



Multnomah County Oregon

Board of Commissioners & Agenda

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BOARD OF COMMISSIONERS

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JANUARY 14 & 16, 2003

BOARD MEETINGS

FASTLOOK AGENDA ITEMS OF INTEREST

Pg 2	9:00 a.m. Executive Session - Litigation
Pg 2	9:30 a.m. Opportunity for Public Comment on Non-Agenda Matters
Pg 2	9:30 a.m. RESOLUTION Authorizing Condemnation and Immediate Possession of Real Property Necessary for the Purpose of Constructing a County Road Project
Pg 3	9:35 a.m. Risk Management Workplace Safety System Audit Presentation
Pg 3	9:50 a.m. Public Affairs Office Briefing on Ballot Measure 28 and other State Budget Issues and on the Multnomah County 2003 Legislative Agenda

Thursday meetings of the Multnomah County Board of Commissioners are cable-cast live and taped and may be seen by Cable subscribers in Multnomah County at the following times:

Thursday, 9:30 AM, (LIVE) Channel 30

Friday, 11:00 PM, Channel 30

Saturday, 10:00 AM, Channel 30

Sunday, 11:00 AM, Channel 30

Produced through Multnomah Community Television

(503) 491-7636, ext. 333 for further info
or: <http://www.mctv.org>

Tuesday, January 14, 2003 - 9:00 AM
Multnomah Building, Sixth Floor Commissioners Conference Room 635
501 SE Hawthorne Boulevard, Portland

EXECUTIVE SESSION

- E-1 The Multnomah County Board of Commissioners Will Meet in Executive Session Pursuant to ORS 192.660(1)(h) for Consultation with Counsel Concerning Current Litigation or Litigation Likely to be Filed. Only Representatives of the News Media and Designated Staff are allowed to Attend. Representatives of the News Media and All Other Attendees are Specifically Directed Not to Disclose Information that is the Subject of the Executive Session. No Final Decision will be made in the Executive Session.
-

Thursday, January 16, 2003 - 9:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

CONSENT CALENDAR - 9:30 AM

DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES

- C-1 RESOLUTION Authorizing Private Sale of Certain Tax Foreclosed Property to JANICE K STEVENS
- C-2 RESOLUTION Authorizing Execution of Deed D031876 for Repurchase of Tax Foreclosed Property to the Former Owner, LINCOLN LOAN

REGULAR AGENDA - 9:30 AM

PUBLIC COMMENT - 9:30 AM

Opportunity for Public Comment on Non-Agenda Matters. Testimony is Limited to Three Minutes per Person.

DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES - 9:30 AM

- R-1 RESOLUTION Authorizing Condemnation and Immediate Possession of Real Property Necessary for the Purpose of Constructing a Multnomah County Road Project

NON-DEPARTMENTAL - 9:35 AM

R-2 Briefing on the Risk Management Workplace Safety System Audit. Presented by Multnomah County Auditor Suzanne Flynn and Judith DeVilliers. 15 MINUTES REQUESTED.

R-3 Continued Discussion with Public Affairs Office of Ballot Measure 28 and other State Budget Issues and Public Affairs Office Presentation on the County's 2003 Legislative Agenda. Presented by Gina Mattioda and Stephanie Soden. 90 MINUTES REQUESTED.

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:
Meeting Date: January 16, 2003

Agenda Item #: C-1

Est. Start Time: 9:30 AM

Date Submitted: 12/19/02

Requested Date: January 16, 2003

Time Requested: Consent Item

Department: DBCS

Division: Tax Title

Contact/s: Gary Thomas

Phone: 503-988-3590

Ext.: 22591

I/O Address: 503/4 Tax Title

Presenters: Gary Thomas

Agenda Title: Authorizing a Private Sale of certain Tax Foreclosed Property to Janice K. Stevens.

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

1. What action are you requesting from the Board? What is the department/agency recommendation?

The Tax Title Section is requesting the Board to approve the private sale of a tax foreclosed property to Janice K. Stevens. The Department of Business & Community Services recommends that the private sale be approved.

2. Please provide sufficient background information for the Board and the public to understand this issue.

The subject property came into Multnomah County Tax Title inventory through the foreclosure of delinquent tax liens in September 2000. It is rectangular in shape and approximately 20' x 174' in size. The subject property, which was originally a part of a street vacation that took place in 1932, was deeded to a Nils & Beverly Lindholm in 1993. The Lindholms neglected to pay the property taxes on the parcel and it came into County ownership. In addition, in 1993 the Lindholms sold a property (TL 1400 shown

on the attached plat map Exhibit A) that they owned, which was to suppose to include the subject property, to Janice Stevens. Ms Stevens was under the impression that the subject belonged to her until it was pointed out that it does not.

The subject property has pretty much been incorporated into the yard area of the property that Stevens presently owns. The attached aerial photo, Exhibit B, shows the subject property in relation to the surrounding properties. The parcel is located adjacent to NW Cornelius Pass Road in a somewhat rural area of Multnomah County.

The property is located outside the city limits of the City of Portland. The Multnomah County Land Use Planning Division was contacted regarding the zoning and whether or not the subject parcel would be suitable for the construction or placement of a dwelling. The property is zoned RR, Rural Residential, 5 acres required for a homesite. It was created legally and according to George Plummer at Land Use Planning would therefore have development rights since it probably was created prior to having zoning and land division requirements in place. However, it would still have to meet current development standards which means that it would have to meet the 30 foot front and rear setbacks, 10 foot side yard setbacks and provide for a septic system on the property. In talking with Mr. Plummer, he did not see how the subject property could meet all the above mentioned requirements.

With the information provided by the Multnomah County Land Use Planning Division, the Tax Title Section is confident that the size and shape of the property make it unsuitable for the construction or placement of a dwelling under current zoning ordinances and building codes, as provided under ORS 275.225.

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

The Private Sale will allow for the full recovery of delinquent taxes, fees, and expenses. The sale will also reinstate the property on the tax roll (see Exhibit C).

4. Explain any legal and/or policy issues.

No legal issues are expected. The parcel will be sold "As Is" without guarantee of clear title. This property conforms to those policies as outlined in Multnomah County Code Chapter 7.

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

No citizen or government participation is anticipated.

Required Signatures:

Department/Agency Director: *M. Cecilia Johnson* **Date:** 12/18/02

Budget Analyst

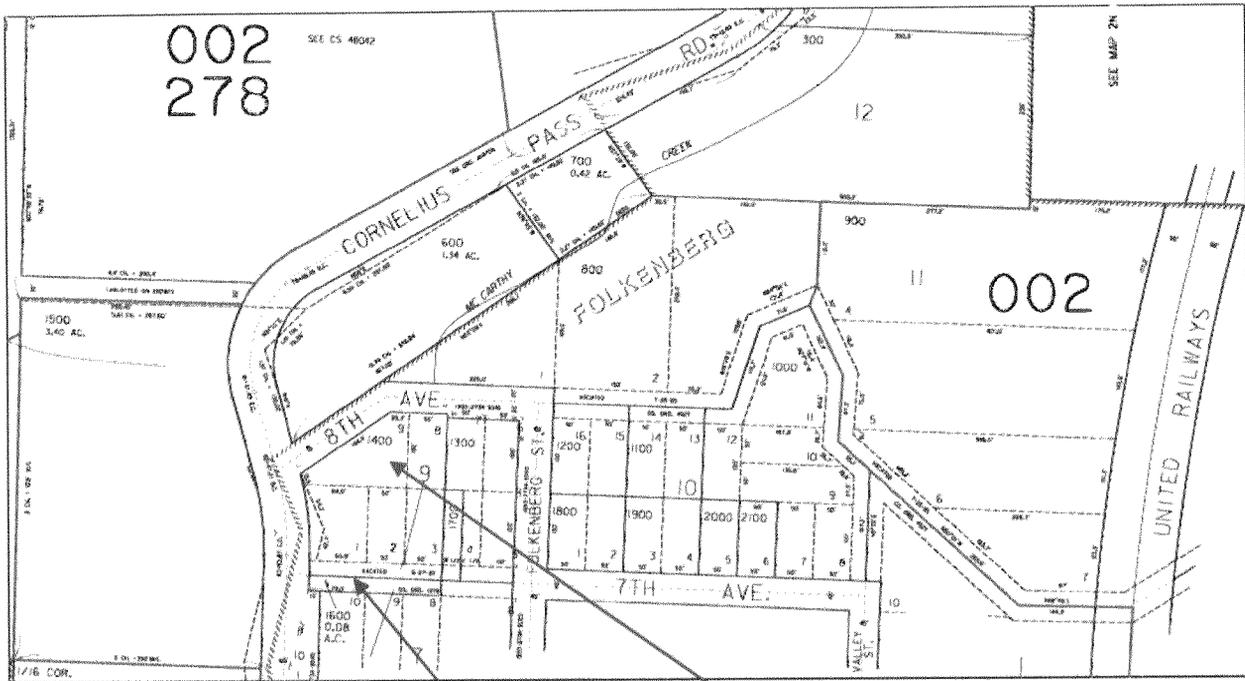
By: **Date:**

Dept/Countywide HR

By: **Date:**

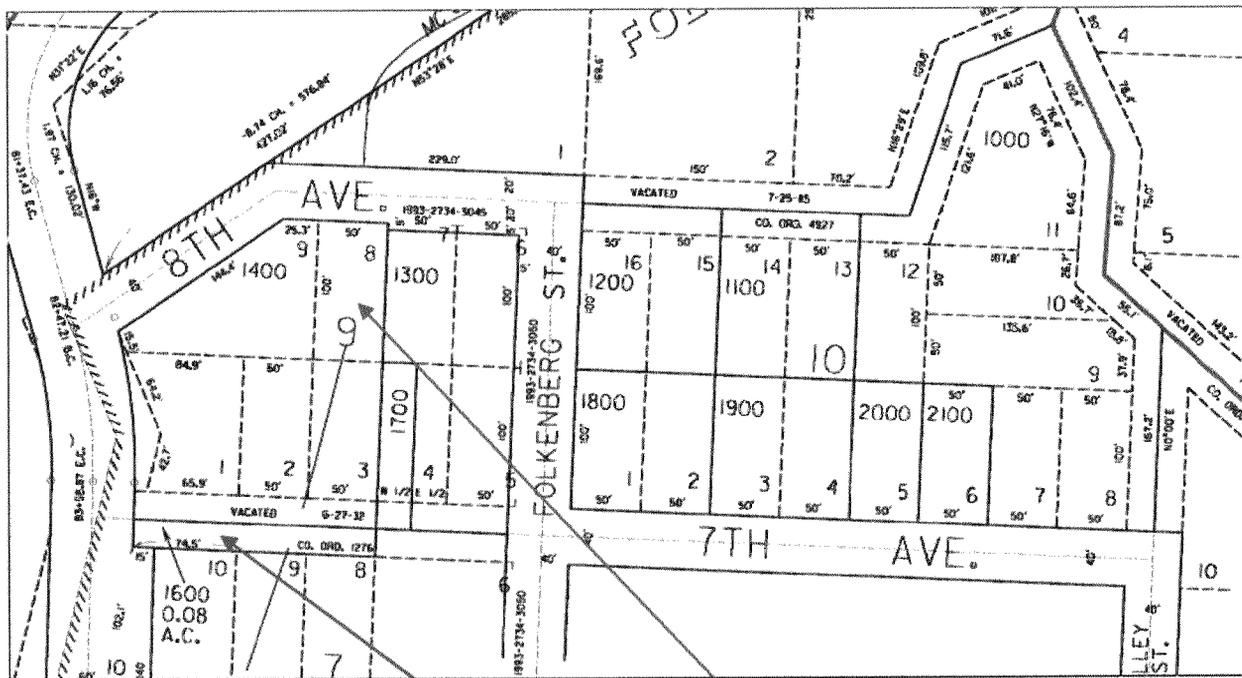
Exhibit A

R164671



Subject

TL 1400



Subject

TL 1400

Exhibit B

Aerial Photo

2001 / 2000 / 1998 / 1996 6" / 2' / 4' / 10' / 20' Streets: On / **Off** Taxlots: **On** / Off Location: **On** / Off



Exhibit C

**PROPOSED PROPERTY LISTED FOR PRIVATE SALE
FISCAL YEAR 2002-03**

LEGAL DESCRIPTION:

R164671

A PARCEL OF LAND LOCATED IN SECTION 30, TOWNSHIP 2 NORTH, RANGE 1 WEST AND BEING A PORTION OF A STREET DEDICATED IN THE PLAT OF FOLKENBERG, DESCRIBED AS FOLLOWS:

THE SOUTH ONE-HALF OF VACATED 7TH AVENUE, WHICH INURED TO LOTS 8, 9 AND 10, BLOCK 7, FOLKENBERG BY VACATION ORDER NO. 1276 ENTERED JUNE 27, 1932.

ADJACENT PROPERTY ADDRESS:

Vacant Land
Adjacent to 15030 NW Cornelius Pass Road

TAX ACCOUNT NUMBER:

R164671

GREENSPACE DESIGNATION:

None

SIZE OF PARCEL:

Rectangular shaped (approx. 3,484 sq.ft.)

ASSESSED VALUE:

\$1,230

ITEMIZED EXPENSES FOR TOTAL PRICE OF PRIVATE SALE:

BACK TAXES & INTEREST:

\$239.02

TAX TITLE MAINTENANCE COST & EXPENSES:

-0-

ADVERTISING COST:

-0-

RECORDING FEE:

19.00

CITY LIENS:

-0-

SUB-TOTAL

\$258.02

MINIMUM PRICE REQUEST OF PRIVATE SALE

\$350.00

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY**

RESOLUTION NO. _____

Authorizing Private Sale of Certain Tax Foreclosed Property to JANICE K STEVENS.

The Multnomah County Board of Commissioners Finds:

- a) Multnomah County acquired the real property described in the attached Exhibit A through the foreclosure of liens for delinquent taxes.
- b) The property has an assessed value of \$1230 on the County's current tax roll.
- c) The property is located outside the city limits of Portland. Our office contacted the Multnomah County Land Use Planning Division regarding current zoning and building code requirements. With information received from the Land Use Planning Division, the Tax Title Division is confident the size and shape of the property, i.e. 20' by 174', make it unsuitable for construction or placement of a dwelling thereon under current zoning ordinances and building codes, as provided under ORS 275.225.
- d) JANICE K STEVENS has agreed to pay \$350.00, an amount the Board finds to be a reasonable price for the property in conformity with ORS 275.225.

The Multnomah County Board of Commissioners Resolves:

- 1. Upon Tax Title's receipt of the payment of \$350.00, the Chair on behalf of Multnomah County, is authorized to execute a deed conveying to JANICE K STEVENS the real property described in the attached Exhibit A.

ADOPTED this 16TH day of January 2003.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

THOMAS SPONSLER, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By *Sandra Duffy*
Sandra N. Duffy, Assistant County Attorney

EXHIBIT A (RESOLUTION)

Legal Description:

A parcel of land located in Section 30, Township 2 North, Range 1 West and being a portion of a street dedicated in the plat of FOLKENBERG, described as follows:

The South one-half of vacated 7th Avenue, which inured to Lots 8, 9 and 10, Block 7, FOLKENBERG by Vacation Order No. 1276 entered June 27, 1932.

Multnomah County Deed No: D031877

Tax Account No.: R164671

EXHIBIT A (DEED)

Legal Description:

A parcel of land located in Section 30, Township 2 North, Range 1 West and being a portion of a street dedicated in the plat of FOLKENBERG, described as follows:

The South one-half of vacated 7th Avenue, which inured to Lots 8, 9 and 10, Block 7, FOLKENBERG by Vacation Order No. 1276 entered June 27, 1932.

