border on the North; and b) the remainder of Multnomah County.
- 3) Unequal ASA's: SW corner and remainder of County. The two ASA's would be a) the area in the Southwest corner of Multnomah County which is served by a Washington County Public Safety Answering Point; and b) the remainder of Multnomah County.

Comments:

.The two ASA approach is not as efficient or effective an ambulance delivery system as a single ASA. However, based upon the Court's ruling, the above two-ASA options would appear to meet the Court's requirement for more than one ASA. When combined with a Board of County Commissioners' Ordinance and with contract language that does not create a sole provider franchise within the City limits of Portland, a two-ASA option would appear to meet all of the Court's requirements.

.The procedure for implementing such an option would be for EMS staff (at the Policy Board's direction) to prepare an ASA plan for presentation to, and approval by the Policy Board. The Policy Board would recommend and refer the plan to the Board of County Commissioners (BCC). The BCC would pass the plan in ordinance form, and refer it to the Oregon Health Division (EMS section) for approval. Contractor(s) would then be chosen by an RFP process.

3) Develop an ASA plan which uses a public ambulance provider for 911 calls. Such a plan would retain the multiple private providers for nonemergency transports.

Suboptions:

- 1) Portland Fire Bureau (PFB) and Gresham Fire Department (GFD) would provide all call-answering and transports for 911 calls county-wide.
- 2) A third public safety entity would be formed by the County Department of Human Services (DHS) to provide all call-answering and transports for 911 calls. The ambulances and personnel could be cross-utilized to a limited extent by the Health Division or hospital care delivery programs within the County.
- 3) A third public safety entity would be formed by the County DHS to directly provide some emergency ambulance service, while contracting with PFB and GFD for the remainder of required service. PFB and GFD would use their existing ALS rescue units (which are transport-capable). The DHS would add the additional ambulances and manpower needed to answer and transport the 911 calls not handled by the fire agencies.

00HFE

Briefing
FMS Policy Board
Public System Options

The purpose of this paper is to discuss each of the four public provider options which were proposed at the January 4, 1988 FMS Policy Board meeting.

Option 1

The Portland Fire Bureau and Gresham Fire Department answer and transport all 911 medical calls. Each response to be by PIS first responder and simultaneously by ALS personnel who will transport all patients.

Pro

1. A portion of the equipment and manpower needed to provide this service is in place in both Gresham and Portland.
2. This type of system will work well with existing first responders with a minimum of friction between Basic Life Support first responders and Advanced Life Support transport personnel.
3. The Portland Fire Bureau and Gresham Fire Department have many response points throughout their cities which will allow for rapid response.
4. The Portland Fire Bureau and Gresham Fire Department have expressed a desire to provide emergency transport and they possess expertise having delivered emergency first response in the Portland/Gresham area for a long period.
5. The Gresham Fire Department and Portland Fire Bureau system will provide an easier mechanism for medical control as fewer providers are in place.
6. Mutual aid already exists between the two fire departments as well as outlying fire districts. A back up system is therefore easier and more efficient to maintain.
7. The two fire services have virtually no employee turnover and would provide excellent employee stability.
8. The management structure to provide the service is in place with the existing fire services.
9. There will be local (city) and public accountability in the fire operated service.
10. There will be increased productivity from existing personnel by having them provide the transport function for emergency medical services in addition to first responder fire suppression and prevention activities.
11. The personnel will provide a dual job function, functioning both as fire fighters and as emergency medical care personnel.

12. The Portland Fire Bureau/Cresham Fire delivered system will allow existing, non-emergency private providers to work in business providing non-emergency care.
13. Work stoppage by any of the fire organizations is illegal under ORS.
14. The system of Fire Bureau and Cresham Fire Department transports would eliminate the duplication of existing first responder, and Advanced Life Support personnel.
15. This program could be implemented with no additional tax dollars expended, provided that non-tax-based funding for additional vehicles, equipment and personnel could be obtained.

Cons

1. There is a perception that Fire Bureau and Fire Department overheads are high.
2. There is a question as to whether the city of Portland can charge for these services.
3. The Portland Fire Bureau and Cresham Fire Department must hire new personnel and buy more equipment to provide the total emergency transport function.
4. There is a problem with cost accounting - i.e., in defining the true cost of Fire-provided services. This has been pointed out on numerous occasions by the private ambulance providers.
5. There is a question as to how large a tax dollar subsidy there would be in the actual provision of emergency medical services and how much would actually be covered by user fees.
6. An all-Advanced Life Support system does not make best use of personnel due to their transporting of non-emergency patients.
7. Peak staffing and system status management economies would be difficult to implement due to rigid collective-bargaining agreement requirements for shift-lengthened overtime pay.
8. Billing procedures and methodology are not defined.

Option 2

A third public safety service organization be created by the Department of Human Services, Emergency Medical Services program to provide ambulance service for all 911 calls. The existing BLS first responder system would be used according to triage guidelines.

Pros

1. Department of Human Services is already delivering health care in an efficient manner throughout the city and county.
2. The expertise is present in the existing DHS structure to operate an ambulance service.
3. This system offers a partial solution to the unemployment of FMT IVs in the system as this new system would hire a portion of the existing FMT IVs in Multnomah County.
4. The system can be implemented with no additional tax dollars with lower actual cost to provide the service, provided that the system is user funded.
5. The mechanisms are in place that provide for responsibility and accountability to the medical community.
6. Peak staffing and system status management factors could be developed "from scratch" to provide for maximum economies of operation.
7. The system would use existing EMS administrative funds for direct delivery component, thus an economy of tax dollars.
8. A unified Advanced Life Support system would cover the whole county and would be less hampered by interjurisdictional (city and fire district) boundaries and political/administrative interaction.

Cons

1. System must build a new entity for service delivery.
2. There is a question of political support for this concept.
3. More start-up dollars may be needed than in any of the other options.
4. There will be additional costs to Department of Human Services for personnel and equipment; however, this will be made up through revenues from service.
5. There is a perception that the overhead would be high due to this being a governmental operation.
6. An all-Advanced Life Support system does not make the best use of personnel due to the transporting of non-emergency patients.
7. There is a question as to whether tax dollars would subsidize the existing operation with some involvement of administrative and other technical personnel as well as legal and purchasing assistance from the county.
8. A work stoppage could be legal under this system.

9. There is a question as to whether Judge Crookham's ruling would prohibit this single-system approach to delivery of pre-hospital care.
10. Continuing conflicts between first responders transporting personnel might continue.
11. There would be a continued duplication of Advanced Life Support and first response.
12. Billing procedures and methodology are not defined.

Option 3

Portland Fire Bureau, Gresham Fire Department, Department of Human Services (Emergency Medical Services) offer all 911 call answering and transport. DHS, through intergovernmental agreement, would work with Portland Fire Bureau and Gresham Fire Department to deliver ambulance transport utilizing the existing Advanced Life Support transport capable rescues. The existing BLS first responder system would be used as the triage guide dictates

Pros

1. A portion of the equipment and manpower needed is already present.
2. System would mesh well with regard to first responders and transport personnel.
3. There would be many response points within the system with the ability to lower response times.
4. This system offers a partial solution to the unemployment of EMT IVs with the county DHS hiring the personnel needed beyond the existing fire EMTs.
5. System could be implemented with no additional tax dollars, assuming that the system is user funded.
6. It eliminates the duplication of first responder Advanced Life Support.
7. Some economies in peak staffing and system status management would be available to management.
8. All participating governments could solve the charge issue. The system could provide revenue derived from services delivered to all participating agencies.
9. This would be a publicly accountable system.
10. There would be a back-up system with multiple governments involved in the delivery.

Cons

1. Coordination between Portland Fire Bureau, Gresham Fire Department, and EMS might be difficult.

2. New personnel and equipment must be obtained to start the system.
3. Long term structural stability may be questionable.
4. There is a perception of high overhead in each of the governmental organizations as well as the additional overhead of three offering the service.
5. An all-Advanced Life Support system does not make best use of personnel in non-emergency transport situations.
6. Tax collar subsidies would be difficult to quantify with three governmental organizations involved.
7. A partial work stoppage would be legal in this system.
8. There are multiple Advanced Life Support providers of care and transport, thus the system is harder to manage and coordinate.
9. Billing procedures and methodology have not been defined.

Option 4

Portland Fire Bureau, Gresham Fire Department answer all 911 calls but transport only those patients who are provided or need Advanced Life Support. The remaining patients would be "handed off" to private ELS providers. A ELS first responder system would be maintained.

Pros

1. This system allows the private sector to function in a coordinated manner for non-emergency call turnovers.
2. Less fire resources would be needed to start up the system.
3. This system could maintain fire personnel and equipment in district for faster responses and better accountability.
4. Advanced Life Support personnel would perform only Advanced Life Support transports, allowing more efficient use of ALS personnel.
5. This system would mesh well with a first responder system and eliminate Advanced Life Support/first responder duplication.
6. Portland Fire and Gresham Fire have expressed a desire to do the job.
7. There are many response points within the two cities that can be used to deliver system.
8. This system can be implemented with no addition tax dollars, assuming that user fees support the total cost.
9. Work stoppage would be illegal under ORS.

10. There will be fewer EMT IVs in the system resulting in lower training and coordination needs.
11. The EMT IVs in the system would perform a dual job function with partial responsibilities in both fire and emergency medical services.
12. The system would publicly accountable.

Cons

1. Patient abandonment may be a potential issue. There may be additional overall system costs because of emergency and non-emergency ambulances being called to the scene in many cases.
2. Hand-off from ALS to BLS has questionable acceptance.
3. Initially, there would be an undefined number of ALS transports - due to lack of experience with a "hand-off" system. Initial budgeting would therefore be difficult.
4. There would be a duplication of resources on non-emergency calls.
5. This option would result in the greatest loss of EMT IV positions.
6. There is a question as to whether Portland can charge for this service.
7. There may be a need to hire new personnel and buy additional equipment.
8. There will be less revenue because there would be no charges made for patients who do not receive emergency transport even though there has been an emergency response.
9. Billing procedures and practices are not defined.
10. Peak staffing and system status management economies would be difficult to achieve due to collective bargaining agreements.
11. Tax dollar subsidies continue to be a question with regard to percentages of time of fire personnel versus emergency medical services personnel.

The material presented in this briefing paper was provided from a process involving Chief John Wilson, Portland Fire Bureau; Tom Steinman, Portland Fire Bureau; Representatives of Physical Services, Portland Fire Bureau; Chief Joe Parrott, Cresnam Fire; Steve Manton, Commissioner Dick Bogle's Office; Gary Oxman, M.D., County Health Officer; and Joe Acker, EMS Director.

FOR DISCUSSION ONLY

System Cost: Option 2

Ambulance Cost - 24 Hours

7.2 FTE @ \$10.00/hr	\$149,760
Fringe @ 35%/gross	52,416
Mileage 25,000 @ .30/mi	7,500
Vehicle Depreciation 39,000 / 4	9,750
Drugs/Disposable/Linen/Supplies	10,000
Administration	28,935
Miscellaneous (start-up)	5,000
Spare Unit	<u>3,500</u>
	\$266,861

Ambulance Cost - 12 hours

4.8 FTE @ \$10.85/hr	\$99,840
Fringe @ 35%/gross	34,944
Mileage @ .30/23,000 mi	6,900
Vehicle Depreciation 39,000 / 4	9,750
Drugs/Disposable/Linen	10,000
Administration	28,935
Miscellaneous (start-up)	5,000
Spare Unit	<u>3,500</u>
	\$198,869

FOR DISCUSSION ONLY

System Cost: Option 2 (cont'd)

Ambulance Cost - 10 hours

4.2 FTE @ \$10.00/hr	\$87,360
Fringe @ 35%/gross	30,576
Mileage @ .30/23,000 mi	6,600
Vehicle Depreciation 39,000 / 4	9,750
Drugs/Disposable/Linen	10,000
Administration	28,935
Miscellaneous (start-up)	5,000
Spare Unit	<u>3,500</u>
	\$181,721

Administration

Director	\$ 48,600
Physician Supervisor	85,000
Quality Assurance Coordinator	
Field Supervisors 4 @ \$12.00 + Fringe	134,784
Training Supervisor 1 @ \$12.50 + Fringe	25,100
Communications Coordinator	31,050
CA II (50%)	11,830
CA II @ \$7.00 + Fringe	19,656
Health Educator @ \$11.07 + Fringe	31,615
2 vehicles @ \$15,000 divided by 4 years	7,500
County overhead @ 10% gross admin.	<u>31,000</u>
	\$405,085

FOR DISCUSSION ONLY

System Cost: Option 2 (cont'd)

System Staffing Levels

11 Ambulances 24 hours/
2 Ambulances 12 hours/
1 Ambulance 10 hours/

System Staffing Numbers

11 Ambulances x 7.2 FTE	79.2 FTE
2 Ambulances x 4.8 FTE	9.6 FTE
1 Ambulance x 4.2 FTE	4.2 FTE

System Cost: Option 2

11 Ambulances 24 hours	\$2,935,471
2 Ambulances 12 hours	397,738
1 Ambulance 10 hours	<u>181,721</u>
	\$3,514,930

FOR DISCUSSION ONLY

System Cost: Option 2 (cont'd)

1. There will be no cost for ambulance stations as it is proposed that hospitals and health centers will be used.
2. Office supplies and staff supplies will be provided through the existing EMS budget and the miscellaneous ambulance funds.
3. The FTE above that required for straight staffing includes sick leave, vacation, and training. It should be anticipated that after the first two years this number of FTE's will increase because of a stable work force.
4. No collection cost or personnel are listed because the collection will be by contract and be a part of the revenue.
5. An independent quality assurance system will be implemented. The QA will use the State EMS Office, a QA coordinator, citizen's board to conduct public meetings, Medical Advisory Board, and the Quality Assurance Subcommittee, and the County Health Officer. It is anticipated that any additional cost for this can be provided through regulation of non-emergency ambulance service.

Submitted
5/22/88



Emergency Medical Services

Multnomah County · City of Portland · Fairview · Gresham · Troutdale · Wood Village

MEMORANDUM

TO: Board of County Commissioners

FROM: Joe Acker
Emergency Medical Services *ja*

DATE: March 22, 1988

SUBJECT: EMS Ordinance Revision

I met with Chris Thomas (AA Ambulance) and Tom Lindley (Buck Medical Services) on March 21 to consider issues which Chris Thomas had raised at the last Board meeting.

After some discussion, the attorneys and EMS staff agreed on three recommended changes to the ordinance revisions proposed by County Counsel.

Staff concurs with the two attorneys and would recommend the following changes to you:

Section 3 E, page 3 of the revision, last sentence. Present wording: The plan shall have the contents required by the State Health Division.

Recommended change: The plan shall comply with the rules and regulations of the State Health Division and ORS 8.23.180.

Section 5, last sentence. Present wording: The rule is hereby ratified but it shall take effect only if the judgments are reversed and any applicable period for further appeal if those judgments has expired.

New wording: The rule is hereby ratified but shall take effect only if it has not been declared invalid in the appeal of AA Ambulance, Inc., vs. Multnomah County et al, Case # A8702-01031; AA Ambulance Co. vs. the Emergency Medical Services Policy Board et al, Case #8702-01020; CARE Ambulance, Inc., vs. Multnomah County Case # A8702-01003, and any appeal therefrom.

Section 8 C. Present change has this section deleted. Interested persons reasonable opportunity to submit data or views which may include the submission of statements describing the financial impact of the rule, the Director shall consult with persons directly affected by the proposed action and each of the ambulance companies and fire departments operating EMS vehicles, as well as any organization representing hospitals and shall fully consider every submission. Recommendation: The above area that was to be deleted be included as part of the ordinance change.

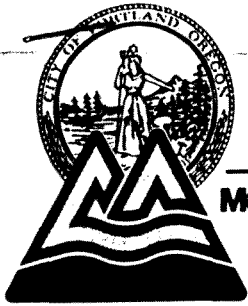
EMS ORDINANCE REVISION

March 22, 1988

Page 2

In making these changes, the following were considered:

1. That the ordinance changes would assure compliance with the state ambulance service area rules and regulations.
2. That a hearing process was maintained for licensees and interested parties through the director of Emergency Medical Services to the Policy Board and BCC.
3. That the Board of County Commissioners, in adopting a single ambulance service area rule, acknowledge that there will be a change in this ordinance as soon as the EMS Policy Board recommends another ambulance service area plan to the BCC. This will occur through a modification of Section 5 with the potential inclusion of multiple ambulance service areas. There is concern that when the appeal is won, that the single ambulance service area should not remove the existing ASA contractors selected through a two-ambulance service area process. A change in Section 5 will be recommended to the Board of County Commissioners (along with the EMS Policy Board recommendation) which accomplishes a mechanism to allow existing ambulance service area contractors to complete their contract term, even though the appeal of the single ASA case is won by the county.



Emergency Medical Services

Multnomah County · City of Portland · Fairview · Gresham · Troutdale · Wood Village

MEMORANDUM

TO: Larry Kressel
County Counsel

FROM: Roy R Kallas *RK*
Office of the Director of EMS

DATE: March 8, 1988

SUBJECT: Draft Amendments to EMS Code

I would like to see a slight change in the wording of the Section 8 page 6 (2). The way this is written now states a publication must have a readership of 50,000. My concern is that our present publication costs are astronomical. The City of Portland, Civil Process, and other organizations can publish notifications in the Portland Business Today (Daily Journal of Commerce) at a fraction of the cost of the Oregonian. Attorneys look at this publication for legal notices. If we have the option to use this when the public was not directly involved, it would be a great savings to the county.

I have attached several examples.

Attachment

cc: Barbara Donin

[MW-4058E-w]



CITY OF

PORTLAND, OREGON

OFFICE OF CITY ATTORNEY

Jeffrey L. Rogers, City Attorney
1220 S.W. 5th Avenue
Portland, Oregon 97204
(503) 248-4047

March 10, 1988

BARBARA DONIN
STAFF ASSISTANT
MULTNOMAH COUNTY CHAIR
134 COUNTY COURTHOUSE
PORTLAND OR 97204

Re: Draft Amendment to EMS Code

Dear Ms. Donin:

At the request of Steve Manton, Assistant to City Commissioner Dick Bogle, I looked at Larry Kressel's proposed amendments to the EMS Code.

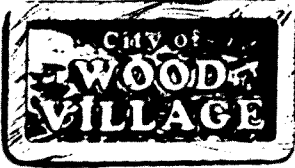
I have no objections to the draft amendments to the Code.

Sincerely,

Thomas R. Williams
Senior Deputy City Attorney

TRW/dzl:15
Encls.

c: Steve Manton, B131/R404
Larry Kressel, B106/R1400



Mayor
Derald D. Ulmer

City Council
Donald R. Robertson
Robert S. Lokting
Margaret Templeton
Barbara Rutherford

SMC 12A)

MAR 14 1988

2055 N.E. 238th Dr.
Wood Village, Oregon
97060-1095
(503) 667-6211

March 11, 1988

Gladys McCoy, Multnomah County Chair
Room 134, County Courthouse
1021 SW Fourth Avenue
Portland, OR 97204

Dear Gladys:

Thank you for the opportunity to review the proposed amendments to County Ordinance #229 which regulates emergency medical services in Multnomah County. I can not see any cause for concern in transferring the policy making authority to the Board of Commissioners and the present policy board becoming advisory in nature.

We appreciate advance notification of issues which affect our City, and we look forward to increased communication and cooperation between Multnomah County and Wood Village.

Sincerely,

Sheila Ritz Arthur
City Administrator

SRA:lj

original
3/15/88

(Underlined sections are new or replacements; [bracketed] sections are deleted.)

BEFORE THE BOARD OF COMMISSIONERS

FOR THE COUNTY OF MULTNOMAH

ORDINANCE NO. _____

An Ordinance amending MCC Chapter 6.31 by making the EMS Policy Board advisory to the Board of County Commissioners, and ratifying rules adopted by the EMS Policy Board.

Multnomah County ordains as follows:

Section 1. Findings.

1. Ordinance No. 229 (MCC Chapter 6.31) created the EMS Policy Board (EMSPB) and authorized it to adopt an ambulance plan and administrative rules and to hear appeals in matters concerning licensees.

2. In December 1986, the EMSPB directed its staff to prepare a plan establishing a single ambulance service area in Multnomah County to be served by a single provider. However, in December 1987, the Circuit Court ruled that the delegation of authority to the EMSPB to adopt a single ambulance service plan violated the Home Rule Charter.

3. The Circuit Court ruling is on appeal. However, in response to the portion of the ruling concerning the Home Rule Charter, the Board deems it advisable to revise the code to make the EMSPB advisory to the Board and to ratify the rules previously adopted by the EMSPB. This ordinance carries out these objectives.

Section 2. Amendment.

MCC 6.31.035 is amended to read:

6.31.035 POLICY BOARD CREATED.

(A) There is hereby created an EMS Policy Board which shall consist of one representative from the county, one representative from the City of Portland, and one representative from among the other incorporated cities of the county which agree to enforcement of this chapter under MCC 6.31.200; provided however, that until such representative is

duly chosen, a person appointed by the policy board shall serve as the third member of the policy board.

(B) The representative from the County shall be a County Commissioner selected pursuant to the Home Rule Charter [the County Executive]. The representative from the City of Portland shall be the Commissioner in charge of emergency medical services. The representative from the other incorporated cities shall be appointed to two year terms by vote of the mayors of the participating cities. The initial representative shall be determined by vote taken prior to October 1, 1980. The initial term shall run from October 1, 1980 to January 1, 1983. In the event that only one city has agreed to participate by October 1, 1980, the mayor of that city shall serve a two year term as the initial third member of the policy board.

(C) Upon the expiration of a term of a member of the policy board that member shall continue to serve until a new member is chosen.

(D) The members of the policy board shall serve without compensation.

Section 3. Amendment.

MCC 6.31.037 is amended to read:

6.31.037 POWERS AND DUTIES. The EMS Policy Board shall have the following powers and duties:

(A) [Oversee] Advise the Board of County Commissioners concerning the operation of the licensing and regulatory system adopted under this chapter;

(B) Recommend to the City/County Health Officer, the hiring and firing of a Director and such other persons as are necessary to carry out this chapter;

(C) Report annually to the Board of County Commissioners and City Council concerning the operation of this chapter and recommend changes as considered necessary;

(D) [Take] Recommend action by the Board of Commissioners on rules proposed under this chapter;

[(E) Hear and determine appeals of denial or revocation of licenses by the Director;]

(E) [(F)] [Adopt] Recommend action by the Board of County Commissioners on an ambulance plan under ORS [485.573] 823.180(1) relating to the need for, and coordination of, ambulance service. [The Board shall establish ambulance service areas consistent with the plan for the efficient and effective provision of ambulance service and the Board shall adopt rules requiring persons to conform to the ambulance plan and ambulance service areas. The plan and service areas shall be adopted under the rulemaking provisions of this chapter; and] The plan shall have the contents required by the State Health Division.

[(G) Exercise such other powers and perform such other duties as may be necessary to achieve the purposes of this chapter stated in MCC 6.31.015.]

Section 4. Amendment.

The following section shall be added to MCC Chapter 6.31:

6.31.038 Plan Adoption by Board of County Commissioners

A. The Board of County Commissioners shall adopt and may amend an ambulance plan as defined by ORS 823.180 and rules of the State Health Division. The Board shall request a recommendation from the EMS Policy Board prior to adopting or amending such a plan or portion thereof. In the event no recommendation is submitted to the Board of County Commissioners within 45 days after a request, the Board may take final action. Plan adoption, amendment or repeal shall be by ordinance.

Section 5. Amendment.

The following section shall be added to MCC Chapter 6.31:

6.31.039 Ratification of Rules Previously
Adopted by Policy Board

The rules adopted by the EMS Policy Board prior to [INSERT DATE OF ADOPTION OF THIS ORDINANCE] are hereby ratified. EMS Rule 631-080 (single ambulance area) is subject to Circuit Court judgments declaring the rule invalid. The judgments are on appeal. The rule is hereby ratified, but it shall take effect only if the judgments are reversed and any applicable period for further appeal of those judgments has expired.

Section 6. Repeal.

MCC 6.31.053 and 6.31.054 are repealed.

Section 7. Amendment.

MCC 6.31.060 is amended to read as follows:

6.31.060 RECOMMENDATION [ADOPTION] OF RULES.

(A) The director may recommend to the policy board and the policy board may recommend to the Board of County Commissioners the adoption, amendment, or repeal of administrative rules deemed necessary to constitute an ambulance plan and to achieve the purposes of this chapter. [Such rules shall be adopted by the policy board in accordance with MCC 6.31.062 to 6.31.069 and shall establish.] The rules shall include, but not be limited to:

(1) Minimum ambulance and equipment standards;

(2) Minimum levels of training, including continuing education and training for EMTs employed by licensees, consistent with the various functions performed by such EMTs,

(3) Procedures and pre-hospital treatment protocols for the various types of emergencies to which licensees respond;

(4) Procedures for monitoring performance of EMTs and response times of licensees; including procedures for submission by licensees of regular reports concerning prehospital care of patients;

(5) Procedures for submission and review of citizen complaints concerning pre-hospital patient care provided by licensees;

(6) Standards for designation of one or more medical resource hospitals and designation of such hospital(s) in accordance with the standards;

(7) Rates of reimbursement for members of the EMS Medical Advisory Board; and

(8) Penalties for violation of administrative rules and procedures for appeals from the imposition of penalties.