Multnomah County Deed No: D031877

Tax Account No.: R164671

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY

RESOLUTION NO. 03-011

Authorizing Private Sale of Certain Tax Foreclosed Property to JANICE K STEVENS

The Multnomah County Board of Commissioners Finds:

- a) Multnomah County acquired the real property described in the attached Exhibit A through the foreclosure of liens for delinquent taxes.
- b) The property has an assessed value of \$1230 on the County's current tax roll.
- c) The property is located outside the city limits of Portland. Our office contacted the Multnomah County Land Use Planning Division regarding current zoning and building code requirements. With information received from the Land Use Planning Division, the Tax Title Division is confident the size and shape of the property, i.e. 20' by 174', make it unsuitable for construction or placement of a dwelling thereon under current zoning ordinances and building codes, as provided under ORS 275.225.
- d) JANICE K STEVENS has agreed to pay \$350.00, an amount the Board finds to be a reasonable price for the property in conformity with ORS 275.225.

The Multnomah County Board of Commissioners Resolves:

1. Upon Tax Title's receipt of the payment of \$350.00, the Chair on behalf of Multnomah County, is authorized to execute a deed conveying to JANICE K STEVENS the real property described in the attached Exhibit A.

ADOPTED this 16th day of January, 2003.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

THOMAS SPONSLER, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

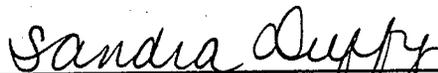
By 
Sandra N. Duffy, Assistant County Attorney

EXHIBIT A (RESOLUTION)

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Tax Account No.: R164671

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Multnomah County Deed No: D031877

Tax Account No.: R164671

EXHIBIT A (DEED)

Legal Description:

A parcel of land located in Section 30, Township 2 North, Range 1 West and being a portion of a street dedicated in the plat of FOLKENBERG, described as follows:

The South one-half of vacated 7th Avenue, which inured to Lots 8, 9 and 10, Block 7, FOLKENBERG by Vacation Order No. 1276 entered June 27, 1932.

Multnomah County Deed No: D031877

Tax Account No.: R164671

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: January 16, 2003

Agenda Item #: C-2

Est. Start Time: 9:30 AM

Date Submitted: 12/20/02

Requested Date: January 16, 2003

Time Requested: Consent Item

Department: Tax Title

Division: Housing

Contact/s: Gary Thomas

Phone: 503.988.3590

Ext.:22591 **I/O Address:** 503/4/Tax Title

Presenters: Gary Thomas

Agenda Title: Resolution Authorizing Approval to Allow Repurchase of Tax Foreclosed Property to the Former Owners LINCOLN LOAN.

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

1. What action are you requesting from the Board? What is the department/agency recommendation?

The Tax Title Section is requesting the Board to approve the repurchase of a tax foreclosed property to the former owners LINCOLN LOAN. The Department of Business & Community Services recommends that the repurchase be approved.

2. Please provide sufficient background information for the Board and the public to understand this issue.

The subject property (As shown in Exhibit A) was foreclosed on for delinquent property taxes and came into county ownership on September 24, 2002. A letter dated October 25, 2002 was sent to the former owners of record, LINCOLN LOAN, providing them the opportunity to repurchase the property. On December 3rd Steve Benson representing Lincoln Loan came into the office with \$3869.41 in cash to repurchase the property.

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

The Repurchase will allow for the full recovery of delinquent taxes, fees, and expenses. The sale will also reinstate the property on the tax roll (see Exhibit B).

4. Explain any legal and/or policy issues.

Upon receipt of recorded property deeds obtained pursuant to foreclosure, the Tax Title Department sent notice by certified mail to the former owner(s) of tax foreclosed properties. The notices advised the recipients that within 30 days from the date of the notice the owner could pay in cash the repurchase price established by the department under MCC Section 7.402(C).

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

None expected.

Required Signatures:

Department/Agency Director: *M. Cecilia Johnson* **Date: 12/20/02**

Budget Analyst

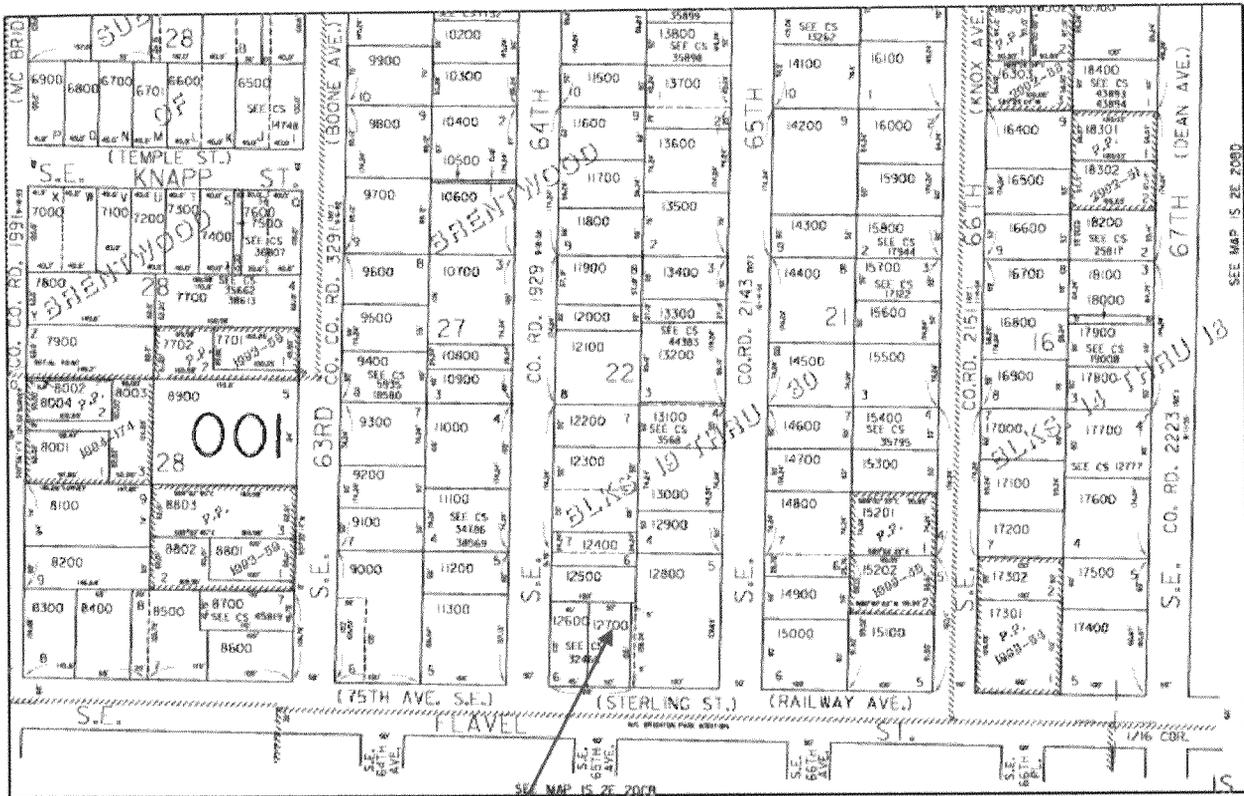
By: **Date:**

Dept/Countywide HR

By: **Date:**

EXHIBIT "A"

R120587



"EXHIBIT B"

**PROPOSED PROPERTY LISTED FOR REPURCHASE
FISCAL YEAR 2002-03**

LEGAL DESCRIPTION:

W 50' of E 55' of S 100' of LOT 6, BLOCK 22, BRENTWOOD & SUB

PROPERTY ADDRESS:	Vacant Lot
TAX ACCOUNT NUMBER:	R120587
GREENSPACE DESIGNATION:	None
SIZE OF PARCEL:	5,000 square feet
ASSESSED VALUE:	\$29,100.00

ITEMIZED EXPENSES FOR TOTAL PRICE OF REPURCHASE
--

BACK TAXES, INTEREST, PENALTY, FEES:	\$3,358.55
CURRENT YEARS TAXES:	422.03
ACCRUED INTEREST:	64.83
RECORDING FEE:	24.00
CITY LIENS:	Paid in Full
SUB-TOTAL	\$3,869.41
MINIMUM PRICE REQUEST OF REPURCHASE	\$3,869.41

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Authorizing Execution of Deed D031876 for Repurchase of Tax Foreclosed Property to the Former Owner, LINCOLN LOAN.

The Multnomah County Board of Commissioners Finds:

- a) Multnomah County acquired the real property hereinafter described through foreclosure of liens for delinquent taxes, and LINCOLN LOAN is the former owner of record.
- b) LINCOLN LOAN has applied to the County to repurchase the property for \$3,869.41, which amount is not less than that required by ORS 275.180; and it is in the best interest of the County that the property be sold to the former owner.
- c) The Tax Title Section has received payment in the amount of \$3,869.41 from LINCOLN LOAN.

The Multnomah County Board of Commissioners Resolves:

1. The Chair is authorized to execute Deed D031876 as attached, conveying to the former owner the following described real property:

W 50' of E 55' of S 100' of Lot 6, Block 22, BRENTWOOD & SUB, in the City of Portland, Multnomah County, Oregon.

ADOPTED this 16th day of January 2003.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

THOMAS SPONSLER, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By Sandra Duffy
Sandra N. Duffy, Assistant County Attorney

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 03-012

Authorizing Execution of Deed D031876 for Repurchase of Tax Foreclosed Property to the Former Owner, LINCOLN LOAN

The Multnomah County Board of Commissioners Finds:

- a) Multnomah County acquired the real property hereinafter described through foreclosure of liens for delinquent taxes, and LINCOLN LOAN is the former owner of record.
- b) LINCOLN LOAN has applied to the County to repurchase the property for \$3,869.41, which amount is not less than that required by ORS 275.180; and it is in the best interest of the County that the property be sold to the former owner.
- c) The Tax Title Section has received payment in the amount of \$3,869.41 from LINCOLN LOAN.

The Multnomah County Board of Commissioners Resolves:

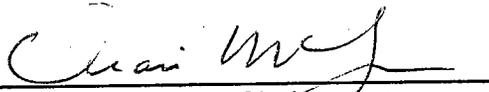
1. The Chair is authorized to execute Deed D031876 as attached, conveying to the former owner the following described real property:

W 50' of E 55' of S 100' of Lot 6, Block 22, BRENTWOOD & SUB, in the City of Portland, Multnomah County, Oregon.

ADOPTED this 16th day of January 2003.



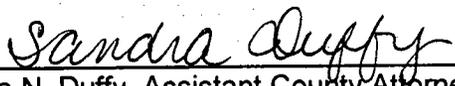
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



Diane M. Linn, Chair

REVIEWED:

THOMAS SPONSLER, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 

Sandra N. Duffy, Assistant County Attorney

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only: Meeting Date: January 16, 2003 Agenda Item #: R-1 Est. Start Time: 9:30 AM Date Submitted: 12/26/02
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Requested Date: January 16, 2003	Time Requested: 10 minutes
Department: Business and Community Services	Division: Land Use & Trans
Contact/s: Dan Brown	
Phone: (503) 988-5050 Ext.: 29633	I/O Address: 455/2
Presenters: Dan Brown and Joe Ramirez	

Agenda Title: Approval of a Resolution to Authorize Condemnation Proceedings which are necessary for the Reconstruction of SE Orient Drive, SE 257th Avenue, and SE Palmquist Road.

(NOTE: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide clearly written title.)

1. What action are you requesting from the Board? What is the department/agency recommendation?

The Land Use Planning and Transportation Program seeks the Board's authorization to initiate condemnation proceedings against the four properties as described in the Exhibits attached to the proposed Resolution; and further, to authorize County legal counsel to obtain immediate possession of these properties which are necessary for the reconstruction of SE Orient Drive, SE 257th Avenue, and SE Palmquist Road. This reconstruction is scheduled to start in March of 2003.

2. Please provide sufficient background information for the Board and the public to understand this issue.

This road improvement project has been identified in the Transportation Capital Improvement Plan and Program since the early 1990's. The designed road improvements are the result of the collaboration and approval of the Oregon Department of Transportation, the City of Gresham, and the local Kelly Creek Neighborhood

Association. Multnomah County currently has entered into agreements with the City of Gresham and Albertson's Inc. in support of and directly relating to the design and construction of this road improvement project. The intersections and adjacent roads scheduled for capital improvement have a high accident rate based upon County crash data.

The public and private cooperation established for completion of this project has involved numerous property transactions. Of the nine properties the County agreed to acquire directly for the project, negotiations have not been successful to date with four of the property owners. These four properties are the ones identified and described in the Exhibits to the Resolution.

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

The County is primarily responsible for the costs for these property acquisitions. Right-of-way (ROW) acquisition is included as part of the road improvement project budget. Costs associated with ROW have exceeded initial estimates. Cost increases for ROW acquisitions are intended to be addressed in the existing project budget by reprogramming funds from other project line items. Value engineering and project consolidation are intended to offset the increase in ROW acquisition costs encountered.

County funding for this project is provided by issuance of debt in the form of Certificates of Participation (COP) and is being repaid from the Road Fund at a rate of \$288,000 per year. Delays in proceeding with the planned improvements reduces the purchasing capacity of the COP issued and ultimately will increase the cost to the County.

The costs have been shared in part with the City of Gresham and Albertson's Inc. Albertson's Inc., through the above-referenced agreement with the County, has committed to dedicating other property necessary for the street improvements. The City of Gresham, through an Intergovernmental Agreement, has committed to funding a significant portion of this project. The County's share of these costs is drawn from the County road fund.

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

If a budget modification, explain: N.A.

- ❖ **What revenue is being changed and why?**
- ❖ **What budgets are increased/decreased?**
- ❖ **What do the changes accomplish?**
- ❖ **Do any personnel actions result from this budget modification? Explain.**
- ❖ **Is the revenue one-time-only in nature?**
- ❖ **If a grant, what period does the grant cover?**
- ❖ **When the grant expires, what are funding plans?**

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain: N.A.

- ❖ Why was the expenditure not included in the annual budget process?
- ❖ What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?
- ❖ Why are no other department/agency fund sources available?
- ❖ Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account.
- ❖ Has this request been made before? When? What was the outcome?

If grant application/notice of intent, explain: N.A.

- ❖ Who is the granting agency?
- ❖ Specify grant requirements and goals.
- ❖ Explain grant funding detail – is this a one time only or long term commitment?
- ❖ What are the estimated filing timelines?
- ❖ If a grant, what period does the grant cover?
- ❖ When the grant expires, what are funding plans?
- ❖ How will the county indirect and departmental overhead costs be covered?

4. Explain any legal and/or policy issues.

Under State and Federal Law the County has the condemnation authority to acquire property for public road purposes. Immediate possession of such is authorized by ORS Chapter 35, which provides for the deposit of funds into court to cover acquisition and other costs.

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

The Land Use Planning and Transportation Program has conducted a public review process prior to the final design of this project. Albertson's Inc., through an agreement with the County, has committed to dedicating other property necessary for the street improvements. The City of Gresham, through an Intergovernmental Agreement, has committed to funding a significant portion of this project.

Required Signatures:

Department/Agency Director: *M. Cecilia Johnson* Date: 12/26/02

Budget Analyst

By: _____ Date: _____

Dept/Countywide HR

By: _____ Date: _____

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 03-013

Authorizing Condemnation and Immediate Possession of Real Property Necessary for the Purpose of Constructing a Multnomah County Road Project

The Multnomah County Board of Commissioners Finds:

- a. It is necessary for Multnomah County to acquire the real property listed in the following table and described in the attached Exhibit A (the property) for the purpose of the Reconstruction of SE Orient Drive, SE 257th Avenue and SE Palmquist Road a County Road Project in Gresham.

Item No.	Owner	Location
2028	Donald R. Marcus and Melvin R. Marcus	S.E. 14 th Street
2029	Donald R. Marcus and Melvin R. Marcus	S.E. Orient Drive
2032	Thomas L. Wallace	S.E. Orient Drive
2035	Steven W. & Barbara J. Bass	S.E. Kane Road
2048	Steven M. Duncan	S.E. Kane Drive

- b. The project has been planned and located in a manner that is most compatible with the greatest public good and the least private injury.
- c. It is necessary to acquire immediate possession of the property to allow construction to proceed and be completed on schedule and within budgetary limitations.

The Multnomah County Board of Commissioners Resolves:

1. It is necessary to acquire the property for the purpose of the above described County Road Project.
2. In the event that no satisfactory agreement can be reached with the owners of the property as to the purchase price, legal counsel is authorized and directed to commence and prosecute to final determination such condemnation proceedings as may be necessary to acquire the property. Such action shall be in accordance with all applicable laws, rules, and regulations governing such acquisition.

3. Upon final determination of any such proceeding, the deposit of funds and payment of judgment conveying the property to the County is authorized.
4. It is necessary to obtain possession of such property as soon as possible to allow construction to proceed and be completed on schedule within budgetary limitations.
5. Legal counsel is authorized and directed to take such action in accordance with law to obtain possession of the property as soon as possible.
6. There is authorized the creation of a fund in the amount of the estimate of just compensation for the property, which shall, upon obtaining possession of the property, be deposited with the Clerk of the Court wherein the action was commenced for the use of the defendants in the action, and the Director of the Finance Division is authorized to draw a warrant on the Road Fund of the County in such sum for deposit.

ADOPTED this 16th day of January, 2003

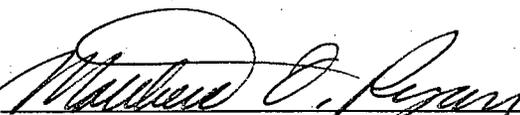


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

THOMAS SPONSLER, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 

Matthew O. Ryan, Assistant County Attorney

EXHIBIT "A"

Donald R. Marcus and Melvin R. Marcus

S.E. 14th Street
Item No. 2028

Parcel I (Fee):

A parcel of land lying in that certain tract of land described in deed to Donald R. Marcus and Melvin R. Marcus recorded as Parcel 1, in Document No. 96003979, Recorded January 5, 1996, Multnomah County deed records and located within the Northeast Quarter of Section 14, Township 1 South, Range 3 East, Willamette Meridian, in the City of Gresham, Multnomah County, Oregon; said parcel of land being all of said Marcus tract, lying within a variable width strip of land, the boundaries of which are the right-of-way lines of the existing S.E. 14th Street and the **Proposed S.E. 14th Street (East of S.E. Orient Drive)** defined below by offset from centerline, with said centerline more particularly described as follows:

Proposed centerline S.E. 14th Street (East of S.E. Orient Drive):

Beginning at a point on the centerline of S.E. Orient Drive (County Road 1091) at station 530+02.50, said point being proposed station 3+28.08 for S.E. 14th Street; thence North 52°39'33" East, 73.28 feet to the beginning of a tangent curve at station 4+01.36; thence along the arc of a 164.00 foot radius curve concave to the southeast, through a central angle of 39°17'08" (the long chord of which bears North 72°18'07" East, 110.26 feet) an arc distance of 112.45 feet to a point of tangency at station 5+13.81, said point being on the existing centerline of S.E. 14th Street and the **Terminus** of this proposed centerline. Said terminus bears South 36°20'28" West, 1597.53 feet from a 4-1/4" brass disk marking the southeast corner of Section 11, T.1S., R.3E., Willamette Meridian.

<u>Station (Feet)</u>	<u>Width on Southerly Side of Centerline (Feet)</u>
4+01.36	25.00, parallel with and 25.00 feet southerly of said proposed centerline,
to	
5+13.81	25.00

Contains 65 square feet (more or less).

As shown on the attached Exhibit "A-1", herein made a part of this document. In the event of a conflict or discrepancy between the map as shown on the Exhibit "A-1" and the written legal description, the written legal description shall prevail.

Note: Bearings are based on the centerline of S.E. Orient Drive (County Road 1091) between the found and held 1/2" iron pipe in monument box at centerline station P.T. 470+61.60 and the found and held 1/2" iron pipe in monument box at centerline station 500+54.45 as shown on SN 57232, Multnomah County survey records as North 37°20'27" West.

EXHIBIT "A"

Donald R. Marcus and Melvin R. Marcus

S.E. Orient Drive
Item No. 2029

Parcel I (Fee):

A parcel of land lying in that certain tract of land described in deed to Donald R. Marcus and Melvin R. Marcus recorded in Book 1051, Page 402, July 15, 1975, Multnomah County Deed Records and located within the Northeast Quarter of Section 14, Township 1 South, Range 3 East, Willamette Meridian, in the City of Gresham, Multnomah County, Oregon; said parcel of land being all of said Marcus tract lying northerly of the proposed S.E. 14th St. centerline and all of said Marcus tract lying within a variable width strip of land, the boundaries of which are the right-of-way lines of the **Proposed S.E. 14th Street (East of S.E. Orient Drive)** defined below by offset from centerline, with said centerline more particularly described as follows:

Proposed centerline S.E. 14th Street (East of S.E. Orient Drive):

Beginning at a point on the centerline of S.E. Orient Drive (County Road 1091) at station 530+02.50, said point being proposed station 3+28.08 for S.E. 14th Street; thence North 52°39'33" East, 73.28 feet to the beginning of a tangent curve at station 4+01.36; thence along the arc of a 164.00 foot radius curve concave to the southeast, through a central angle of 39°17'08" (the long chord of which bears North 72°18'07" East, 110.26 feet) an arc distance of 112.45 feet to a point of tangency at station 5+13.81, said point being on the existing centerline of S.E. 14th Street and the **Terminus** of this proposed centerline. Said terminus bears South 36°20'28" West, 1597.53 feet from a 4-1/4" brass disk marking the Southeast Corner of Section 11, T.1S., R.3E., Willamette Meridian.

<u>Station (Feet)</u>	<u>Width on Southerly Side of Centerline (Feet)</u>
3+68.08 – 3+84.40	42.00' @ station 3+68.08 – thence along the arc of a 17.00 foot radius curve concave easterly, through a central angle of 90°00'00" (the long chord of which bears North 07°39'33" East, 24.04 feet) an arc distance of 26.70 feet to a point of tangency – 25.00' @ station 3+84.40.
3+84.40	25.00, parallel with and 25.00 feet southerly of said proposed centerline
to	
5+13.81	25.00

Contains 3,080 square feet (more or less).

Note: Bearings are based on the centerline of SE Orient Drive (County Road 1091) between the found and held 1/2" iron pipe in monument box at centerline station P.T. 470+61.60 and the found and held 1/2" iron pipe in monument box at centerline station 500+54.49 as shown on SN 57232, Multnomah County survey records as North 37°20'27" West.

Parcel II (Fee):

A parcel of land lying in that certain tract of land described in deed to Donald R. Marcus and Melvin R. Marcus recorded in Book 1051, Page 402, July 15, 1975, Multnomah County Deed Records and located within the Northeast Quarter of Section 14, Township 1 South, Range 3 East, Willamette Meridian, in the City of Gresham, Multnomah County, Oregon; said parcel of land being all of the Marcus tract lying within a variable width strip of land, the boundaries of which are the right-of-way lines of the existing S.E. Orient Drive (County Road No. 1091) and the proposed, widened S.E. Orient Drive Road, defined below by offset from the centerline of said existing S.E. Orient Drive (County Road No. 1091) shown on SN 57232, Multnomah County survey records.

<u>Station (Feet)</u>	<u>Width on Northeasterly Side of Centerline (Feet)</u>
527+30	40.00
530+75	40.00

Contains 3,115 square feet (more or less).

Parcel III (Permanent Slope & Utility Easement):

A parcel of land lying in that certain tract of land described in deed to Donald R. Marcus and Melvin R. Marcus recorded in Book 1051, Page 402, Recorded July 15, 1975, Multnomah County deed records and located within the Northeast Quarter of Section 14, Township 1 South, Range 3 East, Willamette Meridian, in the City of Gresham, Multnomah County, Oregon; said parcel of land being all of the Marcus tract lying within a variable width strip of land, the boundaries of which are defined below by offset from the centerline of existing S.E. Orient Drive (County Road No. 1091) and the proposed, widened S.E. Orient Drive Road, shown on SN 57232, Multnomah County survey records.

<u>Station (Feet)</u>	<u>Width on Northeasterly Side of Centerline (Feet)</u>
527+30	45.00
530+75	45.00

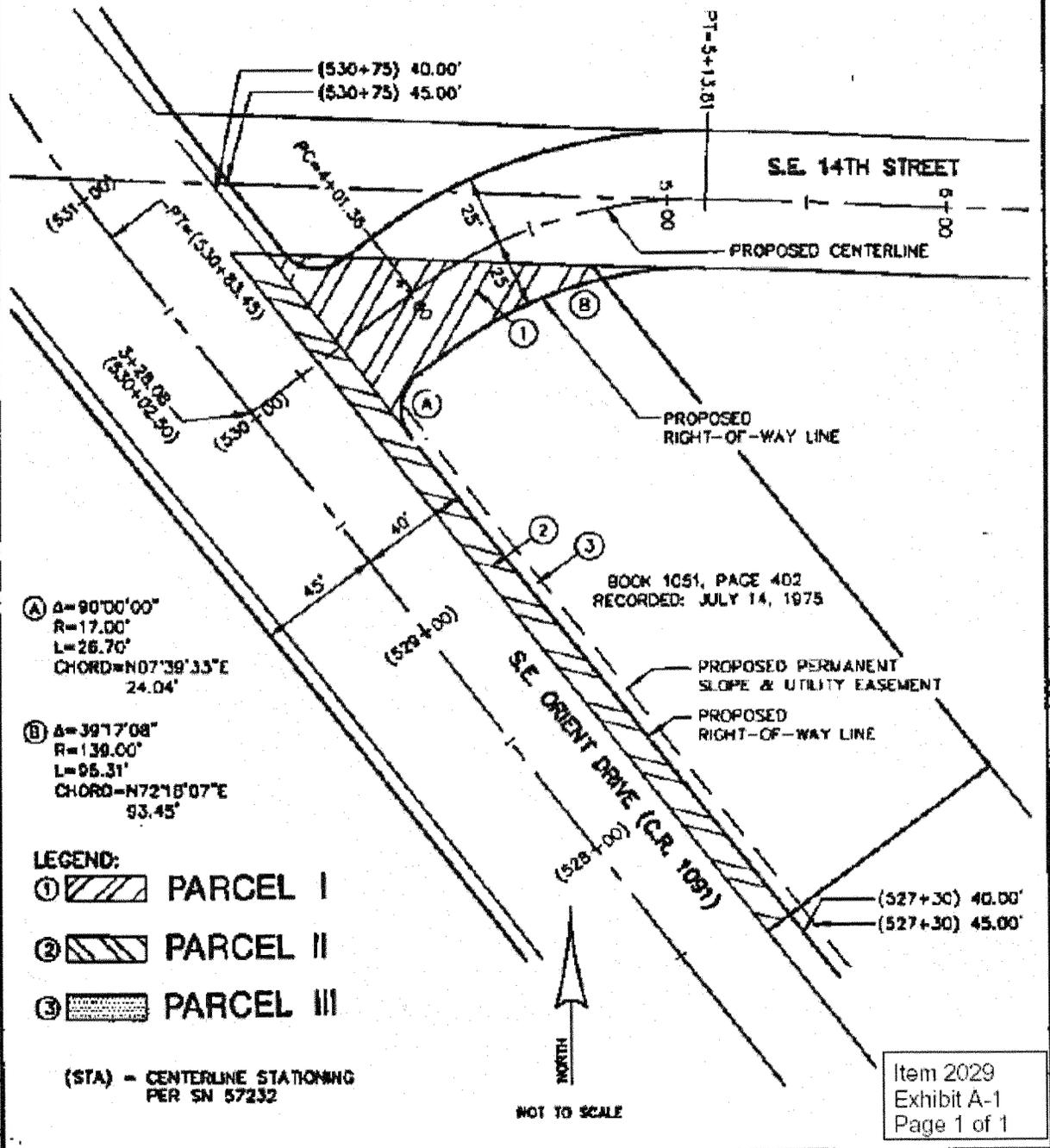
Excepting therefrom that portion described within **Parcel I** and **Parcel II**, above.

Contains 1,155 square feet (more or less).

As shown on the attached Exhibit "A-1", herein made a part of this document. In the event of a conflict or discrepancy between the map as shown on the Exhibit "A-1" and the written legal description, the written legal description shall prevail.

EXHIBIT A-1

S.E. 14TH STREET AND S.E. ORIENT DRIVE
 LOCATED IN THE NE 1/4 OF SECTION 14
 IN T 1 S, R 3 E, WILLAMETTE MERIDIAN
 CITY OF GRESHAM, MULTNOMAH COUNTY, OREGON
 JUNE 26, 2000



Item 2029
 Exhibit A-1
 Page 1 of 1

EXHIBIT "A"

Thomas L. Wallace

S.E. Orient Drive
Item No. 2032
December 11, 2002

Parcel I:

A parcel of land lying in that certain tract of land described in deed to Thomas L. Wallace recorded in Book 2180, Page 1235, Recorded February 22, 1989, Multnomah County deed records and located within the Northeast Quarter of Section 14, Township 1 South, Range 3 East, Willamette Meridian, in the City of Gresham, Multnomah County, Oregon; said parcel of land being all of the Wallace tract lying within a variable width strip of land, the boundaries of which are the right-of-way lines of the **Existing S.E. Orient Drive (County Road No. 1091)** and the proposed, widened S.E. Orient Drive Road, as defined below by offset from the centerline of said existing S.E. Orient Drive (County Road No. 1091) shown on SN 57232, Multnomah County survey records.

<u>Station (Feet)</u>	<u>Width on Northeasterly Side of Centerline (Feet)</u>
525+25	40.00
to	
5+27.75	40.00

Contains 1,155 square feet (more or less).

Parcel II (Permanent Slope & Utility Easement):

A parcel of land lying in that certain tract of land described in deed to Thomas L. Wallace recorded in Book 2180, Page 1235, Recorded February 22, 1989, Multnomah County deed records and located within the northeast quarter of Section 14, Township 1 South, Range 3 East, Willamette Meridian, in the City of Gresham, Multnomah County, Oregon; said parcel of land being all of the Wallace tract lying within a variable width strip of land, the boundaries of which are defined below by offset from the centerline of the **Existing centerline S.E. Orient Drive (County Road No. 1091)** as shown on SN 57232, Multnomah County survey records.

<u>Station (Feet)</u>	<u>Width on Northeasterly Side of Centerline (Feet)</u>
525+25	50.00
to	
526+56.15 – 526+56.15	50.00 to 45.00
to	
527+75	45.00

Except therefrom that portion described within Parcel I, above.