[(B) In promulgating these rules, the director shall consult with the Emergency Medical Services Advisory Council, each of the providers of emergency medical services in Multnomah County, the City/County Health Officer and other appropriate persons and agencies.]

(B) [(C)] No rule relating to protocols for pre-hospital patient care or to equipment or drugs required to be carried on vehicles operated by licensees shall be adopted unless the rule is first approved in writing by the Medical Advisory Board.

Section 8. Amendment.

MCC 6.31.062 is amended to read as follows:

6.31.062 PREREQUISITES TO [ADOPTION] RECOMMENDATION OF RULES; EMERGENCY ADOPTION OF TEMPORARY RULE; [APPLICATION; SUBSTANTIAL COMPLIANCE REQUIRED].

(A) Prior to making a recommendation on [the adoption, amendment or repeal of] any rule, [by] the policy board, shall give

notice [of the proposed adoption, amendment or repeal shall be given]:

(1) In the manner established by rule which provides a reasonable opportunity for interested persons to be notified of the proposed action;

(2) By publication in a daily newspaper having general circulation in excess of 50,000 in Multnomah County at least 7 [15] days prior to the date of intended action;

(3) By mail to persons who have requested notice pursuant to subsection (E) [(F)] of this section [to the EMS Advisory Council] at least 7 [15] days prior to the date of intended action.

(4) The director shall prepare and publish or mail the above-described notices as appropriate. Failure of any person to receive a mailed notice shall not prevent action by the policy board.

(B) The notice required by subsection (A) of this section shall state the subject matter and purpose of the intended action in sufficient detail to inform a person that his interests may be affected, and the time, place and manner in which interested persons may present their views on the intended action. The notice and the statement required by subsection [(G)] (F) of this section, including the full text of any material cited in the statement, shall be available for public inspection during regular business hours at the main office of the director.

(C) (1) When the director proposes action on a rule [to recommend that the policy board adopt, amend or repeal a rule], he shall give notice of a director's hearing as required by subsection (C)(2) of this section [interested persons reasonable opportunity to submit data or views, which may include the submission of statements describing the financial impact of the rule. The director shall consult with

persons directly affected by the proposed action and each of the ambulance companies and fire departments operating EMS vehicles as well as an organization representing hospitals and shall fully consider every submission.]

(2) [Opportunity for oral hearing shall be granted upon request received from 10 individuals or an organization having not less than 10 employees or an association having not less than 10 members within 15 days after the notice referred to in subsection (A) (2) of this section. The director or a person designated by the policy board shall conduct the hearing in accordance with the Attorney General's Model Rules of Procedure, Rule 137-01-030 (Dec. 1979), and shall thereafter make available to the policy board written minutes or other record of the proceedings, the documentary material received, and a report and recommendation concerning the rule.] Notice of the director's hearing shall be given five [ten] days in advance by publication in a daily newspaper having general circulation in excess of 50,000 in Multnomah County and by mail to persons requesting the [hearing] notice under MCC 6.31.062(E).

(3) Upon receipt of the director's report and recommendation, the policy board shall conduct a public hearing thereon and may recommend that the Board of County Commissioners adopt, amend or repeal the rule. The recommendation shall be in writing, signed by the Presiding Officer and filed promptly with the Clerk of the Board of County Commissioners. The record of testimony and documents received by the policy board shall also be filed with the clerk.

[(D) Upon the request of an interested person, received within 15 days after the policy board's notice pursuant to subsection (A) of this section, the policy board shall postpone the date of intended action no less than 15 nor more than 90 days in order to allow the requesting person an opportunity to submit data, views or arguments

concerning the proposed action. Nothing in this subsection shall preclude the director from adopting a temporary rule pursuant to subsection (E) of this section.]

[(E)] (D) Notwithstanding subsections (A) through (C) [(D)] of this section, if the director finds that his failure to act promptly will result in serious prejudice to the public interest or the interest of the parties concerned, and sets forth in writing the specific reason for his findings, he may proceed upon the approval of the City/County Health Officer to adopt, amend or suspend a rule without notice or hearing or upon any abbreviated notice and hearing deemed practicable. Such rule is temporary and shall be effective upon filing with the Clerk of the Board pursuant to MCC 6.31.065 for a period of not longer than 15 [180] days. The director shall also notify the policy board of the adoption of a temporary rule.

The subsequent adoption by the Board of County Commissioners [policy board] of an identical rule under subsections (A) through (C) [(D)] of this section is not precluded; provided, however, that if the Board of County Commissioners finds that public safety warrants prompt action, the rule may be adopted without prior recommendation by the policy board. Within 10 days following the date of adoption of a temporary rule, the director shall prepare the complete statement required by subsection (F) [(G)] of this section. The statement shall be available for public inspection during regular business hours at the main office of the director. A rule temporarily suspended shall gain effectiveness upon expiration of the temporary period of suspension unless the rule is repealed pursuant to subsections (A) through (C) [(D)] of this section.

[(F)] (E) Any person may request in writing that the director mail him copies of notices of intended action [given pursuant to subsection (A) of this section]. Upon receipt of any request the director shall acknowledge the request, establish a mailing

list and maintain a record of all mailings made pursuant to the request. The director may establish procedures for establishing and maintaining the mailing lists current and[, by rule,] establish fees necessary to defray the costs of mailing and maintenance of the lists.

[(G)] (F) The policy board shall cause to be prepared a brief written statement of intended action, including:

(1) The legal authority relied upon and bearing upon the promulgation of the rule;

(2) A statement of the need for the rule and a statement of how the rule is intended to meet the need; and

(3) The citation of applicable portions of the principal documents, reports or studies, if any, prepared by or relied upon in considering the need for and in preparing the rule and a statement of the location at which those documents are available for public inspection. The list may be abbreviated if necessary, and if so abbreviated there shall be identified the location of a complete list.

[(H)] (G) This section does not apply to rules establishing an effective date for a previously effective rule or establishing a period during which a provision of a previously effective rule will apply.

(H) After a recommendation concerning a rule is filed with the clerk, the Board of County Commissioners shall consider the rule. Notice of a public meeting by the Commission to consider a rule shall be mailed by the Clerk of the Board to persons who have requested notice under MCC 6.31.062(E), but the failure of a person to receive notice shall not prevent action on a rule. Action by the Board of Commissioners on a rule shall be by ordinance.

[(I) No rule is valid unless adopted in substantial compliance with the provisions of this section in effect on the date the rule is adopted, provided that the policy board may correct a failure to substantially comply with the requirements of subsections (B) and (E) of this section in adoption of a rule by an amended filing, so long as the noncompliance did not substantially prejudice the interests of persons to be affected by the rule.]

[(J)] (I) Unless otherwise provided by law, the adoption, amendment or repeal of a rule need not be based upon or supported by an evidentiary record.

Section 9. Amendment.

MCC 6.31.180 is amended to read as follows:

6.31.180 APPEALS AND HEARINGS; REVIEW.

(A) A person receiving a notice from the director of a denial, refusal to renew, suspension, revocation or violation as provided in this chapter may request a hearing by an appeals hearing officer by filing a written request with the director within 60 days of receipt of the notice, setting forth reasons for the hearing and the issues to be heard. The director shall [may] prescribe forms for the filing of an appeal.

(B) Filing of a hearing request shall abate any further proceeding by the director, provided, however, that in any case where the director, with the approval of the City/County Health Officer, finds a serious danger to the public health or safety and sets forth specific reasons for such findings, the director may suspend or refuse to renew a license without hearing, but if the licensee demands a hearing within 90 days after the date of notice to the licensee of such suspension or refusal to renew, then a hearing must be granted to the licensee as soon as practicable after such demand, and the Board of County Commissioners [policy board] shall issue an order pursuant to such hearing confirming, altering, or revoking the director's earlier order. Such a hearing need not be held where the order of suspension or refusal to renew is accompanied by or is pursuant to, a citation for

violation which is subject to judicial determination by any court of this state, and the order by its terms will terminate in case of final judgment in favor of the licensee.

(C) The director shall, upon receipt of a timely request for hearing, promptly notify the appeals hearings officer, and said officer shall, within five business days, set a time and place for hearing, which shall be not more than 30 days from the date of receipt of request for hearing.

(D) The hearings officer shall notify the parties of the date, time and place of a hearing. The contents of the notice shall conform to MCC 6.31.140.

(E) The hearing shall be conducted by the hearings officer in accordance with the most recently published Attorney General's Model Rules of Procedure[, Rule 137-03-030 through 137-03-050 (Dec. 1979)].

(F) Disclosure of ex parte communications shall be made by the hearings officer [and policy board] in accordance with the most recently published Attorney General's Model Rules of Procedure[, Rules 137-03-062 through 137-03-064 (Dec. 1979)].

(G) The hearings officer shall issue a proposed final order as soon as is practicable after the termination of the hearing and shall mail a copy of the proposed order to the policy board and the parties. A proposed final order shall conform to the most recently published Attorney General's Model Rules of Procedure[, Rule 137-03-07 (Dec. 1979)].

(H) The Clerk of the Board of County Commissioners [policy board] shall notify the parties of the date when written exceptions to the proposed order must be filed when oral argument may be made [to the policy board].

(I) The Board of County Commissioners [policy board] shall consider the recommendation of the hearings officer, the entire record of the proceeding, oral argument, and the written exceptions filed by the parties and shall thereafter issue a final order in conformance with the most recently published Attorney General's Model Rules of Procedure[, Rule 137-03-07 (Dec. 1979)].

(J) The Board of County Commissioners [policy board] may accept the proposed final order, modify it or reject it and prepare, or cause a person designated by it to prepare a final order. Final orders shall be properly signed by the presiding officer [of the policy board], filed with the Clerk of the Board, and mailed to the parties.

Section 10. Amendment.

MCC 6.31.182 is amended to read as follows:

6.31.182 ORDER WHEN NO HEARING REQUESTED OR ON FAILURE TO APPEAL.

(A) When a party has been given an opportunity and fails to request a hearing within the time limit allowed hereunder or, having requested a hearing fails to appear, the Board of County Commissioners [policy board] shall cause to be entered an order which supports the intended action.

(B) The order supporting the action shall set forth the material on which the action is based or the material shall be attached to and made part of the order.

Section 11. Amendment.

MCC 6.31.184 is amended to read as follows:

6.31.184 RECONSIDERATION; JUDICIAL REVIEW.

(A) The Board of County Commissioners [policy board] may reconsider a final order upon the filing of a petition for reconsideration within 15 days after issuance of the order. If no action is taken [by the policy board] within 15 days after the petition is filed, the petition shall be deemed denied. If the petition is allowed by vote of the Board of County Commissioners [policy board], a hearing on the reconsideration shall be held and an amended order shall be issued. Only those [policy board] members of the Board of County Commissioners who voted in the original hearing on the appeal may vote on whether to allow a petition for reconsideration.

(B) Review of the action concerning an appeal [of the EMS policy board] shall be taken solely and exclusively by writ of review in the manner set forth in ORS 34.010 to 34.100.

Section 12. Adoption.

This Ordinance, being necessary for the health, safety, and general welfare of the people of Multnomah County, shall take effect on the thirtieth (30th) day after its adoption, pursuant to Section 5.50 of the Charter of Multnomah County.

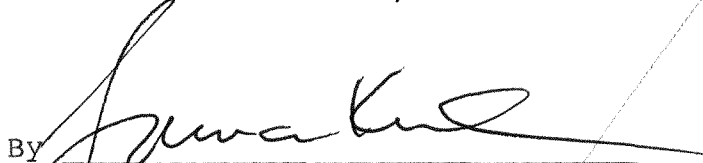
ADOPTED this _____ day of _____, 1988, being the date of its _____ reading before the Board of County Commissioners of Multnomah County.

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

By _____
Gladys McCoy
Multnomah County Chair

APPROVED AS TO FORM:

LAURENCE KRESSEL, COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

By 

Laurence Kressel
County Counsel

9827C/dm
022288:7:1

Substitute
3/16/88

(Underlined sections are new or replacements; [bracketed] sections are deleted.)

BEFORE THE BOARD OF COMMISSIONERS

FOR THE COUNTY OF MULTNOMAH

ORDINANCE NO. _____

R-18

3/19/88

R-11 3/24/88
2nd Read.

An Ordinance amending MCC Chapter 6.31 by making the EMS Policy Board advisory to the Board of County Commissioners, and ratifying rules adopted by the EMS Policy Board; and declaring an emergency.

Multnomah County ordains as follows:

Section 1. Findings.

1. Ordinance No. 229 (MCC Chapter 6.31) created the EMS Policy Board (EMSPB) and authorized it to adopt an ambulance plan and administrative rules and to hear appeals in matters concerning licensees.