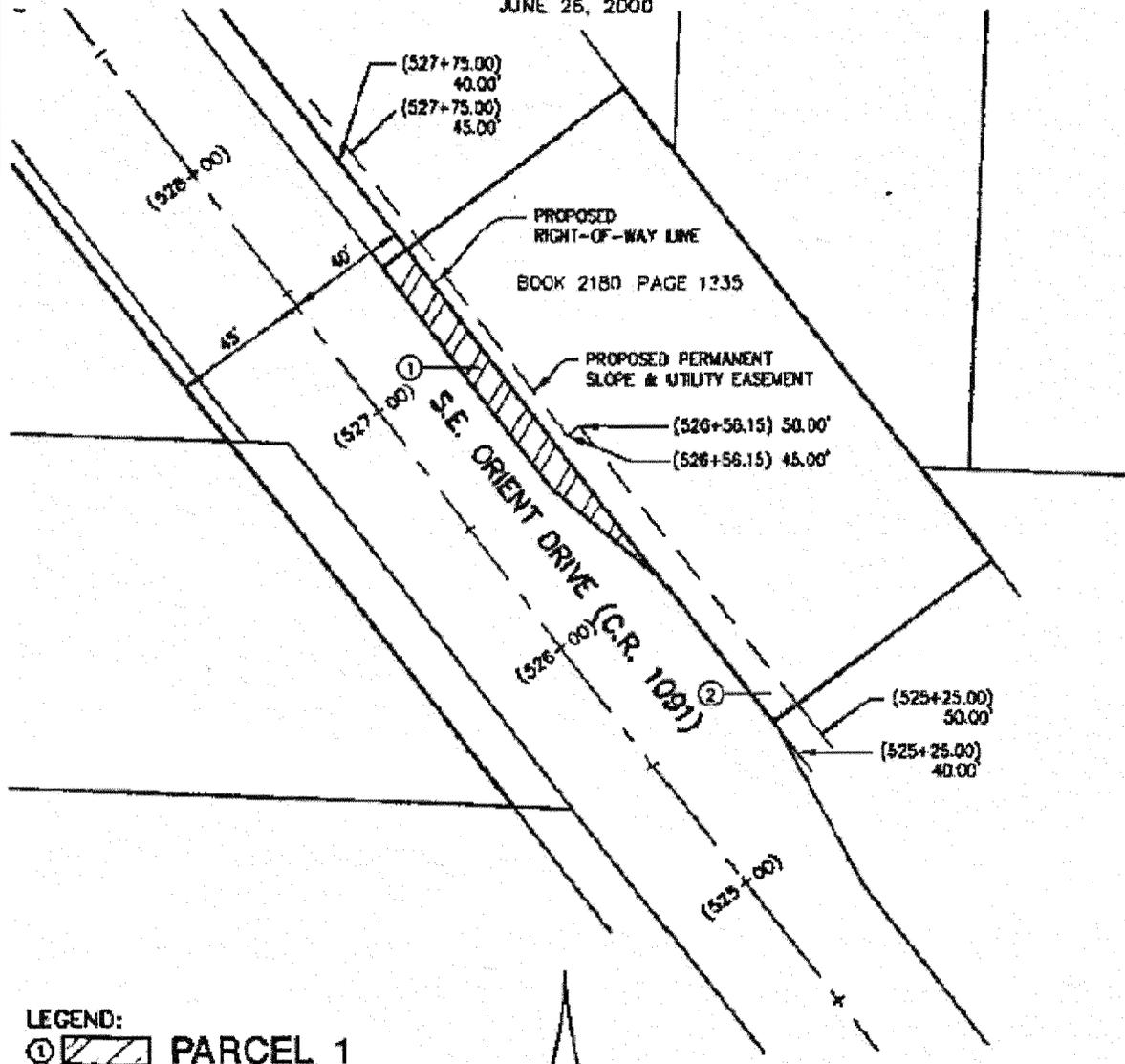
Contains 1,590 square feet (more or less).

As shown on the attached Exhibit "A-1", herein made a part of this document. In the event of a conflict or discrepancy between the map as shown on the Exhibit "A-1" and the written legal description, the written legal description shall prevail.

EXHIBIT "A-1"

S.E. ORIENT DRIVE
 LOCATED IN THE NE 1/4 OF SECTION 14
 IN T 1 S, R 3 E, WILLAMETTE MERIDIAN
 CITY OF GRESHAM, MULTNOMAH COUNTY, OREGON

JUNE 25, 2000



LEGEND:

①  PARCEL 1

②  PARCEL 2

(STA) = CENTERLINE STATIONING
 PER SN 57232

NOT TO SCALE

Item 2032
 Exhibit A-1
 Page 1 of 1

EXHIBIT "A"

Parcel I:

A parcel of land lying in that certain tract of land described in deed to Steven W. & Barbara J. Bass recorded in Book 2452, Page 1733, recorded September 4, 1991, Multnomah County Deed Records and located within the northeast quarter of Section 14, Township 1 South, Range 3 East, Willamette Meridian, in the City of Gresham, Multnomah County, Oregon; said parcel of land being all of the Bass tract lying within a variable width strip of land, the sidelines of which are the right-of-way lines of the **Proposed centerline S.E. Kane Drive** defined below by offset from centerline, with said centerline more particularly described as follows:

Proposed centerline S.E. Kane Drive / S.E. Orient Drive:

Commencing at a 4-1/4" brass disk marking the Southeast corner of Section 11, T.1S., R.3E., Willamette Meridian; said point being on the southerly line of the Lewis Hale D.L.C. No. 62; thence along said southerly line of the Hale D.L.C. No. 62 North 88°24'30" West, 1303.78 feet to a point on the centerline of S.E. Kane Drive (County Road No. 608); said point bears South 88°24'30" East, 101.47 feet from a 4-1/4" brass disk marking the S.W. corner of said Hale D.L.C. No. 62; thence along the centerline of S.E. Kane Drive (County Road No. 608) South 01°12'52" West, 162.52 feet to the centerline station 51+00.12 and the **Point of Beginning** of the herein described proposed legal centerline description of S.E. Kane Drive; thence at right angles to the centerline of existing S.E. Kane Drive (County Road No. 608) North 88°47'08" West, 13.53 feet; thence South 01°12'28" West, 639.20 feet to the beginning of a tangent curve at station 39+21.71; thence along the arc of a 853.00 foot radius curve concave to the northeast, through a central angle of 38°32'55" (the long chord of which bears South 18°03'59" East, 563.14 feet) an arc distance of 573.90 feet to a point of tangency at station 44+95.61, said point being on the centerline of S.E. Orient Drive (C.R. 1091) at centerline station 530+83.45 and the **terminus** of this proposed centerline. Said terminus point bears North 37°20'27" West, along the centerline of said S.E. Orient Drive (County Road No. 1091) 6021.85 feet from a 1/2" iron pipe in a monument box at S.E. Orient Drive (County Road No. 1091) P.T. station 470+61.60.

Bearings are based on the centerline of SE Orient Drive between the found and held 1/2" iron pipe in monument box at centerline station P.T. 470+61.60 and the found and held 1/2" iron pipe in monument box at centerline station 500+54.45 as shown on SN 57232, Multnomah County survey records as North 37°20'27" West.

<u>Station (Feet)</u>	<u>Width on Easterly Side of Centerline (Feet)</u>
34+25	40.00
to	
36+00	40.00

Contains 151 square feet (more or less).

Parcel II :

A parcel of land lying in that certain tract of land described in deed to Steven W. & Barbara J. Bass recorded in Book 2452 Page 1733, recorded September 4, 1991, Multnomah County deed records and located within the northeast quarter of Section 14, Township 1 South, Range 3 East, Willamette Meridian, in the City of Gresham, Multnomah County, Oregon; said parcel of land being all of the Bass tract lying within a variable width strip of land, the sidelines of which are defined below by offset from the **existing legal centerline of S.E. 11th Street (East of S.E. Kane Drive)** as defined below by offset from centerline, with said centerline being more particularly described as follows:

Proposed centerline S.E. 11th Street (East of S.E. Kane Drive):

Beginning at centerline station 35+87.42 as defined above for the proposed centerline of S.E. Kane Drive, said point of beginning being on the westerly prolongation of the existing legal centerline for S.E. 11th Street, also being proposed station 3+28.08 for S.E. 11th Street; thence South 88°18'43" East, 145.39 feet to a 5/8" iron rod, being the **Terminus** of the herein described centerline at proposed station 4+73.47.

<u>Station (Feet)</u>	<u>Width on Northerly Side of Centerline (Feet)</u>
3+67.66 – 3+92.66	49.75 - thence along the arc of a 25.00 foot radius curve concave to the northeast, through a central angle of 89°31'11"(the long chord of which bears South 43°33'07" East, 35.21 feet) an arc distance of 39.06 feet to a point of tangency – 25.00
to	
3+92.66	25.00

Except therefrom that portion described within Parcel I above.

Contains 70 square feet (more or less)

Parcel III

Permanent Slope, Landscape, Drainage, Utility & Traffic Control Devices Easement:

A parcel of land lying in that certain tract of land described in deed to Steven W. & Barbara J. Bass recorded in Book 2452 Page 1733, recorded September 4, 1991, Multnomah County deed records and located within the northeast quarter of Section 14, Township 1 South, Range 3 East, Willamette Meridian, in the City of Gresham, Multnomah County, Oregon; said parcel of land being all of the Bass tract lying within a variable width strip of land, the sidelines of which are defined below by offset from centerline of the **Proposed centerline S.E. Kane Drive** as described above.

<u>Station (Feet)</u>	<u>Width on Easterly Side of Centerline (Feet)</u>
34+25	45.00
to	
36+00	45.00

Except therefrom that portion described within Parcel I and II above.

Contains 500 square feet (more or less).

As shown on the attached Exhibit "A-1", herein made a part of this document. In the event of a conflict or discrepancy between the map as shown on the Exhibit "A-1" and the written legal description, the written legal description shall prevail.

EXHIBIT "A-1"

LOCATED IN THE NE 1/4 OF SECTION 14
 IN T 1 S, R 3 E, WILLAMETTE MERIDIAN
 CITY OF GRESHAM, MULTNOMAH COUNTY, OREGON

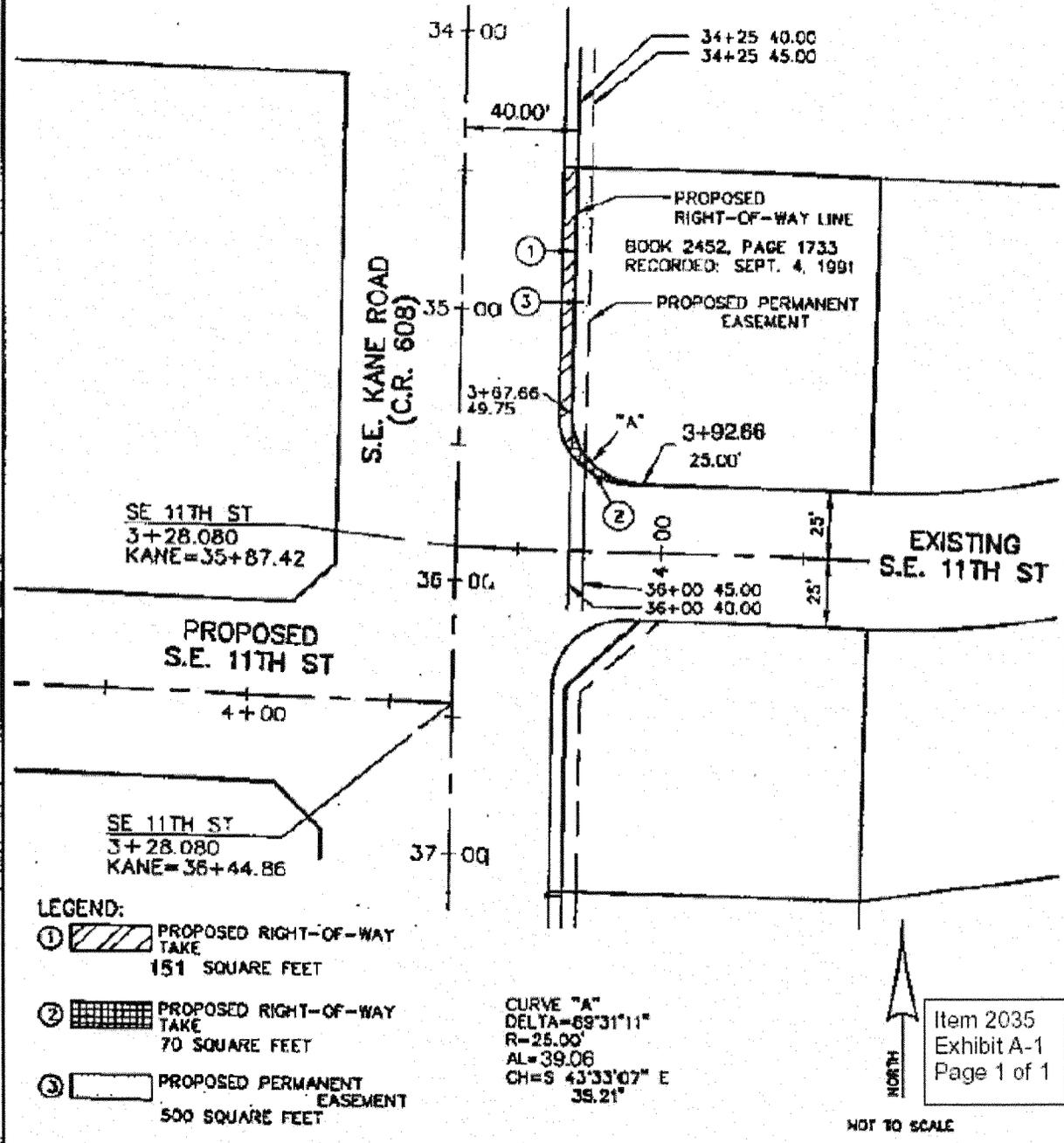


EXHIBIT "A"

Parcel 1:

A parcel of land lying in that certain tract of land described in deed to Steven M. Duncan recorded in Book 1905, Page 1091, recorded May 12, 1986, Multnomah County Deed Records and located within the Northeast Quarter of Section 14, Township 1 South, Range 3 East, Willamette Meridian, in the City of Gresham, Multnomah County, Oregon; said parcel of land being all of the Duncan tract lying within a variable width strip of land, the sidelines of which are the right-of-way lines of the proposed centerline S.E. Kane Drive defined below by offset from centerline, with said centerline more particularly described as follows:

Proposed centerline S.E. Kane Drive / S.E. Orient Drive:

Commencing at a 4-1/4" brass disk marking the Southeast corner of Section 11, T.1S., R.3E., Willamette Meridian; said point being on the southerly line of the Lewis Hale D.L.C. No. 62; thence along said southerly line of the Hale D.L.C. No. 62 N88°24'30"W, 1303.78 feet to a point on the centerline of S.E. Kane Drive (County Road No. 608); said point bears S88°24'30"E, 101.47 feet from a 4-1/4" brass disk marking the S.W. corner of said Hale D.L.C. No. 62; thence along the centerline of S.E. Kane Drive (County Road No. 608) S01°12'52"W, 162.52 feet to the centerline station 51+00.12 and the Point of Beginning of the herein described proposed centerline of S.E. Kane Drive; thence at right angles to the centerline of existing S.E. Kane Drive (County Road No. 608) N88°47'08"W, 13.53 feet; thence S01°12'28"W, 639.20 feet to the beginning of a tangent curve at station 39+21.71; thence along the arc of a 853.00 foot radius curve concave to the Northeast, through a central angle of 38°32'55" (the long chord of which bears S18°03'59"E, 563.14 feet) an arc distance of 573.90 feet to a point of tangency at station 44+95.61, said point being on the centerline of S.E. Orient Drive (C.R. 1091) at centerline station 530+83.45 and the terminus of this proposed centerline.

Said terminus point bears N37°20'27"W, along the centerline of said S.E. Orient Drive (County Road No. 1091) 6021.85 feet from a 1/2" iron pipe in a monument box at S.E. Orient Drive (County Road No. 1091) P.T. station 470+61.60.

Bearings are based on the centerline of S.E. Orient Drive (County Road 1091) between the found and held 1/2" iron pipe in monument box at centerline station P. T. 470+61.60 and the found and held 1/2" iron pipe in monument box at centerline station 500+54.45 as shown on SN 57232, Multnomah County survey records as N37°20'27"W.

<u>Station (Feet)</u>	<u>Width on Easterly Side of Centerline (Feet)</u>
38+50	40.00, parallel with and 40.00 feet easterly of said proposed centerline
to 41+00	40.00

Contains 879 square feet, more or less.

Parcel II:

A parcel of land lying in that certain tract of land described in deed to Steven M. Duncan recorded in Book 1905, Page 1091, recorded May 12, 1986, Multnomah County Deed Records and located within the Northeast Quarter of Section 14, Township 1 South, Range 3 East, Willamette Meridian, in the City of Gresham, Multnomah County, Oregon; said parcel of land being all of the Duncan tract lying within a variable width strip of land, the sidelines of which are defined below by offset from centerline of Proposed centerline S.E. 12th Street (East of S.E. Kane Drive) defined below by offset from centerline, with said centerline more particularly described as follows:

Proposed centerline S.E. 12th Street (East of S.E. Kane Drive):

Beginning at centerline station 38+37.42 as defined above for the proposed S. E. Kane Drive, said point of beginning being at proposed station 3+28.08 for S.E. 12th Street; thence S88°18'43"E, 143.29 feet to a 5/8" iron rod at proposed station 4+71.37, also being a point on the existing legal centerline of S.E. 12th Street, being the Terminus of the herein described centerline.