2. In December 1986, the EMSPB directed its staff to prepare a plan establishing a single ambulance service area in Multnomah County to be served by a single provider. However, in December 1987, the Circuit Court ruled that the delegation of authority to the EMSPB to adopt a single ambulance service plan violated the Home Rule Charter.

3. The Circuit Court ruling is on appeal. However, in response to the portion of the ruling concerning the Home Rule Charter, the Board deems it advisable to revise the code to make the EMSPB advisory to the Board and to ratify the rules previously adopted by the EMSPB. This ordinance carries out these objectives.

Section 2. Amendment.

MCC 6.31.035 is amended to read:

6.31.035 POLICY BOARD CREATED.

(A) There is hereby created an EMS Policy Board which shall consist of one representative from the county, one representative from the City of Portland, and one representative from among the other incorporated cities of the county which agree to enforcement of this chapter under MCC 6.31.200; provided however, that until such representative is

duly chosen, a person appointed by the policy board shall serve as the third member of the policy board.

(B) The representative from the County shall be a County Commissioner selected pursuant to the Home Rule Charter [the County Executive]. The representative from the City of Portland shall be the Commissioner in charge of emergency medical services. The representative from the other incorporated cities shall be appointed to two year terms by vote of the mayors of the participating cities. The initial representative shall be determined by vote taken prior to October 1, 1980. The initial term shall run from October 1, 1980 to January 1, 1983. In the event that only one city has agreed to participate by October 1, 1980, the mayor of that city shall serve a two year term as the initial third member of the policy board.

(C) Upon the expiration of a term of a member of the policy board that member shall continue to serve until a new member is chosen.

(D) The members of the policy board shall serve without compensation.

Section 3. Amendment.

MCC 6.31.037 is amended to read:

6.31.037 POWERS AND DUTIES. The EMS Policy Board shall have the following powers and duties:

(A) [Oversee] Advise the Board of County Commissioners concerning the operation of the licensing and regulatory system adopted under this chapter;

(B) Recommend to the City/County Health Officer, the hiring and firing of a Director and such other persons as are necessary to carry out this chapter;

(C) Report annually to the Board of County Commissioners and City Council concerning the operation of this chapter and recommend changes as considered necessary;

(D) [Take] Recommend action by the Board of Commissioners on rules proposed under this chapter;

[(E) Hear and determine appeals of denial or revocation of licenses by the Director;]

(E) [(F)] [Adopt] Recommend action by the Board of County Commissioners on an ambulance plan under ORS [485.573] 823.180(1) relating to the need for, and coordination of, ambulance service. [The Board shall establish ambulance service areas consistent with the plan for the efficient and effective provision of ambulance service and the Board shall adopt rules requiring persons to conform to the ambulance plan and ambulance service areas. The plan and service areas shall be adopted under the rulemaking provisions of this chapter; and] The plan shall have the contents required by the State Health Division.

[(G) Exercise such other powers and perform such other duties as may be necessary to achieve the purposes of this chapter stated in MCC 6.31.015.]

Section 4. Amendment.

The following section shall be added to MCC Chapter 6.31:

6.31.038 Plan Adoption by Board of County Commissioners

A. The Board of County Commissioners shall adopt and may amend an ambulance plan as defined by ORS 823.180 and rules of the State Health Division. The Board shall request a recommendation from the EMS Policy Board prior to adopting or amending such a plan or portion thereof. In the event no recommendation is submitted to the Board of County Commissioners within 45 days after a request, the Board may take final action. Plan adoption, amendment or repeal shall be by ordinance.

Section 5. Amendment.

The following section shall be added to MCC Chapter 6.31:

6.31.039 Ratification of Rules Previously
Adopted by Policy Board

The rules adopted by the EMS Policy Board prior to [INSERT DATE OF ADOPTION OF THIS ORDINANCE] are hereby ratified. EMS Rule 631-080 (single ambulance area) is subject to Circuit Court judgments declaring the rule invalid. The judgments are on appeal. The rule is hereby ratified, but it shall take effect only if the judgments are reversed and any applicable period for further appeal of those judgments has expired.

Section 6. Repeal.

MCC 6.31.053 and 6.31.054 are repealed.

Section 7. Amendment.

MCC 6.31.060 is amended to read as follows:

6.31.060 RECOMMENDATION [ADOPTION] OF RULES.

(A) The director may recommend to the policy board and the policy board may recommend to the Board of County Commissioners the adoption, amendment, or repeal of administrative rules deemed necessary to constitute an ambulance plan and to achieve the purposes of this chapter. [Such rules shall be adopted by the policy board in accordance with MCC 6.31.062 to 6.31.069 and shall establish.] The rules shall include, but not be limited to:

(1) Minimum ambulance and equipment standards;

(2) Minimum levels of training, including continuing education and training for EMTs employed by licensees, consistent with the various functions performed by such EMTs,

(3) Procedures and pre-hospital treatment protocols for the various types of emergencies to which licensees respond;

(4) Procedures for monitoring performance of EMTs and response times of licensees; including procedures for submission by licensees of regular reports concerning prehospital care of patients;

(5) Procedures for submission and review of citizen complaints concerning pre-hospital patient care provided by licensees;

(6) Standards for designation of one or more medical resource hospitals and designation of such hospital(s) in accordance with the standards;

(7) Rates of reimbursement for members of the EMS Medical Advisory Board; and

(8) Penalties for violation of administrative rules and procedures for appeals from the imposition of penalties.

[(B) In promulgating these rules, the director shall consult with the Emergency Medical Services Advisory Council, each of the providers of emergency medical services in Multnomah County, the City/County Health Officer and other appropriate persons and agencies.]

(B) [(C)] No rule relating to protocols for pre-hospital patient care or to equipment or drugs required to be carried on vehicles operated by licensees shall be adopted unless the rule is first approved in writing by the Medical Advisory Board.

Section 8. Amendment.

MCC 6.31.062 is amended to read as follows:

6.31.062 PREREQUISITES TO [ADOPTION] RECOMMENDATION OF RULES; EMERGENCY ADOPTION OF TEMPORARY RULE; [APPLICATION; SUBSTANTIAL COMPLIANCE REQUIRED].

(A) Prior to making a recommendation on [the adoption, amendment or repeal of] any rule, [by] the policy board, shall give

notice [of the proposed adoption, amendment or repeal shall be given]:

(1) In the manner established by rule which provides a reasonable opportunity for interested persons to be notified of the proposed action;

(2) By publication in a daily newspaper having general circulation in excess of 50,000 in Multnomah County at least 7 [15] days prior to the date of intended action;

(3) By mail to persons who have requested notice pursuant to subsection (E) [(F)] of this section [to the EMS Advisory Council] at least 7 [15] days prior to the date of intended action.

(4) The director shall prepare and publish or mail the above-described notices as appropriate. Failure of any person to receive a mailed notice shall not prevent action by the policy board.

(B) The notice required by subsection (A) of this section shall state the subject matter and purpose of the intended action in sufficient detail to inform a person that his interests may be affected, and the time, place and manner in which interested persons may present their views on the intended action. The notice and the statement required by subsection [(G)] (F) of this section, including the full text of any material cited in the statement, shall be available for public inspection during regular business hours at the main office of the director.

(C) (1) When the director proposes action on a rule [to recommend that the policy board adopt, amend or repeal a rule], he shall give notice of a director's hearing as required by subsection (C)(2) of this section [interested persons reasonable opportunity to submit data or views, which may include the submission of statements describing the financial impact of the rule. The director shall consult with

persons directly affected by the proposed action and each of the ambulance companies and fire departments operating EMS vehicles as well as an organization representing hospitals and shall fully consider every submission.]

(2) [Opportunity for oral hearing shall be granted upon request received from 10 individuals or an organization having not less than 10 employees or an association having not less than 10 members within 15 days after the notice referred to in subsection (A) (2) of this section. The director or a person designated by the policy board shall conduct the hearing in accordance with the Attorney General's Model Rules of Procedure, Rule 137-01-030 (Dec. 1979), and shall thereafter make available to the policy board written minutes or other record of the proceedings, the documentary material received, and a report and recommendation concerning the rule.] Notice of the director's hearing shall be given five [ten] days in advance by publication in a daily newspaper having general circulation in excess of 50,000 in Multnomah County and by mail to persons requesting the [hearing] notice under MCC 6.31.062(E).

(3) Upon receipt of the director's report and recommendation, the policy board shall conduct a public hearing thereon and may recommend that the Board of County Commissioners adopt, amend or repeal the rule. The recommendation shall be in writing, signed by the Presiding Officer and filed promptly with the Clerk of the Board of County Commissioners. The record of testimony and documents received by the policy board shall also be filed with the clerk.

[(D) Upon the request of an interested person, received within 15 days after the policy board's notice pursuant to subsection (A) of this section, the policy board shall postpone the date of intended action no less than 15 nor more than 90 days in order to allow the requesting person an opportunity to submit data, views or arguments

concerning the proposed action. Nothing in this subsection shall preclude the director from adopting a temporary rule pursuant to subsection (E) of this section.]

[(E)] (D) Notwithstanding subsections (A) through (C) [(D)] of this section, if the director finds that his failure to act promptly will result in serious prejudice to the public interest or the interest of the parties concerned, and sets forth in writing the specific reason for his findings, he may proceed upon the approval of the City/County Health Officer to adopt, amend or suspend a rule without notice or hearing or upon any abbreviated notice and hearing deemed practicable. Such rule is temporary and shall be effective upon filing with the Clerk of the Board pursuant to MCC 6.31.065 for a period of not longer than 15 [180] days. The director shall also notify the policy board of the adoption of a temporary rule.

The subsequent adoption by the Board of County Commissioners [policy board] of an identical rule under subsections (A) through (C) [(D)] of this section is not precluded; provided, however, that if the Board of County Commissioners finds that public safety warrants prompt action, the rule may be adopted without prior recommendation by the policy board. Within 10 days following the date of adoption of a temporary rule, the director shall prepare the complete statement required by subsection (F) [(G)] of this section. The statement shall be available for public inspection during regular business hours at the main office of the director. A rule temporarily suspended shall gain effectiveness upon expiration of the temporary period of suspension unless the rule is repealed pursuant to subsections (A) through (C) [(D)] of this section.

[(F)] (E) Any person may request in writing that the director mail him copies of notices of intended action [given pursuant to subsection (A) of this section]. Upon receipt of any request the director shall acknowledge the request, establish a mailing

list and maintain a record of all mailings made pursuant to the request. The director may establish procedures for establishing and maintaining the mailing lists current and[, by rule,] establish fees necessary to defray the costs of mailing and maintenance of the lists.

[(G)] (F) The policy board shall cause to be prepared a brief written statement of intended action, including:

(1) The legal authority relied upon and bearing upon the promulgation of the rule;

(2) A statement of the need for the rule and a statement of how the rule is intended to meet the need; and

(3) The citation of applicable portions of the principal documents, reports or studies, if any, prepared by or relied upon in considering the need for and in preparing the rule and a statement of the location at which those documents are available for public inspection. The list may be abbreviated if necessary, and if so abbreviated there shall be identified the location of a complete list.

[(H)] (G) This section does not apply to rules establishing an effective date for a previously effective rule or establishing a period during which a provision of a previously effective rule will apply.

(H) After a recommendation concerning a rule is filed with the clerk, the Board of County Commissioners shall consider the rule. Notice of a public meeting by the Commission to consider a rule shall be mailed by the Clerk of the Board to persons who have requested notice under MCC 6.31.062(E), but the failure of a person to receive notice shall not prevent action on a rule. Action by the Board of Commissioners on a rule shall be by ordinance.

[(I) No rule is valid unless adopted in substantial compliance with the provisions of this section in effect on the date the rule is adopted, provided that the policy board may correct a failure to substantially comply with the requirements of subsections (B) and (E) of this section in adoption of a rule by an amended filing, so long as the noncompliance did not substantially prejudice the interests of persons to be affected by the rule.]

[(J)] (I) Unless otherwise provided by law, the adoption, amendment or repeal of a rule need not be based upon or supported by an evidentiary record.

Section 9. Amendment.

MCC 6.31.180 is amended to read as follows:

6.31.180 APPEALS AND HEARINGS; REVIEW.

(A) A person receiving a notice from the director of a denial, refusal to renew, suspension, revocation or violation as provided in this chapter may request a hearing by an appeals hearing officer by filing a written request with the director within 60 days of receipt of the notice, setting forth reasons for the hearing and the issues to be heard. The director shall [may] prescribe forms for the filing of an appeal.

(B) Filing of a hearing request shall abate any further proceeding by the director, provided, however, that in any case where the director, with the approval of the City/County Health Officer, finds a serious danger to the public health or safety and sets forth specific reasons for such findings, the director may suspend or refuse to renew a license without hearing, but if the licensee demands a hearing within 90 days after the date of notice to the licensee of such suspension or refusal to renew, then a hearing must be granted to the licensee as soon as practicable after such demand, and the Board of County Commissioners [policy board] shall issue an order pursuant to such hearing confirming, altering, or revoking the director's earlier order. Such a hearing need not be held where the order of suspension or refusal to renew is accompanied by or is pursuant to, a citation for

violation which is subject to judicial determination by any court of this state, and the order by its terms will terminate in case of final judgment in favor of the licensee.

(C) The director shall, upon receipt of a timely request for hearing, promptly notify the appeals hearings officer, and said officer shall, within five business days, set a time and place for hearing, which shall be not more than 30 days from the date of receipt of request for hearing.

(D) The hearings officer shall notify the parties of the date, time and place of a hearing. The contents of the notice shall conform to MCC 6.31.140.

(E) The hearing shall be conducted by the hearings officer in accordance with the most recently published Attorney General's Model Rules of Procedure[, Rule 137-03-030 through 137-03-050 (Dec. 1979)].

(F) Disclosure of ex parte communications shall be made by the hearings officer [and policy board] in accordance with the most recently published Attorney General's Model Rules of Procedure[, Rules 137-03-062 through 137-03-064 (Dec. 1979)].

(G) The hearings officer shall issue a proposed final order as soon as is practicable after the termination of the hearing and shall mail a copy of the proposed order to the policy board and the parties. A proposed final order shall conform to the most recently published Attorney General's Model Rules of Procedure[, Rule 137-03-07 (Dec. 1979)].

(H) The Clerk of the Board of County Commissioners [policy board] shall notify the parties of the date when written exceptions to the proposed order must be filed when oral argument may be made [to the policy board].

(I) The Board of County Commissioners [policy board] shall consider the recommendation of the hearings officer, the entire record of the proceeding, oral argument, and the written exceptions filed by the parties and shall thereafter issue a final order in conformance with the most recently published Attorney General's Model Rules of Procedure[, Rule 137-03-07 (Dec. 1979)].

(J) The Board of County Commissioners [policy board] may accept the proposed final order, modify it or reject it and prepare, or cause a person designated by it to prepare a final order. Final orders shall be properly signed by the presiding officer [of the policy board], filed with the Clerk of the Board, and mailed to the parties.

Section 10. Amendment.

MCC 6.31.182 is amended to read as follows:

6.31.182 ORDER WHEN NO HEARING REQUESTED OR ON FAILURE TO APPEAL.

(A) When a party has been given an opportunity and fails to request a hearing within the time limit allowed hereunder or, having requested a hearing fails to appear, the Board of County Commissioners [policy board] shall cause to be entered an order which supports the intended action.

(B) The order supporting the action shall set forth the material on which the action is based or the material shall be attached to and made part of the order.

Section 11. Amendment.

MCC 6.31.184 is amended to read as follows:

6.31.184 RECONSIDERATION; JUDICIAL REVIEW.

(A) The Board of County Commissioners [policy board] may reconsider a final order upon the filing of a petition for reconsideration within 15 days after issuance of the order. If no action is taken [by the policy board] within 15 days after the petition is filed, the petition shall be deemed denied. If the petition is allowed by vote of the Board of County Commissioners [policy board], a hearing on the reconsideration shall be held and an amended order shall be issued. Only those [policy board] members of the Board of County Commissioners who voted in the original hearing on the appeal may vote on whether to allow a petition for reconsideration.

(B) Review of the action concerning an appeal [of the EMS policy board] shall be taken solely and exclusively by writ of review in the manner set forth in ORS 34.010 to 34.100.

Section 12. Adoption.

This Ordinance, being necessary for the health, safety, and general welfare of the people of Multnomah County, shall take effect on the thirtieth (30th) day after its adoption, pursuant to Section 5.50 of the Charter of Multnomah County.

ADOPTED this _____ day of _____, 1988, being the date of its _____ reading before the Board of County Commissioners of Multnomah County.

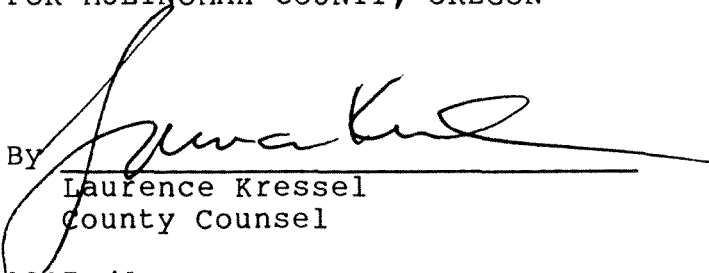
BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

By _____
Gladys McCoy
Multnomah County Chair

APPROVED AS TO FORM:

LAURENCE KRESSEL, COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

By



Laurence Kressel
County Counsel

9827C/dm
022288:7:1

Section 12. Adoption.

This Ordinance, being necessary for the health, safety, and general welfare of the people of Multnomah County, an emergency is declared and the Ordinance shall take effect upon its execution by the County Chair, pursuant to Section 5.50 of the Charter of Multnomah County.

ADOPTED this _____ day of _____, 1988, being the date of its _____ reading before the Board of County Commissioners of Multnomah County.

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

By _____
Gladys McCoy
Multnomah County Chair

APPROVED AS TO FORM:

LAURENCE KRESSEL, COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

By



Laurence Kressel
County Counsel

9827C/dm
022288:7:2

3/31/88

*substitute
amended*

(Underlined sections are new or replacements; [bracketed] sections are deleted.)

BEFORE THE BOARD OF COMMISSIONERS

FOR THE COUNTY OF MULTNOMAH

ORDINANCE NO. _____

An Ordinance amending MCC Chapter 6.31 by making the EMS Policy Board advisory to the Board of County Commissioners, and ratifying rules adopted by the EMS Policy Board and declaring an emergency.

Multnomah County ordains as follows:

Section 1. Findings.

1. Ordinance No. 229 (MCC Chapter 6.31) created the EMS Policy Board (EMSPB) and authorized it to adopt an ambulance plan and administrative rules and to hear appeals in matters concerning licensees.

2. In December 1986, the EMSPB directed its staff to prepare a plan establishing a single ambulance service area in Multnomah County to be served by a single provider. However, in December 1987, the Circuit Court ruled that the delegation of authority to the EMSPB to adopt a single ambulance service plan violated the Home Rule Charter.

3. The Circuit Court ruling is on appeal. However, in response to the portion of the ruling concerning the Home Rule Charter, the Board deems it advisable to revise the code to make the EMSPB advisory to the Board and to ratify the rules previously adopted by the EMSPB. This ordinance carries out these objectives.

Section 2. Amendment.

MCC 6.31.035 is amended to read:

6.31.035 POLICY BOARD CREATED.

(A) There is hereby created an EMS Policy Board which shall consist of one representative from the county, one representative from the City of Portland, and one representative from among the other incorporated cities of the county which agree to enforcement of this chapter under MCC 6.31.200; provided however, that until such representative is

duly chosen, a person appointed by the policy board shall serve as the third member of the policy board.

(B) The representative from the County shall be a County Commissioner selected pursuant to the Home Rule Charter [the County Executive]. The representative from the City of Portland shall be the Commissioner in charge of emergency medical services. The representative from the other incorporated cities shall be appointed to two year terms by vote of the mayors of the participating cities. The initial representative shall be determined by vote taken prior to October 1, 1980. The initial term shall run from October 1, 1980 to January 1, 1983. In the event that only one city has agreed to participate by October 1, 1980, the mayor of that city shall serve a two year term as the initial third member of the policy board.

(C) Upon the expiration of a term of a member of the policy board that member shall continue to serve until a new member is chosen.

(D) The members of the policy board shall serve without compensation.

Section 3. Amendment.

MCC 6.31.037 is amended to read:

6.31.037 POWERS AND DUTIES. The EMS Policy Board shall have the following powers and duties:

(A) [Oversee] Advise the Board of County Commissioners concerning the operation of the licensing and regulatory system adopted under this chapter;

(B) Recommend to the City/County Health Officer, the hiring and firing of a Director and such other persons as are necessary to carry out this chapter;

(C) Report annually to the Board of County Commissioners and City Council concerning the operation of this chapter and recommend changes as considered necessary;

(D) [Take] Recommend action by the Board of Commissioners on rules proposed under this chapter;

[(E) Hear and determine appeals of denial or revocation of licenses by the Director;]

(E) [(F)] [Adopt] Recommend action by the Board of County Commissioners on an ambulance plan under ORS [485.573] 823.180(1) relating to the need for, and coordination of, ambulance service. [The Board shall establish ambulance service areas consistent with the plan for the efficient and effective provision of ambulance service and the Board shall adopt rules requiring persons to conform to the ambulance plan and ambulance service areas. The plan and service areas shall be adopted under the rulemaking provisions of this chapter; and] The plan shall comply with the rules and regulations of the State Health Division and ORS 823.180.

[(G) Exercise such other powers and perform such other duties as may be necessary to achieve the purposes of this chapter stated in MCC 6.31.015.]

Section 4. Amendment.

The following section shall be added to MCC Chapter 6.31:

6.31.038 Plan Adoption by Board of County Commissioners

A. The Board of County Commissioners shall adopt and may amend an ambulance plan as defined by ORS 823.180 and rules of the State Health Division. The Board shall request a recommendation from the EMS Policy Board prior to adopting or amending such a plan or portion thereof. In the event no recommendation is submitted to the Board of County Commissioners within 45 days after a request, the Board may take final action. Plan adoption, amendment or repeal shall be by ordinance.

Section 5. Amendment.

The following section shall be added to MCC Chapter 6.31:

6.31.039 Ratification of Rules Previously
Adopted by Policy Board

The rules adopted by the EMS Policy Board prior to [INSERT DATE OF ADOPTION OF THIS ORDINANCE] are hereby ratified. EMS Rule 631-080 (single ambulance area) is subject to Circuit Court judgments declaring the rule invalid. The judgments are on appeal. The rule is hereby ratified, but it shall take effect only if the judgments are reversed and any applicable period for further appeal of those judgments has expired.

Section 6. Repeal.

MCC 6.31.053 and 6.31.054 are repealed.

Section 7. Amendment.

MCC 6.31.060 is amended to read as follows:

6.31.060 RECOMMENDATION [ADOPTION] OF RULES.

(A) The director may recommend to the policy board and the policy board may recommend to the Board of County Commissioners the adoption, amendment, or repeal of administrative rules deemed necessary to constitute an ambulance plan and to achieve the purposes of this chapter. [Such rules shall be adopted by the policy board in accordance with MCC 6.31.062 to 6.31.069 and shall establish.] The rules shall include, but not be limited to:

(1) Minimum ambulance and equipment standards;

(2) Minimum levels of training, including continuing education and training for EMTs employed by licensees, consistent with the various functions performed by such EMTs,

(3) Procedures and pre-hospital treatment protocols for the various types of emergencies to which licensees respond;

(4) Procedures for monitoring performance of EMTs and response times of licensees; including procedures for submission by licensees of regular reports concerning prehospital care of patients;

(5) Procedures for submission and review of citizen complaints concerning pre-hospital patient care provided by licensees;

(6) Standards for designation of one or more medical resource hospitals and designation of such hospital(s) in accordance with the standards;

(7) Rates of reimbursement for members of the EMS Medical Advisory Board; and

(8) Penalties for violation of administrative rules and procedures for appeals from the imposition of penalties.

[(B) In promulgating these rules, the director shall consult with the Emergency Medical Services Advisory Council, each of the providers of emergency medical services in Multnomah County, the City/County Health Officer and other appropriate persons and agencies.]

(B) [(C)] No rule relating to protocols for pre-hospital patient care or to equipment or drugs required to be carried on vehicles operated by licensees shall be adopted unless the rule is first approved in writing by the Medical Advisory Board.

Section 8. Amendment.

MCC 6.31.062 is amended to read as follows:

6.31.062 PREREQUISITES TO [ADOPTION] RECOMMENDATION OF RULES; EMERGENCY ADOPTION OF TEMPORARY RULE; [APPLICATION; SUBSTANTIAL COMPLIANCE REQUIRED].

(A) Prior to making a recommendation on [the adoption, amendment or repeal of] any rule, [by] the policy board, shall give

notice [of the proposed adoption, amendment or repeal shall be given]:

(1) In the manner established by rule which provides a reasonable opportunity for interested persons to be notified of the proposed action;

(2) By publication in a newspaper of general circulation in Multnomah County at least 10 [15] days prior to the date of intended action;

(3) By mail to persons who have requested notice pursuant to subsection (E) [(F)] of this section [to the EMS Advisory Council] at least 10 [15] days prior to the date of intended action.