<u>Station (Feet)</u>	<u>Width on Southerly Side of Centerline (Feet)</u>
3+68.50 - 3+93.50	50.21 - thence along the arc of a 25.00 foot radius curve concave to the southeast, through a central angle of 90°28'49" (the long chord of which bears N46°26'53"E, 35.50 feet) an arc distance of 39.48 feet to a point of tangency - 25.00
3+93.50	25.00

Except therefrom that portion described within Parcel I above.

Contains 70 square feet, more or less.

Parcel III (Permanent Slope, Utility, Drainage, Landscape, and Traffic Control Devices Easement):

A parcel of land lying in that certain tract of land described in deed to Steven M. Duncan recorded in Book 1905, Page 1091, recorded May 12, 1986, Multnomah County Deed Records and located within the Northeast Quarter of Section 14, Township 1 South, Range 3 East, Willamette Meridian, in the City of Gresham, Multnomah County, Oregon; said parcel of land being all of the Duncan tract lying within a variable width strip of land, the sidelines of which are defined below by offset from centerline of the Proposed centerline S.E. Kane Drive as described above.

<u>Station (Feet)</u>	<u>Width on Easterly Side of Centerline (Feet)</u>
38+50	50.00, parallel with and 50.00 feet easterly, of said proposed centerline.
to	
41+00	50.00

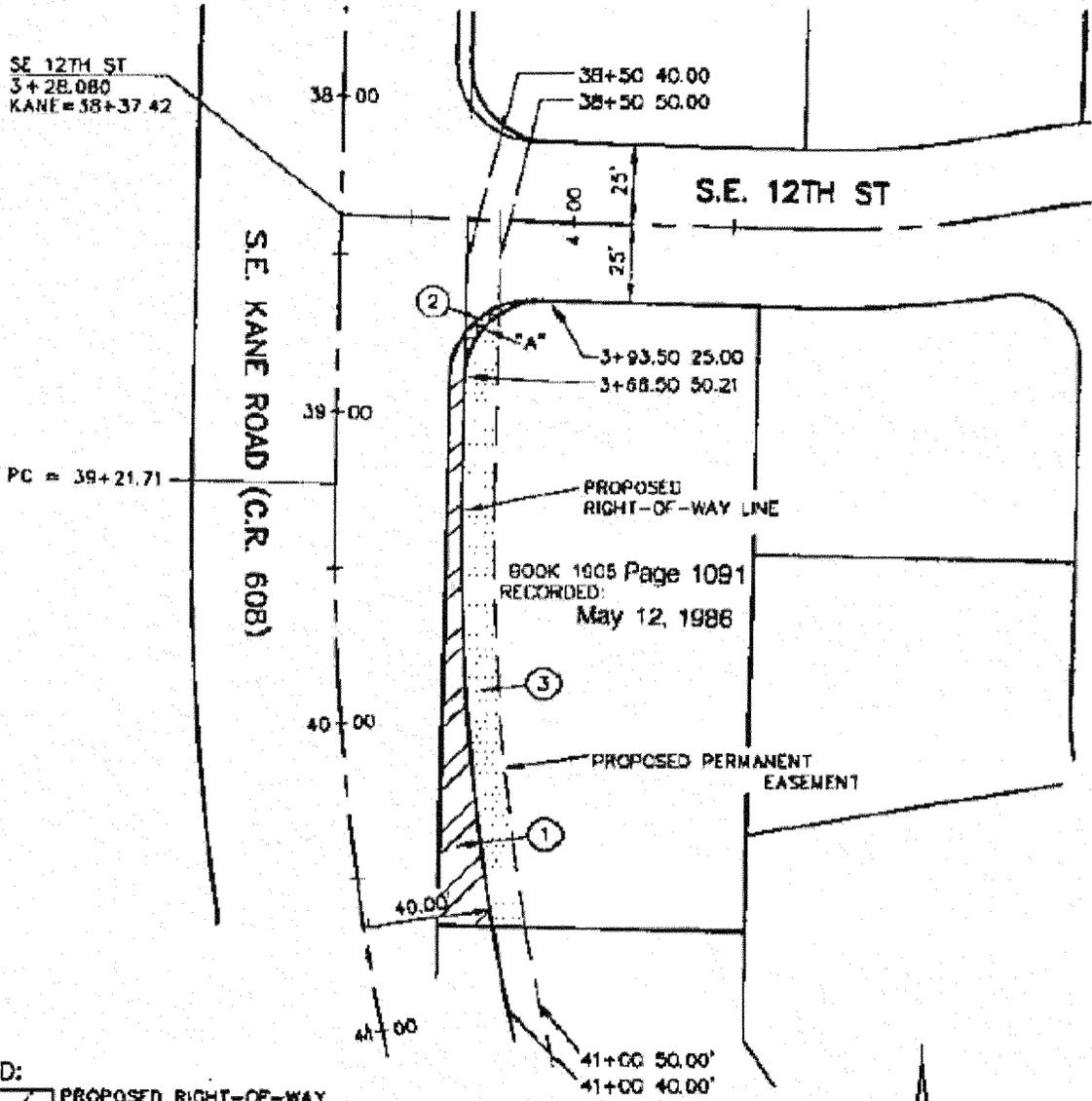
Contains 1,900 square feet, more or less.

Except therefrom that portion described within Parcel I & II above.

As shown on the attached Exhibit "A-1", herein made a part of this document. In the event of a conflict or discrepancy between the map as shown on the Exhibit "A-1" and the written legal description, the written legal description shall prevail.

EXHIBIT "A-1"

A PORTION OF S.E. KANE ROAD & S.E. 12TH ST.
 LOCATED IN THE NE 1/4 OF SECTION 14
 IN T 1 S, R 3 E, WILLAMETTE MERIDIAN
 CITY OF CRESHAW, MULTNOMAH COUNTY, OREGON



LEGEND:

- ①  PROPOSED RIGHT-OF-WAY TAKE
879 SQUARE FEET
- ②  PROPOSED RIGHT-OF-WAY TAKE
70 SQUARE FEET
- ③  PROPOSED PERMANENT EASEMENT
1900 SQUARE FEET

CURVE "A"
 DELTA=90°26'49"
 R=25.00'
 AL=39.48'
 CH=N 46°26'53" E
 35.50'

NORTH ↑

Item 2048
 Exhibit A-1
 Page 1 of 1

NOT TO SCALE

- ❖ Do any personnel actions result from this budget modification? Explain.
- ❖ Is the revenue one-time-only in nature?
- ❖ If a grant, what period does the grant cover?
- ❖ When the grant expires, what are funding plans?

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain:

- ❖ Why was the expenditure not included in the annual budget process?
- ❖ What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?
- ❖ Why are no other department/agency fund sources available?
- ❖ Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account.
- ❖ Has this request been made before? When? What was the outcome?

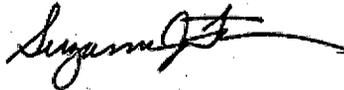
If grant application/notice of intent, explain:

- ❖ Who is the granting agency?
- ❖ Specify grant requirements and goals.
- ❖ Explain grant funding detail – is this a one time only or long term commitment?
- ❖ What are the estimated filing timelines?
- ❖ If a grant, what period does the grant cover?
- ❖ When the grant expires, what are funding plans?
- ❖ How will the county indirect and departmental overhead costs be covered?

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

Required Signatures:

Department/Agency Director:



Date: January 9, 2003

Budget Analyst

By:

Date:

Dept/Countywide HR

By:

Date:



SUZANNE FLYNN, Auditor
Multnomah County

501 S.E. Hawthorne, Room 601
Portland, Oregon 97214

Telephone (503) 988-3320
Telefax 988-3019

www.multnomah.lib.or.us/aud

MEMORANDUM

Date: January 13, 2003

To: Diane Linn, Multnomah County Chair
Maria Rojo de Steffey, Commissioner, District 1
Serena Cruz, Commissioner, District 2
Lisa Naito, Commissioner, District 3
Lonnie Roberts, Commissioner, District 4

From: Suzanne Flynn, Multnomah County Auditor 

Subject: Workplace Safety System Audit

The attached report covers our audit of the of the County's system for workplace safety. This audit was included in our FY01-02 Audit Schedule.

After a review of the County's risk management function, we decided to audit the strength of proactive workplace safety efforts. Ensuring workplace safety is required by state statute and the County code. We found that the majority of the County's efforts are reactive, occurring once an injury has happened. Departments are not clear about their responsibility in providing for employee workplace safety and safety committees are used ineffectively.

The literature indicates that 98% of injuries are caused by a safety system failure. We are recommending that the County strengthen its management commitment to accident prevention and increase accountability. We have discussed our findings and recommendations with the Department of Business and Community Services and the County Chair's Office. Responses to this audit are included in the report's appendix. A formal follow-up to this audit will be scheduled within 1-2 years.

We appreciate the cooperation and assistance extended to us by the management and staff in the Department of Community and Business Services.

Workplace Safety System
Increase Management Commitment

January 2003

Suzanne Flynn
Multnomah County Auditor

Audit Staff
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Summary

As an employer, Multnomah County has a responsibility to ensure the workplace safety of its 4,900 employees. This responsibility is part of a larger risk management function in the County which is defined by the Multnomah County Code.

The workplace safety system for the County can be divided into two closely related components. The first is proactive and involves the prevention of work related injuries and illnesses; the second is reactive and includes the worker's compensation system that pays for the medical costs and work time losses once a work related injury or illness has occurred. This audit focused on the County's proactive efforts in the area of employee workplace safety.

We found that the County's efforts are primarily reactive. The responsibility for a proactive system should be shared by the centralized Workers Compensation and Safety Section and department directors. Some departments believe that the centralized section is responsible for the County's workplace safety efforts and many departments have abdicated their responsibility to safety committees. State guidelines require management commitment at every level of the organization, an accountability system to ensure that all possible efforts are in place, employee involvement, safety training, workplace inspections, accident investigations, and annual evaluation. In each of these areas, we found that improvements were needed.

The role of departmental safety committees are an important component of an effective workplace safety system. Four of the twenty-five most common fines imposed by the Oregon Occupational Health and Safety Division on employers is from non-compliance with state laws related to safety committees. Not all departments have a safety committee. In some cases the lack of a committee is due to department reorganization, in others they have been inactive for a long period of time. In cases where committees did exist we found that they were not always operating as intended.

To improve the County's proactive system for employee workplace safety we recommend improved procedures be developed, that the County improve its efforts to ensure an effective system is in place, and that managers, supervisors, and employees be trained and held responsible for their part in ensuring workplace safety.

Background

The responsibility for workplace safety for the 4,900 employees working for Multnomah County is part of a larger risk management function in the County. According to the County code, this function is the responsibility of the Department of Community Business and Services (DCBS) in consultation with the County Attorney. The County's Administrative Procedures and state law also put shared responsibility for safety on department directors, their delegated managers and supervisors, and all County employees. Worker safety is also regulated by the Oregon Occupational Safety and Health Division (OR-OSHA) of the Department of Consumer and Business Services.

The workplace safety system for the County can be divided into two closely related components. The first is proactive and involves prevention of work related injuries and illnesses; the second is reactive and includes the worker's compensation system that pays for the medical costs and work time losses caused by a work related injury or illness.

By Administrative Procedure the proactive component of the County's safety system is primarily the responsibility of department directors and their delegated managers and supervisors, as well as all County employees. From FY89-90 to FY00-01 the County had a single position that was responsible for the risk management function. Since then, 3 FTE in the Workers Compensation and Safety Section within DCBS provided some of these functions in the form of technical resources and safety training that is available to all County departments.

The reactive component of the County's safety system is also the Worker's Compensation and Safety Section. It is considered reactive because the emphasis is on paying claims from injuries that have already occurred and performing some preventative measures to reduce claims. Administration of the County's worker compensation system is also done by the Workers Compensation and Safety Section.

The County is self-insured for its worker's compensation and is subject to state review and monitoring. The County has recently had a favorable state audit of the administration of its worker's compensation program.

Scope and methodology

The objective of this audit was to review the County's worker safety and health prevention efforts and determine if the County was in compliance with state laws, County Code, and Administrative Procedures. In order to determine the focus of our audit, we completed a less comprehensive review of the whole risk management function. During our review, we noticed that most trends historically and compared to industry standards were favorable. We did notice that the proactive safety system was weak and decided to focus our efforts in this area. We performed various tests and looked at documents to determine if the County was in compliance. The laws and rules we included were limited to those that apply to overall employees safety prevention efforts and did not include review of the many laws which apply to specific workplaces or occupations.

In preparation, we reviewed best practices and safety training materials and participated in OR- OSHA safety classes. We also interviewed managers and employees and sent two email surveys to nearly 400 County employees, including managers, union stewards, and safety committee members. We reviewed County Code, ordinances, and Administrative Rules, interviewed managers and reviewed documents to determine if County departments were in compliance with County policy and rules and state laws relating to worker safety and health.

The County Auditor's Office did an audit of the County's risk management function in October, 1987, but has not looked at the function since that time. One recommendation from that audit was to strengthen the risk management function and create a risk manager position.

This audit was included in our FY01-02 audit schedule and was conducted in accordance with Government Auditing Standards. A follow-up review will be completed in 1-2 years.

Audit Results

The County could improve its efforts to ensure employee safety

An effective workplace safety system makes a difference in preventing injuries and illnesses in the workplace. The resources spent on workplace safety result in lower worker compensation claim costs and improved worker productivity and morale. Companies which participate in federal and state best practice OSHA programs have documented substantial dollar savings resulting from improving their safety and health loss prevention efforts. In Oregon, safety is considered so important that the SHARP (Safety and Health Achievement Recognition Program) recognizes employers with outstanding efforts.

The County does not have a workplace safety system in place to provide assurance that reasonable efforts have been taken to meet its obligations. An effective safety program is more than the County Code and Administrative Rules; it involves an effective system that assigns responsibility for injury prevention to department directors, their delegated managers and supervisors, and every employee. According to OR-OSHA literature, 98 percent of injuries are from system failure.

Currently, the County's efforts are primarily reactive, dealing with an injury after it has occurred. The present safety system consists of sections of the County Code defining the risk management function and policy within DCBS, a number of Administrative Rules, and various department procedures. Most preventative activities are carried out by safety officers and safety committees, or through work done by the Workers Compensation and Safety Section or individual efforts by supervisors and employees. However, these activities are not coordinated and are missing many vital components. When we asked employees about the County's safety and health system, some responded they could not answer the questions because they did not know the County had a safety program or system. The DCBS introduced a new Risk Management Administrative Rule in November 2002 but this does not fully meet state guidelines. While the new rule is an improvement, there should be more emphasis on department director responsibilities.

During our audit we did not find any departments to have a written safety program which meets the guidelines of best practices and state law. The exception is the Health Department which is in the process of training its employees and implementing a system which would generally meet the legal requirements. Other departments have safety rules and references to the County's risk management rules; some have documented required OSHA programs such as hazard

communications and bloodborne pathogen programs. Some department managers and many employees were unaware of the County's risk management rules which relate to safety issues. Many County employees are never given safety training other than during their "new employee orientation".

Departments are not meeting their responsibilities

Requirements in the County Code are not being met and department responsibilities may not conform to state guidelines. The County Code (7.102, 7.103) states that the DCBS directs and manages employee health and benefit programs and that Departments must conform to County, state and federal safety standards. Additionally the Code requires the Departments to consult with the DCBS and County Attorney's Office to identify significant risks, which the DCBS and County Attorney will make recommendations for remedial action, and the Departments will take action to reduce the risk. Further, we believe state law requires each County department to have a safety system in place and provides guidance for how a system should be organized.

As noted above, we could not find evidence of an effective workplace safety system on the department level, other than the Health Department. When we asked questions about safety, some departments indicated employee safety issues are the responsibility of the Workers Compensation and Safety Section or their safety committees.

Not all departments understand the role of the Workers Compensation and Safety Section. According to the section manager, their responsibilities are to provide technical assistance, training, and consultation and testing for air quality and ergonomics. It is not to manage department safety programs. However, two departments indicated the Section had the responsibility for their safety efforts, and others said they were responsible for various pieces of the system.

Many departments have abdicated their responsibility for the safety of their employees to safety committees. Safety committees are a very important part of the system, but according to state guidelines, safety committees are to assist the employer's safety effort, not to be that effort.