(4) The director shall prepare and publish or mail the above-described notices as appropriate. Failure of any person to receive a mailed notice shall not prevent action by the policy board.

(B) The notice required by subsection (A) of this section shall state the subject matter and purpose of the intended action in sufficient detail to inform a person that his interests may be affected, and the time, place and manner in which interested persons may present their views on the intended action. The notice and the statement required by subsection [(G)] (F) of this section, including the full text of any material cited in the statement, shall be available for public inspection during regular business hours at the main office of the director.

(C) (1) When the director proposes action on a rule [to recommend that the policy board adopt, amend or repeal a rule], he shall give notice of a director's hearing as required by subsection (C)(2) of this section. [and give interested persons reasonable opportunity to submit data or views, which may include the submission of statements describing the financial impact of the rule. The director shall consult

with persons directly affected by the proposed action and each of the ambulance companies and fire departments operating EMS vehicles as well as an organization representing hospitals and shall fully consider every submission.]

(2) [Opportunity for oral hearing shall be granted upon request received from 10 individuals or an organization having not less than 10 employees or an association having not less than 10 members within 15 days after the notice referred to in subsection (A) (2) of this section. The director or a person designated by the policy board shall conduct the hearing in accordance with the Attorney General's Model Rules of Procedure, Rule 137-01-030 (Dec. 1979), and shall thereafter make available to the policy board written minutes or other record of the proceedings, the documentary material received, and a report and recommendation concerning the rule.] Notice of the director's hearing shall be given ten days in advance by publication in a daily newspaper having general circulation in excess of 50,000 in Multnomah County and by mail to persons requesting the [hearing] notice under MCC 6.31.062(E).

(3) Upon receipt of the director's report and recommendation, the policy board shall conduct a public hearing thereon and may recommend that the Board of County Commissioners adopt, amend or repeal the rule. The recommendation shall be in writing, signed by the Presiding Officer and filed promptly with the Clerk of the Board of County Commissioners. The record of testimony and documents received by the policy board shall also be filed with the clerk.

[(D) Upon the request of an interested person, received within 15 days after the policy board's notice pursuant to subsection (A) of this section, the policy board shall postpone the date of intended action no less than 15 nor more than 90 days in order to allow the requesting person an opportunity to submit data, views or arguments

concerning the proposed action. Nothing in this subsection shall preclude the director from adopting a temporary rule pursuant to subsection (E) of this section.]

[(E)] (D) Notwithstanding subsections (A) through (C) [(D)] of this section, if the director finds that his failure to act promptly will result in serious prejudice to the public interest or the interest of the parties concerned, and sets forth in writing the specific reason for his findings, he may proceed upon the approval of the City/County Health Officer to adopt, amend or suspend a rule without notice or hearing or upon any abbreviated notice and hearing deemed practicable. Such rule is temporary and shall be effective upon filing with the Clerk of the Board pursuant to MCC 6.31.065 for a period of not longer than 15 [180] days. The director shall also notify the policy board of the adoption of a temporary rule.

The subsequent adoption by the Board of County Commissioners [policy board] of an identical rule under subsections (A) through (C) [(D)] of this section is not precluded; provided, however, that if the Board of County Commissioners finds that public safety warrants prompt action, the rule may be adopted without prior recommendation by the policy board. Within 10 days following the date of adoption of a temporary rule, the director shall prepare the complete statement required by subsection (F) [(G)] of this section. The statement shall be available for public inspection during regular business hours at the main office of the director. A rule temporarily suspended shall gain effectiveness upon expiration of the temporary period of suspension unless the rule is repealed pursuant to subsections (A) through (C) [(D)] of this section.

[(F)] (E) Any person may request in writing that the director mail him copies of notices of intended action [given pursuant to subsection (A) of this section]. Upon receipt of any request the director shall acknowledge the request, establish a mailing

list and maintain a record of all mailings made pursuant to the request. The director may establish procedures for establishing and maintaining the mailing lists current and[, by rule,] establish fees necessary to defray the costs of mailing and maintenance of the lists.

[(G)] (F) The policy board shall cause to be prepared a brief written statement of intended action, including:

(1) The legal authority relied upon and bearing upon the promulgation of the rule;

(2) A statement of the need for the rule and a statement of how the rule is intended to meet the need; and

(3) The citation of applicable portions of the principal documents, reports or studies, if any, prepared by or relied upon in considering the need for and in preparing the rule and a statement of the location at which those documents are available for public inspection. The list may be abbreviated if necessary, and if so abbreviated there shall be identified the location of a complete list.

[(H)] (G) This section does not apply to rules establishing an effective date for a previously effective rule or establishing a period during which a provision of a previously effective rule will apply.

(H) After a recommendation concerning a rule is filed with the clerk, the Board of County Commissioners shall consider the rule. Notice of a public meeting by the Commission to consider a rule shall be mailed by the Clerk of the Board to persons who have requested notice under MCC 6.31.062(E), but the failure of a person to receive notice shall not prevent action on a rule. Action by the Board of Commissioners on a rule shall be by ordinance.

[(I) No rule is valid unless adopted in substantial compliance with the provisions of this section in effect on the date the rule is adopted, provided that the policy board may correct a failure to substantially comply with the requirements of subsections (B) and (E) of this section in adoption of a rule by an amended filing, so long as the noncompliance did not substantially prejudice the interests of persons to be affected by the rule.]

[(J)] (I) Unless otherwise provided by law, the adoption, amendment or repeal of a rule need not be based upon or supported by an evidentiary record.

Section 9. Amendment.

MCC 6.31.180 is amended to read as follows:

6.31.180 APPEALS AND HEARINGS; REVIEW.

(A) A person receiving a notice from the director of a denial, refusal to renew, suspension, revocation or violation as provided in this chapter may request a hearing by an appeals hearing officer by filing a written request with the director within 60 days of receipt of the notice, setting forth reasons for the hearing and the issues to be heard. The director shall [may] prescribe forms for the filing of an appeal.

(B) Filing of a hearing request shall abate any further proceeding by the director, provided, however, that in any case where the director, with the approval of the City/County Health Officer, finds a serious danger to the public health or safety and sets forth specific reasons for such findings, the director may suspend or refuse to renew a license without hearing, but if the licensee demands a hearing within 90 days after the date of notice to the licensee of such suspension or refusal to renew, then a hearing must be granted to the licensee as soon as practicable after such demand, and the Board of County Commissioners [policy board] shall issue an order pursuant to such hearing confirming, altering, or revoking the director's earlier order. Such a hearing need not be held where the order of suspension or refusal to renew is accompanied by or is pursuant to, a citation for

violation which is subject to judicial determination by any court of this state, and the order by its terms will terminate in case of final judgment in favor of the licensee.

(C) The director shall, upon receipt of a timely request for hearing, promptly notify the appeals hearings officer, and said officer shall, within five business days, set a time and place for hearing, which shall be not more than 30 days from the date of receipt of request for hearing.

(D) The hearings officer shall notify the parties of the date, time and place of a hearing. The contents of the notice shall conform to MCC 6.31.140.

(E) The hearing shall be conducted by the hearings officer in accordance with the most recently published Attorney General's Model Rules of Procedure[, Rule 137-03-030 through 137-03-050 (Dec. 1979)].

(F) Disclosure of ex parte communications shall be made by the hearings officer [and policy board] in accordance with the most recently published Attorney General's Model Rules of Procedure[, Rules 137-03-062 through 137-03-064 (Dec. 1979)].

(G) The hearings officer shall issue a proposed final order as soon as is practicable after the termination of the hearing and shall mail a copy of the proposed order to the policy board and the parties. A proposed final order shall conform to the most recently published Attorney General's Model Rules of Procedure[, Rule 137-03-07 (Dec. 1979)].

(H) The Clerk of the Board of County Commissioners [policy board] shall notify the parties of the date when written exceptions to the proposed order must be filed when oral argument may be made [to the policy board].

(I) The Board of County Commissioners [policy board] shall consider the recommendation of the hearings officer, the entire record of the proceeding, oral argument, and the written exceptions filed by the parties and shall thereafter issue a final order in conformance with the most recently published Attorney General's Model Rules of Procedure[, Rule 137-03-07 (Dec. 1979)].

(J) The Board of County Commissioners [policy board] may accept the proposed final order, modify it or reject it and prepare, or cause a person designated by it to prepare a final order. Final orders shall be properly signed by the presiding officer [of the policy board], filed with the Clerk of the Board, and mailed to the parties.

Section 10. Amendment.

MCC 6.31.182 is amended to read as follows:

6.31.182 ORDER WHEN NO HEARING REQUESTED OR ON FAILURE TO APPEAL.

(A) When a party has been given an opportunity and fails to request a hearing within the time limit allowed hereunder or, having requested a hearing fails to appear, the Board of County Commissioners [policy board] shall cause to be entered an order which supports the intended action.

(B) The order supporting the action shall set forth the material on which the action is based or the material shall be attached to and made part of the order.

Section 11. Amendment.

MCC 6.31.184 is amended to read as follows:

6.31.184 RECONSIDERATION; JUDICIAL REVIEW.

(A) The Board of County Commissioners [policy board] may reconsider a final order upon the filing of a petition for reconsideration within 15 days after issuance of the order. If no action is taken [by the policy board] within 15 days after the petition is filed, the petition shall be deemed denied. If the petition is allowed by vote of the Board of County Commissioners [policy board], a hearing on the reconsideration shall be held and an amended order shall be issued. Only those [policy board] members of the Board of County Commissioners who voted in the original hearing on the appeal may vote on whether to allow a petition for reconsideration.

(B) Review of the action concerning an appeal [of the EMS policy board] shall be taken solely and exclusively by writ of review in the manner set forth in ORS 34.010 to 34.100.

Section 12. Adoption.

This Ordinance, being necessary for the health, safety, and general welfare of the people of Multnomah County, an emergency is declared and the Ordinance shall take effect upon its execution by the County Chair, pursuant to Section 5.50 of the Charter of Multnomah County.

ADOPTED this _____ day of _____, 1988, being the date of its _____ reading before the Board of County Commissioners of Multnomah County.

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

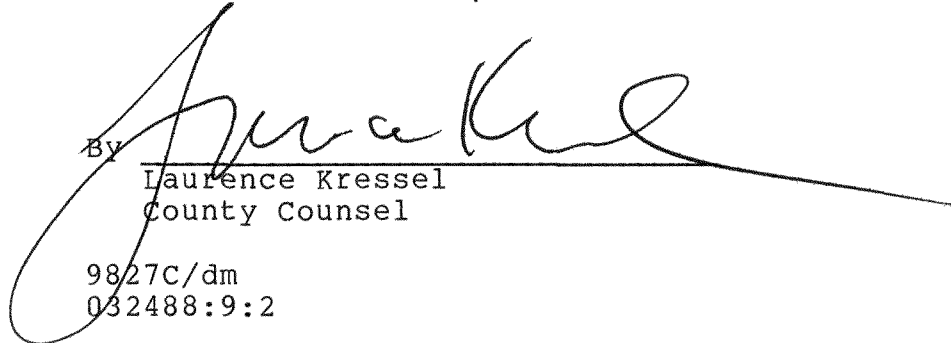
By


Gladys McCoy
Multnomah County Chair

APPROVED AS TO FORM:

LAURENCE KRESSEL, COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

By


Laurence Kressel
County Counsel

9827C/dm
032488:9:2

*see
revised
Ordinance 66*

(Underlined sections are new or replacements; [bracketed] sections are deleted.)

BEFORE THE BOARD OF COMMISSIONERS

FOR THE COUNTY OF MULTNOMAH

ORDINANCE NO. 573

An Ordinance amending MCC Chapter 6.31 by making the EMS Policy Board advisory to the Board of County Commissioners, and ratifying rules adopted by the EMS Policy Board and declaring an emergency.

Multnomah County ordains as follows:

Section 1. Findings.

1. Ordinance No. 229 (MCC Chapter 6.31) created the EMS Policy Board (EMSPB) and authorized it to adopt an ambulance plan and administrative rules and to hear appeals in matters concerning licensees.

2. In December 1986, the EMSPB directed its staff to prepare a plan establishing a single ambulance service area in Multnomah County to be served by a single provider. However, in December 1987, the Circuit Court ruled that the delegation of authority to the EMSPB to adopt a single ambulance service plan violated the Home Rule Charter.

3. The Circuit Court ruling is on appeal. However, in response to the portion of the ruling concerning the Home Rule Charter, the Board deems it advisable to revise the code to make the EMSPB advisory to the Board and to ratify the rules previously adopted by the EMSPB. This ordinance carries out these objectives.

Section 2. Amendment.

MCC 6.31.035 is amended to read:

6.31.035 POLICY BOARD CREATED.

(A) There is hereby created an EMS Policy Board which shall consist of one representative from the county, one representative from the City of Portland, and one representative from among the other incorporated cities of the county which agree to enforcement of this chapter under MCC 6.31.200; provided however, that until such representative is

duly chosen, a person appointed by the policy board shall serve as the third member of the policy board.