The County needs to follow state guidelines

We found the County is not always following state guidelines for safety prevention efforts. The Oregon Safe Employment Act established by the legislature in 1973 lays the foundation for workplace health and safety in Oregon. The two main sections in the law relate to Occupational Safety and Health, and Workers' Compensation. Under these laws the Director of the Department of Community and Business Services has also established Oregon

Administrative Rules (the Oregon Occupational Safety and Health Code). The parts of these laws that have a direct effect on all County employees are (1) safety loss prevention efforts required for the County as a self-insured employer; and (2) legal requirements for safety committees. See Appendix A for a copy of applicable laws and administrative rules.

Both the requirements for self-insured employers and for safety committees put the responsibility for a loss prevention effort at the department or division level. The risk and amount of effort will vary in the County as County employees work varies from working in office environments, to building roads and operating bridges, to managing jail operations. Our review of compliance is based on looking at systems and not specific legal requirements for many of these unique working environments.

The County's loss prevention effort as a self-insured employer is weak

Oregon Administrative Rules require each self-insured employer to have a written loss prevention effort for each of its locations and outlines what that effort is to include. Our review of compliance was expanded to determine if the departments were in compliance with the intent and major state requirements, even if they were not in writing. Below is a summary of some of the most important of the eleven elements required for a self-insured employer such as Multnomah County. A copy of these is in Appendix A.

Management commitment

According to best practices, management commitment is evidenced in part by a statement of that commitment included in the company's overall policy, a written safety program, and written safety goals. We found little evidence of this commitment in most County departments. For example, in our review of accident reports, we found few written responses by management. In our employee survey, only 33 percent felt management had fully met this obligation. Many of those responding to our questions indicated they were not aware of department safety prevention efforts.

Accountability system

Accountability means holding both employees and management responsible for safety, by including safety responsibilities into job descriptions for both workers and supervisors. A system includes more than establishing rules and creating forms. Workers and management need to incorporate responsibilities into everyday activities. Accountability also includes training and awareness of safety issues and involves a system of rewards and discipline. Our interviews with most managers indicate they do not have systems in place to provide for accountability by employees, supervisors or managers. Only 28 percent of the employees in our survey indicated that individuals are recognized or disciplined for meeting or not

meeting safety responsibilities. Very few departments have included safety responsibilities in employee job descriptions.

Employee involvement

Employees should be involved in the workplace safety system. We found employees are willing to be involved but they are not trained and are often not given time from their regular duties to serve on safety committees or to take safety training classes. The County has nearly fifty safety committees. However, we found they are not working effectively. There is little evidence that departments actively seek employee input and, according to employee surveys, there is no reward system for employee involvement in the safety effort.

Safety training

Training and follow-up may be the most important part of a department's safety effort. We found department training programs need improvement. In practice, it appears that the departments with specific safety training needs have some method of tracking those. However, the results of our audit suggest many safety committees, supervisors, and managers lack training in hazard identification and accident investigations. The Workers Compensation and Safety Program Section provides training on request and in FY2002 trained 1200 students, 45 percent from the Health Department. Recently the County has increased driver training classes and mandated training for some employees. Employees responding to our survey indicated they did not feel they had adequate safety training. Most departments reported they had no system for letting their employees know about safety and health issues other than their new employee orientation and they rely on workers immediate supervisors to do this.

Workplace inspections

Departments are not doing workplace inspections and evaluations on a routine basis. County departments do not have an effective system which allows supervisors, employees, and safety committees to report unsafe work environments, conditions, or processes to departments. Many County departments seem to rely on safety committees to monitor for workplace hazards. The exceptions are for the few departments which have a safety officer position. According to the Workers Compensation and Safety Section, they do some hazard assessments when requested by department management or if they notice higher than usual loss claims for a particular area. However, these efforts, as well as department efforts, are not documented and appear to be done sporadically rather than on a regular, systematic basis.

Accident investigations

The County does not have an effective system for investigation of employee accidents as they occur. The purpose of an investigation is to determine the root cause so that future accidents can be prevented.

We reviewed a sample of accident investigations and found they were very poorly done and did not include corrective action, written findings, or follow up. In only one instance were best practice guidelines used in the investigation. In most cases we reviewed, the cause of accident was blamed on the employee. We found the recommendation on one accident to be "tell the employee to be more careful" and two months later, that same employee had a very similar accident. Both these accidents were easily preventable with only a little due care.

Annual evaluations

A final and critical component of any system is an evaluation of how the system is working and determining if it is accomplishing intended goals. State law requires such an evaluation on an annual basis as does County administrative rule. There is no evidence to indicate that such evaluations are taking place on a department or County-wide level. The DCBS stated that their annual report meets this requirement. However, we found no systematic evaluation of the whole system in this report. Rather, the report lists services provided and reviews trends which is a reactive approach.

The County is not using safety committees effectively

Safety committees are an important part of an organization's safety effort. In the late 1980's and early 1990's, Oregon had the sixth-highest workers compensation costs of all fifty states. Legislative reform of the worker's compensation system included laws requiring employers to have safety committees. Fourteen years later, Oregon was ranked thirty-fourth. Although the part safety committees played in this turnaround cannot be precisely identified, they did play a part. Because safety committees are important, four of the twenty-five most common fines from OSHA are from non-compliance with state laws related to safety committees.

Safety committee organization

The purpose of safety committees is to bring workers and management together to assist the employer and make recommendations for change. The way the County's safety committees are organized and the membership of the committees indicates that the County may not understand the purpose of safety committees. For example, some safety committees are composed of many departments and include non-County workers. As such, these types of committees cannot perform the legal requirements for safety committees as outlined below.

We also found that rather than using the safety committees to assist and make recommendations, many departments have instead transferred their responsibility for establishing and implementing loss prevention programs onto these voluntary safety committees. Because of this misconception of the purpose of safety committees, many of the following requirements cannot be met.

Not all departments have safety committees. In some cases the lack of safety committees is due to department reorganization, in others they have been inactive for a long period of time. In other cases some existing "safety committees" do not meet the legal requirement as safety committee because they are composed of multi-departments and non-County employees. Each budgetary entity, that is, a department, should have a safety committee. This does not mean that each separate location for a department should have a committee. In fact there currently may be more committees than actually needed. Such combinations cannot fulfill the duties required of safety committees under the law.

Safety committees should meet monthly unless the work place is an office environment and the employees do not regularly drive or go into the field. The County is not in compliance with this requirement for most committees we looked at. Some committees appeared confused about meeting requirements; some committees were meeting more often than required by law; and a number of committees were inactive or not meeting on any regular basis. DCBS stated they have developed and distributed a notebook of OSHA requirements. In our survey of departments, we saw no evidence of this notebook being used.

County departmental
responsibility

Departments do not respond in writing to all safety committee recommendations. In our review of safety committee documents we found no evidence of written responses from the department. Further, departments also do not ensure that safety committee members take advantage of training that is available. From our employee survey and interviews employees seem willing and capable of doing a good job; they simply have not had guidance as to what their legal responsibilities are.

Safety committee
activities

Safety committees are required to make quarterly workplace inspections and recommendations. We found that very few safety committee inspection teams are doing quarterly inspections. Some committees indicated quarterly inspections meant how often they did these, rather than how often the worksite is to be inspected. As a result they inspected one worksite a quarter rather than each worksite each quarter. Inspections often were documented with a check sheet and a few notations. There was no indication that the inspection team had adequate training or guidance on how to perform this requirement.

We did not find evidence that all safety committees reviewed inspections. Of the committee minutes we tested, only 36 percent indicated that inspections were occurring. We did not find written recommendations to departments nor evidence of a written response.

Safety committees are also responsible for creating and maintaining a system for employee safety suggestions. From our survey most committees indicated they did have a reporting system. In reviewing minutes 64 percent discussed hazards, but none of these indicated how the hazard had been reported. Only 12 percent of the safety committee minutes indicated the committee had a formal process. When we visited sample sites, we found no indication that employees were using a system of any kind for reporting hazards.

Cooperative efforts between departments and safety committees

According to state guidelines the department should annually evaluate its accident and illness prevention program with the assistance of its safety committee. This is also required under County Administrative Procedures. We found no evidence that this has been done. Most committees did not know this was a requirement.

The safety committees are also to assist departments in evaluating the department's accountability system. There is no indication that safety committees or departments have done such an evaluation. However, since departments do not have written or easily identifiable accountability systems in place, the safety committees cannot perform this legal requirement.

Safety committees also are to establish procedures for investigating all reportable accidents. The committees are not required to do the investigation, but they are required to review the investigations and make recommendations. Sixty-four percent of the safety committee members indicated they had a process for reviewing workplace accidents. This function is greatly hampered because departments are often not investigating accidents or they are done very poorly. Safety committees that are composed of non-County employees and mixed departments and cannot fulfill this function because accident report recommendations would need to be made to the department for resolution.

Written records

Written records required by the law to show compliance with the purpose and duties are poor or nonexistent. Only 25 of the 45 safety committees we contacted sent us a sample copy of their minutes. A review of these minutes did not always indicate what action had been taken. Some minutes had references to recommendations but no indication as to how those recommendations were communicated to the department management. Most minutes were not in a format that would indicate whether the committee had made a recommendation or done any type of evaluations. The minutes and other documentation should indicate how the committee is fulfilling its duties. OSHA has guidelines for safety committees with sample agendas and minutes that meet all needed requirements.

Recommendations

To improve the County's proactive system for employee safety and compliance with state law:

1. Administrative Procedures need to be clarified so that department directors can be made aware of their responsibilities and duties under state laws.
2. Each County department at a minimum needs to have their loss prevention efforts in writing to include all 11 provisions under ORS 437-001-1060
3. Managers, supervisors and employees need both training and awareness of their rights and responsibilities for safety and health loss prevention efforts.
4. Position descriptions for managers, supervisors and employees should include responsibilities for safety and health loss prevention efforts.
5. Departments without safety committees or with inactive safety committees need to create committees which are in compliance with the legal requirements.
6. The joint tenant building safety groups need to be reorganized and their responsibilities clarified; they should not be construed as safety committees.
7. Safety committees need to be trained and given guidelines so they can fulfill their obligations under state law.

Appendix A of this report excerpts state requirements related to this reports concusions. Appendix B contains a listing of the many resources for designing and implementing a proactive safety system which are available at no cost to all Oregon employers.

**Responses to
the Audit**



Diane M. Linn, Multnomah County Chair

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MEMORANDUM

Date: January 8, 2003
To: Suzanne Flynn, County Auditor
From: Diane Linn, Multnomah County Chair
Subject: Response to Workplace Safety System Audit

The audit completed by your office evaluated Multnomah County's worker safety and health promotion efforts to evaluate our compliance with state and federal laws, county code and administrative procedures. Results of this audit show that overall the County meets or exceeds industry standard requirements. The audit also revealed that there is room for improvement with regard to the County's proactive safety system.

Multnomah County is committed to providing a safe environment for its approximately 5,000 employees and the constituents we serve. This commitment is a core value supported by our policies and procedures related to employees and constituent services.

It is my intent to address the recommendations offered in the audit by increasing our emphasis on proactive safety measures. By holding department managers accountable and with the support of the County's safety staff, to create an environment that minimizes safety and health risks we will move forward. This will be done by:

- Requiring that each employee receives adequate safety training;
- Providing on-going safety awareness through implementation of recommendations provided by safety committees;
- Seeking assistance from technical expertise within and external to the County for best practices; and by
- Measuring and acknowledging managers for their results related to safety and health.

Over the next year, it is our goal to build upon the favorable results of the audit by implementing these measures, particularly at the level of departmental manager. We appreciate the opportunity to enhance our commitment to the safety of our employees and constituents.

Appendix A

State legal requirements

Oregon Safe Employment Act established by the legislature in 1973 lays the foundation for workplace health and safety in Oregon. There are two main sections applicable to Multnomah County included in this review of state laws; Oregon Revised Statutes (ORS) Chapter 654-Occupational Safety and Health, and 656-Workers' Compensation. Under these laws The Director of the Department of Consumer and Business Services has established Oregon Administrative Rules (OAR) Chapter 437 .

The audit focused on safety and health laws which apply to every employee working for Multnomah County; it did not include the many provisions under the state laws and rules which apply to more specific types of work done by many county employees. The audit also did not include the many worker's compensation laws and rules except for those which apply directly to safety and health programs as a self-insured employer.

Safe place of employment

654.003 Policy. The purpose of the Oregon Safe Employment Act is to assure as far as possible safe and healthful working conditions for every working man and woman in Oregon, to preserve our human resources and to reduce the substantial burden, in terms of lost production, wage loss, medical expenses, disability compensation payments and human suffering, that is created by occupational injury and disease. To accomplish this purpose the Legislative Assembly intends to provide a procedure that will:

- (1) Encourage employers and employees to reduce the number of occupational safety and health hazards and to institute new programs and improve existing programs for providing safe and healthful working conditions.
- (2) Establish a coordinated program of worker and employer education, health and safety consultative services, demonstration projects and research to assist workers and their employers in preventing occupational injury and disease, whatever the cause.

654.010 Employers to furnish safe place of employment. Every employer shall furnish employment and a place of employment which are safe and healthful for employees therein, and shall furnish and use such devices and safeguards, and shall adopt and use such practices, means, methods, operations and processes as are reasonably necessary to render such employment and place of employment safe and healthful, and shall do every other thing reasonably necessary to protect the life, safety and health of such employees. [Amended by 1973 c.833 §5]

Self-insured employers

656.430 (10) A self-insured employer must have an occupational safety and health loss control program as required by ORS 654.097.

654.097 (1)(b) A self-insured employer shall establish and implement an occupational safety and health loss control program in accordance with standards established by the director.

437-001-1055 Self-Insured and Group Self-Insured Employer Loss Prevention Programs

Each self-insured employer and each member of a group self-insured program shall establish and implement a written occupational health and safety loss prevention program for each establishment. As a minimum requirement, the program shall:

- (1) Provide for a loss prevention effort within the normal functions of the business for prevention or reduction of health and safety injuries and illnesses; and
- (2) Inform its managers and workplace locations of the availability and the process for requesting loss prevention assistance.

437-001-1060 Self-Insured and Group Self-Insured Employer Loss Prevention Effort

Each self-insured employer and each member of a group self-insured program shall implement a loss prevention effort for each of its locations, which identifies and controls all reasonably discoverable occupational safety and health hazards and items not in compliance with the federal or the division's occupational safety and health laws, rules and standards. The self-insured group shall assist each member of the group in developing and implementing the loss prevention effort. This loss prevention effort shall include at least the following:

- (1) Management commitment to health and safety;
- (2) An accountability system for employer and employees;
- (3) Training practices and follow-up;
- (4) A system for hazard assessment and control;
- (5) A system for investigating all recordable occupational injuries and illnesses that includes corrective action and written findings;
- (6) A system for evaluating, obtaining, and maintaining personal protective equipment;
- (7) On-site routine industrial hygiene and safety evaluations to detect physical and chemical hazards of the workplace, and the implementation of engineering or administrative controls;
- (8) Evaluation of workplace design, layout and operation, and assistance with job site modifications utilizing an ergonomic approach;
- (9) Employee involvement in the health and safety effort; and
- (10) An annual evaluation of the employer's loss prevention activities based on the location's current needs.
- (11) The group shall maintain records which document the assistance provided to each member of the group.

Safety committees

654.176 Safety committee requirement; conditions. (1) In order to promote health and safety in places of employment in this state:

- (a) Every public or private employer of more than 10 employees shall establish and administer a safety committee in accordance with rules adopted pursuant to ORS 654.182.

654.182 Rules for ORS 654.176; contents. (1) In carrying out ORS 654.176, the Director of the Department of Consumer and Business Services shall promulgate rules which include, but are not limited to provisions:

- (a) Prescribing the membership of the committees to insure equal numbers of employees, who are volunteers or are elected by their peers, and employer representatives and specifying the frequency of meetings.

(b) Requiring employers to make adequate written records of each meeting and to file and maintain the records subject to inspection by the director.