(B) The representative from the County shall be a County Commissioner selected pursuant to the Home Rule Charter [the County Executive]. The representative from the City of Portland shall be the Commissioner in charge of emergency medical services. The representative from the other incorporated cities shall be appointed to two year terms by vote of the mayors of the participating cities. The initial representative shall be determined by vote taken prior to October 1, 1980. The initial term shall run from October 1, 1980 to January 1, 1983. In the event that only one city has agreed to participate by October 1, 1980, the mayor of that city shall serve a two year term as the initial third member of the policy board.

(C) Upon the expiration of a term of a member of the policy board that member shall continue to serve until a new member is chosen.

(D) The members of the policy board shall serve without compensation.

Section 3. Amendment.

MCC 6.31.037 is amended to read:

6.31.037 POWERS AND DUTIES. The EMS Policy Board shall have the following powers and duties:

(A) [Oversee] Advise the Board of County Commissioners concerning the operation of the licensing and regulatory system adopted under this chapter;

(B) Recommend to the City/County Health Officer, the hiring and firing of a Director and such other persons as are necessary to carry out this chapter;

(C) Report annually to the Board of County Commissioners and City Council concerning the operation of this chapter and recommend changes as considered necessary;

(D) [Take] Recommend action by the Board of Commissioners on rules proposed under this chapter;

[(E) Hear and determine appeals of denial or revocation of licenses by the Director;]

(E) [(F)] [Adopt] Recommend action by the Board of County Commissioners on an ambulance plan under ORS [485.573] 823.180(1) relating to the need for, and coordination of, ambulance service. [The Board shall establish ambulance service areas consistent with the plan for the efficient and effective provision of ambulance service and the Board shall adopt rules requiring persons to conform to the ambulance plan and ambulance service areas. The plan and service areas shall be adopted under the rulemaking provisions of this chapter; and] The plan shall comply with the rules and regulations of the State Health Division and state law.

[(G) Exercise such other powers and perform such other duties as may be necessary to achieve the purposes of this chapter stated in MCC 6.31.015.]

- Section 4. Amendment.

The following section shall be added to MCC Chapter 6.31:

6.31.038 Plan Adoption by Board of County Commissioners

A. The Board of County Commissioners shall adopt and may amend an ambulance plan as defined by ORS 823.180 and rules of the State Health Division. The Board shall request a recommendation from the EMS Policy Board prior to adopting or amending such a plan or portion thereof. In the event no recommendation is submitted to the Board of County Commissioners within 45 days after a request, the Board may take final action. Plan adoption, amendment or repeal shall be by ordinance.

Section 5. Amendment.

The following section shall be added to MCC Chapter 6.31:

6.31.039 Ratification of Rules Previously
Adopted by Policy Board

The rules adopted by the EMS Policy Board prior to March 31, 1988 are hereby ratified. EMS Rule 631-080 (single ambulance area) is subject to Circuit Court judgments declaring the rule invalid. The judgments are on appeal. The rule is hereby ratified, but it shall take effect only if the judgments are reversed and any applicable period for further appeal of those judgments has expired.

Section 6. Repeal.

MCC 6.31.053 and 6.31.054 are repealed.

Section 7. Amendment.

MCC 6.31.060 is amended to read ~~as~~ follows:

6.31.060 RECOMMENDATION [ADOPTION] OF RULES.

(A) The director may recommend to the policy board and the policy board may recommend to the Board of County Commissioners the adoption, amendment, or repeal of administrative rules deemed necessary to constitute an ambulance plan and to achieve the purposes of this chapter. [Such rules shall be adopted by the policy board in accordance with MCC 6.31.062 to 6.31.069 and shall establish.] The rules shall include, but not be limited to:

(1) Minimum ambulance and equipment standards;

(2) Minimum levels of training, including continuing education and training for EMTs employed by licensees, consistent with the various functions performed by such EMTs,

(3) Procedures and pre-hospital treatment protocols for the various types of emergencies to which licensees respond;

(4) Procedures for monitoring performance of EMTs and response times of licensees; including procedures for submission by licensees of regular reports concerning prehospital care of patients;

(5) Procedures for submission and review of citizen complaints concerning pre-hospital patient care provided by licensees;

(6) Standards for designation of one or more medical resource hospitals and designation of such hospital(s) in accordance with the standards;

(7) Rates of reimbursement for members of the EMS Medical Advisory Board; and

(8) Penalties for violation of administrative rules and procedures for appeals from the imposition of penalties.

[(B) In promulgating these rules, the director shall consult with the Emergency Medical Services Advisory Council, each of the providers of emergency medical services in Multnomah County, the City/County Health Officer and other appropriate persons and agencies.]

(B) [(C)] No rule relating to protocols for pre-hospital patient care or to equipment or drugs required to be carried on vehicles operated by licensees shall be adopted unless the rule is first approved in writing by the Medical Advisory Board.

Section 8. Amendment.

MCC 6.31.062 is amended to read as follows:

6.31.062 PREREQUISITES TO [ADOPTION] RECOMMENDATION OF RULES; EMERGENCY ADOPTION OF TEMPORARY RULE; [APPLICATION; SUBSTANTIAL COMPLIANCE REQUIRED].

(A) Prior to making a recommendation on [the adoption, amendment or repeal of] any rule, [by] the policy board, shall give

notice [of the proposed adoption, amendment or repeal shall be given]:

(1) In the manner established by rule which provides a reasonable opportunity for interested persons to be notified of the proposed action;

(2) By publication in a newspaper of general circulation in Multnomah County at least 10 [15] days prior to the date of intended action;

(3) By mail to persons who have requested notice pursuant to subsection (E) [(F)] of this section [to the EMS Advisory Council] at least 10 [15] days prior to the date of intended action.

(4) The director shall prepare and publish or mail the above-described notices as appropriate. Failure of any person to receive a mailed notice shall not prevent action by the policy board.

(B) The notice required by subsection (A) of this section shall state the subject matter and purpose of the intended action in sufficient detail to inform a person that his interests may be affected, and the time, place and manner in which interested persons may present their views on the intended action. The notice and the statement required by subsection [(G)] (F) of this section, including the full text of any material cited in the statement, shall be available for public inspection during regular business hours at the main office of the director.

(C) (1) When the director proposes action on a rule [to recommend that the policy board adopt, amend or repeal a rule], he shall give notice of a director's hearing as required by subsection (C)(2) of this section. [and give interested persons reasonable opportunity to submit data or views, which may include the submission of statements describing the financial impact of the rule. The director shall consult

with persons directly affected by the proposed action and each of the ambulance companies and fire departments operating EMS vehicles as well as an organization representing hospitals and shall fully consider every submission.]

(2) [Opportunity for oral hearing shall be granted upon request received from 10 individuals or an organization having not less than 10 employees or an association having not less than 10 members within 15 days after the notice referred to in subsection (A) (2) of this section. The director or a person designated by the policy board shall conduct the hearing in accordance with the Attorney General's Model Rules of Procedure, Rule 137-01-030 (Dec. 1979), and shall thereafter make available to the policy board written minutes or other record of the proceedings, the documentary material received, and a report and recommendation concerning the rule.] Notice of the director's hearing shall be given ten days in advance by publication in a daily newspaper having general circulation in excess of 50,000 in Multnomah County and by mail to persons requesting the [hearing] notice under MCC 6.31.062(E).

(3) Upon receipt of the director's report and recommendation, the policy board shall conduct a public hearing thereon and may recommend that the Board of County Commissioners adopt, amend or repeal the rule. The hearing shall include the opportunity for interested persons to present testimony and data. The recommendation shall be in writing, signed by the Presiding Officer and filed promptly with the Clerk of the Board of County Commissioners. The record of testimony and documents received by the policy board shall also be filed with the clerk.

[(D) Upon the request of an interested person, received within 15 days after the policy board's notice pursuant to subsection (A) of this section, the policy board shall postpone the date of intended action no less than 15 nor more than 90 days in order to allow the requesting person an opportunity to submit data, views or arguments

concerning the proposed action. Nothing in this subsection shall preclude the director from adopting a temporary rule pursuant to subsection (E) of this section.]

[(E)] (D) Notwithstanding subsections (A) through (C) [(D)] of this section, if the director finds that his failure to act promptly will result in serious prejudice to the public interest or the interest of the parties concerned, and sets forth in writing the specific reason for his findings, he may proceed upon the approval of the City/County Health Officer to adopt, amend or suspend a rule without notice or hearing or upon any abbreviated notice and hearing deemed practicable. Such rule is temporary and shall be effective upon filing with the Clerk of the Board pursuant to MCC 6.31.065 for a period of not longer than 15 [180] days. The director shall also notify the policy board of the adoption of a temporary rule.

The subsequent adoption by the Board of County Commissioners [policy board] of an identical rule under subsections (A) through (C) [(D)] of this section is not precluded; provided, however, that if the Board of County Commissioners finds that public safety warrants prompt action, the rule may be adopted without prior recommendation by the policy board. Within 10 days following the date of adoption of a temporary rule, the director shall prepare the complete statement required by subsection (F) [(G)] of this section. The statement shall be available for public inspection during regular business hours at the main office of the director. A rule temporarily suspended shall gain effectiveness upon expiration of the temporary period of suspension unless the rule is repealed pursuant to subsections (A) through (C) [(D)] of this section.

[(F)] (E) Any person may request in writing that the director mail him copies of notices of intended action [given pursuant to subsection (A) of this section]. Upon receipt of any request the director shall acknowledge the request, establish a mailing

list and maintain a record of all mailings made pursuant to the request. The director may establish procedures for establishing and maintaining the mailing lists current and[, by rule,] establish fees necessary to defray the costs of mailing and maintenance of the lists.

[(G)] (F) The policy board shall cause to be prepared a brief written statement of intended action, including:

(1) The legal authority relied upon and bearing upon the promulgation of the rule;

(2) A statement of the need for the rule and a statement of how the rule is intended to meet the need; and

(3) The citation ~~of~~ applicable portions of the principal documents, reports or studies, if any, prepared by or relied upon in considering the need for and in preparing the rule and a statement of the location at which those documents are available for public inspection. The list may be abbreviated if necessary, and if so abbreviated there shall be identified the location of a complete list.

[(H)] (G) This section does not apply to rules establishing an effective date for a previously effective rule or establishing a period during which a provision of a previously effective rule will apply.

(H) After a recommendation concerning a rule is filed with the clerk, the Board of County Commissioners shall consider the rule. Notice of a public meeting by the Commission to consider a rule shall be mailed by the Clerk of the Board to persons who have requested notice under MCC 6.31.062(E), but the failure of a person to receive notice shall not prevent action on a rule. Action by the Board of Commissioners on a rule shall be by ordinance.

[(I) No rule is valid unless adopted in substantial compliance with the provisions of this section in effect on the date the rule is adopted, provided that the policy board may correct a failure to substantially comply with the requirements of subsections (B) and (E) of this section in adoption of a rule by an amended filing, so long as the noncompliance did not substantially prejudice the interests of persons to be affected by the rule.]

[(J)] (I) Unless otherwise provided by law, the adoption, amendment or repeal of a rule need not be based upon or supported by an evidentiary record.

Section 9. Amendment.

MCC 6.31.180 is amended to read as follows:

6.31.180 APPEALS AND HEARINGS; REVIEW.

(A) A person receiving a notice from the director of a denial, refusal to renew, suspension, revocation or violation as provided in this chapter may request a hearing by an appeals hearing officer by filing a written request with the director within 60 days of receipt of the notice, setting forth reasons for the hearing and the issues to be heard. The director shall [may] prescribe forms for the filing of an appeal.

(B) Filing of a hearing request shall abate any further proceeding by the director, provided, however, that in any case where the director, with the approval of the City/County Health Officer, finds a serious danger to the public health or safety and sets forth specific reasons for such findings, the director may suspend or refuse to renew a license without hearing, but if the licensee demands a hearing within 90 days after the date of notice to the licensee of such suspension or refusal to renew, then a hearing must be granted to the licensee as soon as practicable after such demand, and the Board of County Commissioners [policy board] shall issue an order pursuant to such hearing confirming, altering, or revoking the director's earlier order. Such a hearing need not be held where the order of suspension or refusal to renew is accompanied by or is pursuant to, a citation for

violation which is subject to judicial determination by any court of this state, and the order by its terms will terminate in case of final judgment in favor of the licensee.

(C) The director shall, upon receipt of a timely request for hearing, promptly notify the appeals hearings officer, and said officer shall, within five business days, set a time and place for hearing, which shall be not more than 30 days from the date of receipt of request for hearing.