(c) Requiring employers to compensate employee representatives on safety committees at the regular hourly wage while the employees are engaged in safety committee training or are attending safety committee meetings.

(d) Prescribing the duties and functions of safety committees, which include, but are not limited to:

(A) Establishing procedures for workplace safety inspections by the committee.

(B) Establishing procedures for investigating all safety incidents, accidents, illnesses and deaths.

(C) Evaluating accident and illness prevention programs.

(e) Prescribing guidelines for the training of safety committee members.

437-001-0765 Rules for Workplace Safety Committees

(1) Purpose. The purpose of a safety committee is to bring workers and management together in a non-adversarial, cooperative effort to promote safety and health in each workplace. A safety committee assists the employer and makes recommendations for change.

(2) General.

(a) Every public or private employer of 11 or more employees shall establish and administer a safety committee.

(c) In making the determination of employment levels under sections (a) and (b) of this rule, the employer shall count all permanent, contract, temporary, and/or seasonal workers under the employer's direction and control, and shall base the number on peak employment.

(3) Locations.

(a) Safety committees shall be established at each of the employer's primary places of employment. For the purpose of these rules, a primary place of employment shall mean a major economic unit at a single geographic location, comprised of a

building, group of buildings, and all surrounding facilities (Examples of primary places of employment would include a pulp or lumber mill, a manufacturing plant, a hospital complex, bank, a farm/ranch, a school district, or a state agency.) As a primary place of employment the location would have both management and workers present, would have control over a portion of a budget, and would have the ability to take action on the majority of the recommendations made by a safety committee.

(b) An employer's auxiliary, mobile, or satellite locations, such as would be found in construction operations, trucking, branch or field offices, sales operations, or highly mobile activities, may be combined into a single, centralized committee. This centralized committee shall represent the safety and health concerns of all the locations.

(c) In addition to locating safety committees at each primary place of employment, an employer with work locations which include fire service activities shall establish a Fire Service Safety Committee as required by OAR 437-002-0182(7) in OAR 437, Division 2/L, Oregon Rules for Fire Fighters.

(4) Innovation. Upon application, the division may approve safety committees which are innovative or differ in form or function, when such committees meet the intent of these rules.

(5) Safety Committee Formation and Membership.

(a) The safety committees required by OAR 437-001-0765(2) shall:

(A) Be composed of an equal number of employer and employee representatives. Employee representatives shall be volunteers or shall be elected by their peers. When agreed upon by workers and management, the number of employees on the committee may be greater than the number of employer representatives. Seasonal workers shall not be counted for the purpose of determining the number of members who will serve on the committee.

(B) Consist of:

(i) No fewer than two members for each employer with twenty or less employees, or

(ii) No fewer than four members for each employer with more than twenty employees.

- (C) Have a chairperson elected by the committee members.
- (b) Employee representatives attending safety committee meetings required by OAR 437-001-0765(2) or participating in safety committee instruction or training required by OAR 437-001-0765(7) shall be compensated by the employer at the regular hourly wage.
- (c) Employee representatives shall serve a continuous term of at least one (1) year. Length of membership shall be alternated or staggered so that at least one experienced member is always serving on the committee.
- (d) Reasonable efforts shall be made to ensure that committee members are representative of the major work activities of the firm.
- (6) Safety Committee Duties and Functions.
 - (a) Management commitment to workplace health and safety.
 - (A) The committee shall develop a written agenda for conducting safety committee meetings. The agenda shall prescribe the order in which committee business will be addressed during the meeting.
 - (B) The safety committee shall hold regular meetings at least once a month except months when quarterly workplace safety inspections are made. This does not exclude other months from safety committee meetings if more frequent safety inspections are conducted.
 - (C) Quarterly safety committee meetings may be substituted for monthly meetings where the committee's sole area of responsibility involves low hazard work environments such as offices.
 - (D) Small farms of five or fewer full time employees may substitute quarterly meetings for monthly meetings during the farms' off season. The off season shall mean that period of time when only routine farm upkeep is being done.
 - (b) Written records.
 - (A) Minutes shall be made of each meeting which the employer shall review and maintain for three years for inspection by the Division. Copies of minutes shall be posted or made available for all employees and shall be sent to each committee member.

(B) All reports, evaluations, and recommendations of the safety committee shall be made a part of the minutes of the safety committee meeting.

(C) A reasonable time limit shall be established for the employer to respond in writing to all safety committee recommendations.

(c) Employee involvement.

(A) The committee shall establish a system to allow the members to obtain safety-related suggestions, reports of hazards, or other information directly from all persons involved in the operations of the workplace. The information obtained shall be reviewed at the next safety committee meeting, and shall be recorded in the minutes for review and necessary action by the employer.

(d) Hazard assessment and control.

(A) The safety committee shall assist the employer in evaluating the employer's accident and illness prevention program, and shall make written recommendations to improve the program where applicable. Additionally, the safety committee shall:

(i) Establish procedures for workplace inspections by the safety committee inspection team to locate and identify safety and health hazards;

(ii) Conduct workplace inspections at least quarterly; and

(iii) Recommend to the employer how to eliminate hazards and unsafe work practices in the workplace;

(B) The inspection team shall include employer and employee representatives and shall document in writing the location and identity of the hazards and make recommendations to the employer regarding correction of the hazards.

(C) Quarterly inspections of satellite locations shall be conducted by the committee team or by a person designated at the location.

(D) Mobile work sites or locations and activities which do not lend themselves to a quarterly schedule shall be inspected by a designated person as often as Oregon occupational safety and health rules require and/or the committee determines is necessary.

(E) The person designated to carry out inspection activities at the locations identified in sections (C) and (D) of this rule shall be selected by the employer and shall receive training in hazard identification in the workplace.

(e) Safety and health planning. The safety committee shall establish procedures for the review of all safety and health inspection reports made by the committee. Based on the results of the review, the committee shall make recommendations for improvement of the employer's accident and illness prevention program.

(f) Accountability. The safety committee shall evaluate the employer's accountability system and make recommendations to implement supervisor and employee accountability for safety and health.

(g) Accident investigation. The safety committee shall establish procedures for investigating all safety-related incidents including injury accidents, illnesses and deaths. This rule shall not be construed to require the committee to conduct the investigations.

(7) Safety and Health Training and Instruction.

(a) The following items shall be discussed with all safety committee members:

(A) Safety committee purpose and operation;

(B) OAR 437-001-0760 through 437-001-0765 and their application; and

(C) Methods of conducting safety committee meetings.

(b) Committee members shall have ready access to applicable Oregon Occupational Safety and Health Codes which apply to the particular establishment and verbal instructions regarding their use.

(c) All safety committee members shall receive training based upon the type of business activity. At a minimum, members shall receive training regarding:

(A) Hazard identification in the workplace; and

(B) Principles regarding effective accident and incident investigations.

Appendix B

Resources available for an effective workplace safety effort

Websites

www.orosha.org Oregon OSHA provides access to training, information, consultation, as well as other information and resources for both employers and employees through this web site.

www.osha.gov Federal website has many resources for general safety programs as well as for more specific areas. This site also provides links to best practices guidelines and resources.

Publications

These publications apply to almost all County worksites. OR-OSHA has many other excellent materials for specific safety areas such as fleet safety, ergonomics, etc.

- OR-OSHA's Road Map
- Developing your safety and health program – Suggestions for business owners and managers (OSHA #2293)
- Develop and Implement – a guide to OR-OSHA's required programs (OSHA #3341)
- Put it in writing - A guide to Oregon OSHA'S written requirements for plans, procedures, and programs (OSHA #3300)
- Sample Safety Program documents (OSHA #Satsbe2 and Satsbe3)
- Managing Worker Safety and Health (U.S. Department of Labor publication)
- Self Inspection Check List for the Workplace (OSHA #3343)
- Safety Committees for the Real World (OSHA 32341)
- Expecting the Unexpected – What to consider in planning for workplace emergencies (OSHA #3356)
- Job Hazard Analysis (OSHA #3071)
- Hazard Communication – A safe-work-practice guide(OSHA #2034)
- Bloodborne Pathogens (OSHA #2261)

- Violence in the workplace – Creating a workplace violence-prevention program (OSHA #2857)

OR-OSHA provides training at no cost to Oregon employers and employees. They provide training in a number of formats:

- Internet courses which qualify for the Oregon OSHA training Certificate. These classes also provide CEU credits from Chemeketa Community College.
- Class room training throughout the state. The OR-OSHA website has a catalog of the classes available.
- Training materials for employers who wish to do their own training. The list of training materials is extensive and includes materials for the instructor, student, and often overhead presentation slides.
- Consulting services. Again these are offered at no cost to Oregon employers.

BOGSTAD Deborah L

From: BOGSTAD Deborah L
Sent: Thursday, January 16, 2003 8:02 AM
To: #ALL PAO STAFF; #ALL DISTRICT 3; #ALL DISTRICT 4; #ALL DISTRICT 2; #ALL DISTRICT 1; #ALL CHAIR'S OFFICE
Cc: ROSENBERGER Judy K; DEVILLIERS Judith M; BARKLEY Helen E; #BUDGET; MOYER Catherine M; KIRK Christine A; PARNELL Gail E; JOHNSON Cecilia; ISLEY Sheila L; 'Christ, Janet'; 'Snider, Ken'
Subject: Changes on this morning's Board meeting agenda!

Importance: High

Suzanne Flynn is home with a bad reaction to a spider bite, so she wants the Board to postpone her briefing on the Risk Management Workplace Safety System audit to January 23. Gina and Stephanie, can you be in the Boardroom right at 9:30 to immediately follow R-1 with your Continued Discussion with Public Affairs Office of Ballot Measure 28 and other State Budget Issues and Public Affairs Office Presentation on the County's 2003 Legislative Agenda please? Thanks!

Deb Bogstad, Board Clerk
Multnomah County Chair's Office
501 SE Hawthorne Boulevard, Suite 600
Portland, Oregon 97214-3587
(503) 988-3277
<http://www.co.multnomah.or.us/cc>

1/16/2003

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:
Meeting Date: January 16, 2003

Agenda Item #: R-3

Est. Start Time: 9:50 AM

Date Submitted: 12/30/02

Requested Date: January 16, 2003

Time Requested: 45 mins.

Department: Non-Departmental

Division: Public Affairs Office

Contact/s: Barb Disciascio/Gina Mattioda/Stephanie Soden

Phone: 503 988-6800

Ext.: 86800

I/O Address: 503/600

Presenters: Gina Mattioda and Stephanie Soden

Agenda Title: Multnomah County 2003 Legislative Agenda

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

- 1. What action are you requesting from the Board? What is the department/agency recommendation?**

Adoption of Multnomah County 2003 Legislative Agenda

- 2. Please provide sufficient background information for the Board and the public to understand this issue.**

Local governments are major providers of vital services to Oregonians. The Multnomah County Board of Commissioners recognizes that its partnership with the State of Oregon contributes to the quality of services it provides. Multnomah County's legislative agenda is designed as a tool to work with out state partners to sustain and improve vital services in Multnomah County and throughout Oregon.

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

Approximately 30% of Multnomah County's budget is provided through state funds.

4. Explain any legal and/or policy issues.

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

Required Signatures:

Department/Agency Director:

Date:

Budget Analyst

By:

Date:

Dept/Countywide HR

By:

Date:

BOGSTAD Deborah L

From: SODEN Stephanie A
Sent: Thursday, January 09, 2003 9:38 AM
To: ROJO DE STEFFEY Maria; CRUZ Serena M; NAITO Lisa H; ROBERTS Lonnie J; #ALL DISTRICT 1; #ALL DISTRICT 2; #ALL DISTRICT 3; #ALL DISTRICT 4; FLYNN Suzanne J; SHERIFF; SCHRUNK Michael D
Cc: #CABINET; MATTIODA Gina M; SODEN Stephanie A; DISCIASCIO Barbara A
Subject: 2003 Legislative Agenda

County commissioners and other elected officials-

Attached is the draft 2003 Multnomah County Legislative Agenda. This is based on the list of legislative concepts submitted to us by departments and commissioners that we shared with you in November. We are in the process of collecting feedback and we would appreciate any thoughts or suggestions you may have. **Please send your input to Gina and me by Monday, January 13, 2003**, as the Board will be considering it next Thursday, January 16.

Department directors-

At Monday's Cabinet discussion Gina shared with you the PAO process and timeline for developing the Legislative Agenda. Please review the Agenda and send your feedback to either Gina or me - depending on our legislative portfolios. We would appreciate it if you would follow the same timeline as mentioned above. As always, feel free to contact us if you have any questions.

Thank you-

Stephanie Soden
Multnomah County Public Affairs Office
501 SE Hawthorne Blvd., Ste. 600
Portland, OR 97214
503-988-6045
503-988-6801 fax
503-921-4617 pager
stephanie.a.soden@co.multnomah.or.us

1/10/2003

2003 Multnomah County Legislative Agenda

Multnomah County values its partnership with the State of Oregon and other jurisdictions as vital providers within Oregon's system of care. Each entity is impacted in this relationship as changes take place throughout the system. Because Multnomah County relies on the State of Oregon for 30% of its budget, changes at the state level significantly affect the county. Multnomah County is mandated by state law to perform specific functions with these state funds.

Since the last meeting of the Legislative Assembly, Multnomah County has made significant strides in working smarter with existing resources. Eliminating duplication of services, enhancing coordination among departments and across jurisdictions, and evaluating the core service responsibilities have contributed to this effort. The Board of County Commissioners is committed to continue finding ways to improve efficiencies and is working with its federal, state, local, educational, nonprofit, and business partners to achieve this goal (cite examples if possible).

Similar to the rest of the state, the Multnomah County region has experienced a significant downturn in the economy, resulting in a major exercise of downsizing and reevaluating spending priorities. In the last year and a half, Multnomah County has faced a series of budget cuts, including \$XX (Tony is sending this to me) of ongoing reductions in the mid-year rebalance of FY 01-02, \$13.4 million of ongoing reductions in the adoption of the FY 02-03 budget, and an overall reduction of \$16 million in the FY 02-03 mid-year rebalance. In addition, it is estimated that the FY 03-04 budget will include a \$30 million shortfall.

The 2003 Multnomah County Legislative Agenda emphasizes the importance of maintaining critical services for Oregon's most needy and vulnerable residents. As the county with the largest population base, Multnomah County serves more than 650,000 people in its health and human services, public safety programs and general government operations. Providing these essential services in both good economic times and bad while at the same time securing reasonable, long-term economic solutions, is a priority of the Multnomah County Board of Commissioners.

Operating basic government services as a regional partner

As the second largest governmental entity in the state, Multnomah County is considered an integral community partner within the metropolitan region and throughout Oregon. The wide variety of services provided by the county assists its partners in schools, social services and businesses. The following general government policy issues are considered top priorities by the Board of Commissioners.

- Secure a stable and long-term funding source for schools. The entire community benefits when Oregon's schools are strong. Multnomah County participates in education initiatives that promote student success, encourage students to stay in school, and involve parents in school activities.
- Maintain current levels and expand accessibility of housing that is both affordable and safe. Oregon faces a statewide low-income housing crisis. It is particularly acute in the urban areas of the state as the disparity between incomes and housing prices expand. As areas such as East Multnomah County continue to grow, a regional and strategic approach to providing affordable housing is supported by the county.

- Adequately fund transportation and infrastructure projects that assist in Oregon commerce and in the general public's day-to-day lives. Multnomah County's six Willamette River bridges are key transportation conduits in the Portland metropolitan area. Dedicating resources to maintain and enhance the nationally-known and architecturally admired historic bridges is a key to improving the regional and state economy.
- Support fair, balanced, and reasonable reforms to Oregon's Public Employee Retirement System (PERS). As the employer of over 5,000 employees, and as one of the main litigants in the PERS lawsuit, Multnomah County has a vested interest in containing the costs of PERS while providing a secure and competitive retirement package for its valued employees. The Board of Commissioners supports reform efforts proposed by the Local Government Employer Task Force.