(D) The hearings officer shall notify the parties of the date, time and place of a hearing. The contents of the notice shall conform to MCC 6.31.140.

(E) The hearing shall be conducted by the hearings officer in accordance with the most recently published Attorney General's Model Rules of Procedure[, Rule 137-03-030 through 137-03-050 (Dec. 1979)].

(F) Disclosure of ex parte communications shall be made by the hearings officer [and policy board] in accordance with the most recently published Attorney General's Model Rules of Procedure[, Rules 137-03-062 through 137-03-064 (Dec. 1979)].

(G) The hearings officer shall issue a proposed final order as soon as is practicable after the termination of the hearing and shall mail a copy of the proposed order to the policy board and the parties. A proposed final order shall conform to the most recently published Attorney General's Model Rules of Procedure[, Rule 137-03-07 (Dec. 1979)].

(H) The Clerk of the Board of County Commissioners [policy board] shall notify the parties of the date when written exceptions to the proposed order must be filed when oral argument may be made [to the policy board].

(I) The Board of County Commissioners [policy board] shall consider the recommendation of the hearings officer, the entire record of the proceeding, oral argument, and the written exceptions filed by the parties and shall thereafter issue a final order in conformance with the most recently published Attorney General's Model Rules of Procedure[, Rule 137-03-07 (Dec. 1979)].

(J) The Board of County Commissioners [policy board] may accept the proposed final order, modify it or reject it and prepare, or cause a person designated by it to prepare a final order. Final orders shall be properly signed by the presiding officer [of the policy board], filed with the Clerk of the Board, and mailed to the parties.

Section 10. Amendment.

MCC 6.31.182 is amended to read as follows:

6.31.182 ORDER WHEN NO HEARING REQUESTED OR ON FAILURE TO APPEAL.

(A) When a party has been given an opportunity and fails to request a hearing within the time limit allowed hereunder or, having requested a hearing fails to appear, the Board of County Commissioners [policy board] shall cause to be entered an order which supports the intended action.

(B) The order supporting the action shall set forth the material on which the action is based or the material shall be attached to and made part of the order.

Section 11. Amendment.

MCC 6.31.184 is amended to read as follows:

6.31.184 RECONSIDERATION; JUDICIAL REVIEW.

(A) The Board of County Commissioners [policy board] may reconsider a final order upon the filing of a petition for reconsideration within 15 days after issuance of the order. If no action is taken [by the policy board] within 15 days after the petition is filed, the petition shall be deemed denied. If the petition is allowed by vote of the Board of County Commissioners [policy board], a hearing on the reconsideration shall be held and an amended order shall be issued. Only those [policy board] members of the Board of County Commissioners who voted in the original hearing on the appeal may vote on whether to allow a petition for reconsideration.

(B) Review of the action concerning an appeal [of the EMS policy board] shall be taken solely and exclusively by writ of review in the manner set forth in ORS 34.010 to 34.100.

Section 12. Adoption.

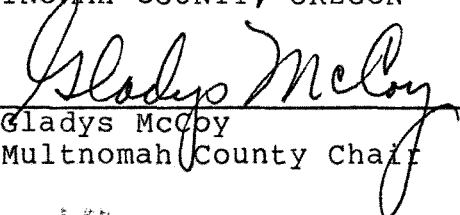
This Ordinance, being necessary for the health, safety, and general welfare of the people of Multnomah County, an emergency is declared and the Ordinance shall take effect upon its execution by the County Chair, pursuant to Section 5.50 of the Charter of Multnomah County.

ADOPTED this 31st day of March, 1988, being the date of its 1st reading before the Board of County Commissioners of Multnomah County.

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

(SEAL)

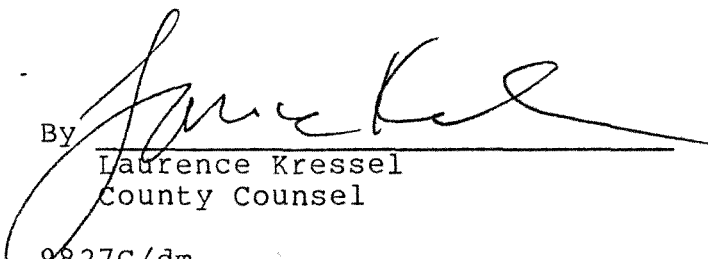
By


Gladys McCoy
Multnomah County Chair

APPROVED AS TO FORM:

LAURENCE KRESSEL, COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

By


Laurence Kressel
County Counsel

9827C/dm
032488:9:2

UNANIMOUS CONSENT

DATE SUBMITTED 3-30-88

(For Clerk's Use)

Meeting Date 3/31/88

Agenda No. A-15

REQUEST FOR PLACEMENT ON THE AGENDA

Subject: Notice of Intent

Informal Only* _____
(Date)

Formal Only 3-31-88
(Date)

DEPARTMENT DHS DIVISION Health & Social Services

CONTACT Scott Clement TELEPHONE 3674

*NAME(s) OF PERSON MAKING PRESENTATION TO BOARD Scott Clement & Jeanne Gould

BRIEF SUMMARY Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

Notice of Intent to Apply for Funds from the
National Institute of Drug Abuse.

SEE ATTACHED

(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

ACTION REQUESTED:

☐ INFORMATION ONLY ☐ PRELIMINARY APPROVAL ☐ POLICY DIRECTION ☒ APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA _____

IMPACT:

☐ PERSONNEL
☐ FISCAL/BUDGETARY

☐ General Fund

☐ Other _____

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: Pauline Anderson

BUDGET / PERSONNEL /

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) _____

OTHER _____
(Purchasing, Facilities Management, etc.)

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.

NOTICE OF INTENT

DATE: 3/21/88

TO: BOARD OF COUNTY COMMISSIONERS

DEPARTMENT AND CONTACT PERSON: Human Services - Norma Jaegar, Social Services Division
Jeanne Gould, Health Division

GRANTOR AGENCY: National Institute of Drug Abuse

BEGINNING DATE OF GRANT: October 1, 1988

PROJECT TITLE: AIDS Community Outreach and Counseling Demonstration Research - Phase II

PROJECT DESCRIPTION/GOALS: Provide education regarding prevention of AIDS due to needle sharing to 10,000 IV drug users or persons at high risk of using drugs. Provide same education to 8,000 sexual partners of IV drug users. Work through community drug abuse treatment centers, local health case providers and correctional facilities as well as on the street outreach to locate and educate these individuals. Provide data collection, research/evaluation component to answer three questions: 1) Can a multifaceted outreach, education and referral system reduce spread of HIV infection among IV drug users in Multnomah county, 2) Does access into drug treatment program increase success in changing HIV risk behaviors in IV drug users, 3) Is in-home, family centered intervention by a Community Health Nurse more effective in changing HIV risk behaviors among IV drug users than community based intervention by an outreach worker? We would contract with the Oregon State Health Division to conduct the research component.

		Direct/Indirect	
PROJECT ESTIMATED BUDGET:			
FEDERAL SHARE	\$ 879,930/ 51,212		\$
STATE SHARE	\$ /		\$
LOCAL SHARE	\$ 160,892/		\$
TOTAL	\$ 1,040,822/51,212	1,092,034	\$

EXPLANATION OF LOCAL SHARE: (explain indirect costs, hard-match, in-kind, \$35,000 is from existing out-reach program to social services division by State Alcohol and Drug Office. \$60,892 is for HIV testing and counseling for 2,342 persons which will be reimbursed by the State Health Division at \$26.00 per test. And 65,000 is from acupuncture program at Hooper Detox.

SPECIFY REPORTING AND/OR BILLING REQUIREMENTS OF GRANTOR AND WHO REPORTS:
FINANCE X DEPARTMENT _____ IF DEPT. REPORTS, INDICATE REASONS

GRANT DURATION AND FUTURE RATIO: (INDICATE AMOUNT OF COUNTY MATCH PER YEAR)
One year grant with reapplication for two additional years no match requirement.

ADVANCE REQUESTED X YES _____ NO, IF NOT INDICATE REASON.
Term of reimbursement not specified on request for application.

PERSONNEL DETAIL

(Use appropriate County
classification with yearly
costs.)

FULL TIME

FRINGE

TOTAL

(SEE ATTACHED)

EXPLAIN MATERIALS AND SERVICES AND CAPITAL EXPENDITURES WITH
TOTAL DOLLAR AMOUNTS

(SEE ATTACHED)

COMMENTS

GRANT MANAGER

Gary W. Smith 3/30/88
Jeanne Hagedorn 3/30/88
Signature Date

BUDGET DIVISION

David C. Dravun 3/30/88
Signature Date

FINANCE DIVISION

Jan Zelac 3/30/88
Signature Date

PERSONNEL DIVISION

Dr. [Signature] 3/30/88
Signature Date

DEPARTMENT DIRECTOR

Diane Tussy (w) 3/30/88
Signature Date

Personnel

Includes Fringe at 37%

2 Health Educators @	32,668.00	=	65,335.00
6 Community Information Assistants @	24,830.00	=	148,979.00
10 Community Information Technicians @	28,463.00	=	284,631.00
2.5 Community Health Nurses @	33,812.00	=	84,529.00
3 Office Assistant II's @	21,825.00	=	65,476.00
1 Human Services Specialist @	41,192.00	=	41,192.00
1 Program Development Specialist @	34,413.00	=	34,413.00
Total			<u>724,555.00</u>

Materials and Supplies


Professional Services: Contract to Oregon State Health Division for Research

			120,000.00
Space			20,000.00
Utilities/Parking			4,000.00
Telephones			3,125.00
25 desks/chairs/bookshelves @	250.00	=	6,250.00
Materials and Supplies			1,000.00
Printing and Educational Materials			1,000.00
Indirect	759,930 @ 7.1%	50,378.00	
	<u>120,000 @ 0.007</u>	<u>834.00</u>	
	879,930	51,212.00	51,212.00

Local Share

Existing Acupuncture Program			65,000.00
Existing Outreach Program in A & D			35,000.00
2,342 HIV tests @	26.00	=	60,892.00
			<u>160,892.00</u>

Notice of Intent

Grant application
regarding
AIDS Educ


PRESS LIST

DATE 3/30/88 *Notice of Intent - Grant for Aids Educ.*

THE FOLLOWING WERE CALLED THIS DATE REGARDING:

- a) Meeting 3/31/88
b) Executive Meeting _____
c) Other _____

Scott Clement
3782

Signed *Bjerner*

✓ KOIN	Channel 6	243-6614	Assignment Desk
✓ KGW	Channel 8	226-5111	Assignment Desk
✓ KATU	Channel 2	231-4260	Assignment Desk
✓ KPTV	Channel 12	222-9921	News Desk
✓ KEX	1190 A.M.	222-1929	Newsroom/Message
✓ KSGO	1520 A.M.	656-1441	News Desk
✓ KXL	750 A.M.	231-0750	Newsroom/Message
✓ KGW	62 A.M.	226-5095	News Desk
✓ K-103 FM		643-5103	Newsroom
- KXYQ - 105	<i>Not in -</i>	226-6731	
✓ OREGONIAN		221-8566	Harry Bodine
- GRESHAM OUTLOOK	<i>Not in -</i>	665-2181	Dave Pinson
✓ SKANNER		287-3562	



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
ROOM 605, COUNTY COURTHOUSE
1021 S.W. FOURTH AVENUE
PORTLAND, OREGON 97204

GLADYS McCOY • Chair • 248-3308
PAULINE ANDERSON • District 1 • 248-5220
GRETCHEN KAFOURY • District 2 • 248-5219
CAROLINE MILLER • District 3 • 248-5217
POLLY CASTERLINE • District 4 • 248-5213
JANE MCGARVIN • Clerk • 248-3277

March 31, 1988

Mr. Duane Zussy, Director
Department of Human Services
426 SW Stark
Portland, OR

Dear Mr. Zussy:

Be it remembered, that at a meeting of the Board of County Commissioners held March 31, 1988, the following action was taken:

Notice of Intent to apply for Funds from the)
National Institute of Drug Abuse R-15)

Norma Jaeger, Health Services, explained this application is for an outreach demonstration research grant for intravenous drug users at risk of contracting and/or spreading AIDS. This is a cooperative effort between public and private agencies to reach out to IV users and entice them into a treatment system. The State Health Services Division will be the research component, and will subcontract for behavioral technology research through Kaiser Center for Health Research. She discussed County and State responsibilities for services under the grant.

Upon motion of Commissioner Anderson, duly seconded by Commissioner Kafoury, on a roll call vote, the matter was considered by unanimous consent:

Upon motion of Commissioner Anderson, duly seconded by Commissioner Kafoury, upon a roll call vote, unanimously

ORDERED that said Notice of Intent be approved.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS

By Jane McGarvin
Jane McGarvin
Clerk of the Board

jm
cc: Health Services
Social Services
Budget