Ensuring the Public's Safety

Counties provide key services within the public safety system in Oregon: jailing offenders awaiting trial, prosecuting crimes, and supervising offenders' reentry back into the community after incarceration. Statistics reveal that crimes in Oregon are increasingly including people with serious mental health problems and incidences of domestic violence and child abuse, and are also very likely to involve alcohol or drug use or abuse. The following public safety policy issues are considered top priorities in Multnomah County.

- Increase the DUII (Driving while Under the Influence of Intoxicants) assessment fee. Increasing this fee is long overdue. The assessment fee covers the cost of each DUII offender's assessment, allowing local public safety officials to accurately target penalties and monitor treatment of these offenders, thereby reducing their risk of re-offending.
- Support system enhancements to reduce the incidence of domestic violence. Multnomah County supports expansion of services for families, safe housing options for victims, services for children that witness domestic violence, increased counseling for victims, and strict supervision of perpetrators.
- Allocate resources to improve and augment Oregon's mental health system to keep those with mental illnesses out of jails and placed instead into effective treatment. Efforts to close gaps in services, focus on cultural competency, and improve coordination of wrap-around services such as treatment for addiction, are priorities of Multnomah County.
- Provide adequate resources to counties under the SB 1145 community corrections agreement so that offenders can successfully transition back into the community after being incarcerated. Studies show that offenders who receive mental health and alcohol and drug supports, in addition to assistance with family, employment, and housing, have a better chance of remaining out of the criminal justice system.

Providing the Essential Safety Net of Services

Designated by Oregon statute as the Public Health Authority and Mental Health Authority in Multnomah County, providing the safety net services to those most vulnerable in our community is a responsibility taken seriously by the Board of Commissioners. Over the last year the threat to local communities has alerted authorities nationwide as cases of West Nile Virus spread westward, cases of Anthrax proved deadly, and the threat of terrorism became real. The

DRAFT

following health and human service policy issues are considered top priorities in Multnomah County.

- Support local public health authorities in emergency preparedness efforts. A strong local public health infrastructure is critical as counties respond to disease surveillance, epidemiology, and community-wide disease prevention. Counties play a critical role in managing the response to biological and other weapons of mass destruction (WMD) attacks.
- Address the health care needs of low-income Oregonians who are underinsured or uninsured. Multnomah County supports efforts to increase access to services as Oregon continues to struggle with a weakened economy and a greater need for a strong safety net of services.
- Expand early childhood services. Proposals that support early childhood education and prevention programs and social services for families with young children are a high priority in Multnomah County.
- Enhance mental health treatment and services. The Board of Commissioners and many community stakeholders have been working to improve the county's mental health system with an emphasis on consumers and families. Maintenance of these system improvements and the creation of mental health parity are essential to increasing services to those with mental illnesses in Oregon. Efforts to redistribute state resources for local mental health services are not supported by Multnomah County.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 03-010

Supporting Ballot Measure 28

The Multnomah County Board of Commissioners Finds:

- a. Vital services for Oregonians are most important in times of a poor economy and we have created a system of care upon which some Oregonians depend.
- b. Local governments are major providers of these services for the State of Oregon, including services in public safety, human services, and support for community development.
- c. Oregon's county governments are the Mental Health Authorities and Public Health Authorities for their communities as defined in Oregon statute and provide the entry points – through county jails – for the entire state's corrections systems.
- d. Oregon's poor economy and outdated tax system have resulted in sharp declines in revenue for all public services and inadequate resources for these same services after recent legislative action.
- e. The Oregon Legislature has already made drastic and across-the-board-cuts in state spending, totaling over \$500 million.
- f. The Oregon Legislature has identified \$310 million in additional cuts to state spending should Ballot Measure 28 not pass, plus a significant corresponding loss of the ability to leverage federal funds.
- g. It is assumed that the newly elected Oregon Legislature and Governor will follow through with the current resource allocations as outlined in Oregon Law, or similar reductions should Ballot Measure 28 not pass.
- h. Cuts resulting from failure of Ballot Measure 28 could leave Oregonians more vulnerable to communicable disease, and with inadequate systems to intervene in cases of substance abuse, mental illness, and crime.

- i. Cuts resulting from failure of Ballot Measure 28 could eliminate many prevention and treatment services resulting in less effective and more costly responses to disease, addictions, and mental illness through such inappropriate settings as hospital emergency rooms and jails.
- j. While passage of Ballot Measure 28 would increase the tax burden on Oregon families by approximately \$9.50 per month, this increase is necessary to provide Oregonians with critically needed services.
- k. Multnomah County Board of Commissioners supports the opinion that keeping vital services intact is essential in helping our economy recover.

The Multnomah County Board of Commissioners Resolves:

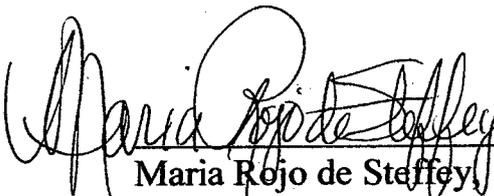
The Multnomah County Board of Commissioners does hereby support passage of Ballot Measure 28, a proposed temporary income tax surcharge, in order to keep vital public services functioning, including services in public safety, human services, and support for community development.

ADOPTED this 9th day of January, 2003.

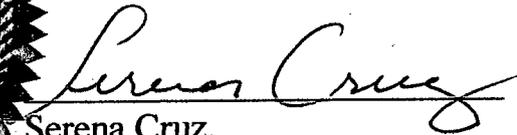
**BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**



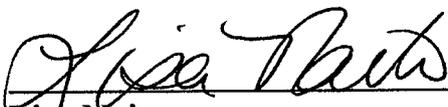
Diane M. Linn, County Chair



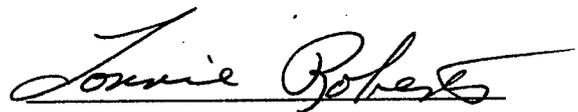
Maria Rojo de Steffey,
Commissioner Dist 1



Serena Cruz,
Commissioner Dist 2



Lisa Naito,
Commissioner Dist 3



Lonnie Roberts,
Commissioner District 4



MULTNOMAH COUNTY SHERIFF'S OFFICE

501 SE HAWTHORNE BLVD., SUITE 350 • PORTLAND, OR 97214

Exemplary service for a safe, livable community

BERNIE GIUSTO
SHERIFF

503 988-4300 PHONE
503 988-4500 TTY
www.sheriff-mcso.org

MEMORANDUM

TO: All MCSO Employees
FROM: Sheriff Bernie Giusto
DATE: January 14, 2003
SUBJECT: Budget Update

As you know, we have already seen significant reductions to our budget resulting in the loss of valuable men and women from this organization, the loss of beds at the Detention Center, and the closure of the Restitution Center, all as part of Multnomah County's general fund mid-year rebalance. I have visited with many of you to talk about the financial crisis that we are facing. Sadly, there are many unknown factors that may further erode at our budget. It is the factors surrounding SB 1145 that are the subject of this memorandum.

One of the factors at play became clearer with the release of Governor Kulongoski's budget. It is our understanding that should Measure 28 fail, the Governor will implement the cuts as the legislature presented them. That translates into a \$754,584 reduction in the money dedicated to the Sheriff's Office for jail beds. Also, there is a smaller portion of SB 1145 money that it appears the Department of Corrections will ask the legislature to cut from counties in order to balance the DOC budget. This impact would be \$253,779 to jail bed revenues for the Sheriff's Office.

As you can see there are many factors at play none of which are firm – will the legislature be asked to allow DOC to balance their budget by reducing funds to the counties, will the legislature approve it, and will Ballot Measure 28 pass or fail. If the worst-case scenario occurs, the total reduction to the Sheriff's Office would be \$1,008,363 starting February 1, 2003. This reduction would have to be absorbed in five months.

You may have already heard that Multnomah County is sending out layoff notices this Thursday that will go into effect on February 1, 2003, if Ballot Measure 28 does not pass. If the measure passes, the layoff notices will be rescinded. The Sheriff's Office management staff is currently working out what our worst-case scenario would be and preparing to implement those reductions. I will be in contact with you, via email, and through the command staff with more details on Thursday the 16th.

In addition, Multnomah County will reduce its budget again for FY 03-04, and its total impact on the Sheriff's Office is yet unclear. We also know the legislature may further cut SB 1145 funds in the next biennium which starts July 1, 2003. The decisions and cuts we are faced with will have a devastating impact on our ability to protect Multnomah County citizens. These cuts will minimize the ability of law enforcement and corrections agencies to continue to do their job effectively.

With the recent information from the Governor, the chance that Ballot Measure 28 will fail, and the knowledge that the Sheriff's Office will face further cuts to next year's budget, I felt the need to outline the factors that will impact the Sheriff's Office budget at this time. I find it very difficult to make these cuts, but to pretend these cuts are not going to happen would be a disservice to our employees and those that who depend on us to protect them.

If you have any questions please contact Chief Deputy Moore, Captain Turney, Captain Adgers, Captain Yankee, or Christine Kirk.

BOGSTAD Deborah L

From: KIRK Christine A
Sent: Wednesday, January 15, 2003 11:44 AM
To: #ALL CHAIR'S OFFICE; #ALL DISTRICT 1; #ALL DISTRICT 2; #ALL DISTRICT 3;
#ALL DISTRICT 4; #ALL LPSCC USERS; #ALL PAO STAFF
Cc: NICE Matthew L; Maggie Miller (E-mail); KOCH Dale R; Judge Frantz (E-mail);
SCHRUNK Michael D
Subject: FW: Press Conference Today

As I indicated to you, I will send you information that we share with employees on the cuts. If you would prefer that one person in your office get the info and not all, please let me know. Please forward to anyone else if the information is useful. A release with very specific details will go to employees tomorrow.

The bed loss is between 114 and 258. The minimum employee loss is fourteen.

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

From: SHERIFF
Sent: Wednesday, January 15, 2003 11:27 AM
To: #All MCSO
Subject: Press Conference Today

I wanted to let you know that today at 9:00 a.m. I participated in a press conference with County Chair Diane Linn to talk about the cuts that will occur if Measure 28 should fail. As I shared with you yesterday, it appears that the Sheriff's office may lose over \$750,000 dollars. I feel that it is important that I and the County educate the public concerning the cuts that will occur should Measure 28 fail. In talking with the media today, I conveyed our worst case scenario of jail bed closures (Dorm 1 to 5 at Inverness) and what I believe to be the lowest end of the cuts in jail beds if the measure should fail (closing Dorm 1 and 2 at Inverness). The worst case scenario is not something that I anticipate happening on February 1, 2002. However if the state cuts further SB 1145 funding Starting July 1, 2003, we may get there. I also handed out to the media information on what would happen if we matrix released inmates on February 1, 2003 so the information concerning the immediate public safety risk is available.

The Commanders have been meeting nonstop since Monday when we got clear information of the financial cut based on the release of the Governor's budget and intent if BM 28 should fail. I wanted to make sure that you were aware of my efforts to publicize the impact on public safety and our organization should the state cut funding and should the measure fail. As final decisions are made I will get you information concerning those decisions.



Public Affairs Office

MULTNOMAH COUNTY OREGON

501 SE Hawthorne Blvd., Suite 600
Portland, Oregon 97214
(503) 988-6800 phone
(503) 988-6801 fax

January 16, 2002

To: Board of County Commissioners

From: Gina Mattioda and Stephanie Soden, Public Affairs Office

RE: Review and Analysis of Governor's Proposed Budget

Overview

Governor Kulongoski released a proposed 2003-2005 budget on Friday, January 10, 2002. This proposed budget outlines \$11.4 billion in general fund and lottery revenues. Similar to past proposed budgets, this is considered a starting point from which the Legislature can begin budget discussions. The proposed budget identifies four principles:

1. **Government must live within its means.** This budget does not rely on 'creative financing,' borrowing, or one-time solutions. Further, it does not ask the Legislature or citizens to raise taxes.
2. **Children must be our priority.** This means halting the erosion of funding for public schools and putting children first as budget constraints require us to reduce funding for many social service programs.
3. **We must rebuild our economy.** Our ability to provide for our children's future is inextricably linked to providing opportunity for good jobs throughout Oregon.
4. **This is an end to operating "business as usual" in state government.** This includes fixing PERS. It also means taking a hard look at each function of government and establishing priorities rather than funding programs based on current service level adjustments.

Preliminary Analysis of Proposed Budget

The Public Affairs Office prepared the following summary of the Governor's proposed budget for general government, public safety, and human services.

General Government Services

- Continues certain HB 5100/Ballot Measure 28 cuts into the 2003-05 biennium.
- Eliminates compensation increases (salary, health benefits, and cost of living adjustments) for all state and school employees.
- Doubles the two-year auto registration fee to raise revenue for roads and bridge repairs.
- Restores K-12 education cuts outlined in HB 5100/Ballot Measure 28 and Special Session V.
- Provides \$5.05 billion for K-12 school funding. School districts with lower property values that pass local option property tax levies will have \$550,000 available for local option equalization grants.

Public Safety Services

- Eliminates support for state witness expenses and reduces funding for deputy DA's.
- Maintains the adult prison population: no adult prisons will be closed and no prisoners will be released.
- Reduces funding to counties for coordination and support of victims of child abuse by 25 percent.
- Reduces domestic violence grants.
- Mothballs four regional youth correctional facilities, eliminating 250 close-custody beds.
- Reduces the community side of youth services including; shelter, residential, and foster care beds, along with juvenile crime prevention grants. This includes a reduction to Multnomah County's Gang Funding.
- Reduces community corrections grants to counties by 25 percent. This budget supports a monthly average of 24,000 individuals (rather than 32,000) on parole, probation, under post-prison supervision, or in local jails.

Health and Human Services

- Reduces and eliminates portions of the Oregon Children's Plan. Nearly all of the funding for local early identification efforts under the Oregon Children's Plan has been eliminated. However, the proposed budget provides almost \$32 million in state funds for Healthy Start to serve 65 percent of first-birth families in all 36 counties. In addition, this budget redirects \$5.3 million of flexible funding streams to Healthy Start.
- Reduces and eliminates portions of the Oregon Health Plan. The Oregon Health Plan will provide access to health care each month to roughly 370,000 Oregonians. This is 3.5 percent lower than those served in 2001-03. Roughly 260,000 of these 370,000 will receive the full OHP benefit package. The remaining clients will receive access to inpatient and outpatient services, emergency room and ambulance services, physician services, laboratory, X-ray, and prescription coverage. All clients will have benefits reduced by 35 lines on the prioritized list of services. All clients will no longer receive dental services, and some clients will no longer receive mental health and chemical dependency services. In addition, the Medically Needy program is eliminated.
- Reduces and eliminates services in mental health; most services will be limited to Medicaid-eligible clients. Eliminates community mental health services for 10,500 non-Medicaid adults and 3,700 non-Medicaid children. This budget also reduces residential treatment capacity and county crisis funding, and eliminates supported employment for severely disabled clients and DARTS funding.
- Reduces and eliminates services for seniors and people with disabilities. Each month about 39,000 seniors and people with disabilities receive state services; this proposed budget covers about 20,500 clients. Major reductions to these programs include eliminating Survival Priority Levels 5-17, impacting about 5,700 clients. In addition, this budget eliminates such programs as Oregon Project Independence and General Assistance. For developmentally disabled clients, major reductions include eliminating all non-residential services, impacting 5,500 people who were covered by the Staley settlement agreement.



Oregon

Theodore R. Kulongoski, Governor

Department of Human Services Health Services

Office of Mental Health & Addiction Services

500 Summer Street NE E86

Salem, OR 97301-1118

Voice 503-945-5763

Fax 503-378-8467

January 8, 2003

John Ball, Int. Director Co. Human Services
Dept of Multnomah Co. Human Services
Office of MH & Addiction Services
421 SW Sixth Avenue, 7th Floor
Portland, OR 97204

Dear Mr. Ball,

Attached is a spreadsheet detailing the Office of Mental Health and Addiction Services (OMHAS) reduction plan as it effects the 2001-2003 County Financial Assistance Agreement (CFAA).

The reductions include two targets. The first target is those reductions required by HB 5100 from the Fifth Special Session of the Legislature. The mental health target included in HB 5100 is \$11,631,935. The alcohol and drug target is \$1,057,089. The second is associated with a revenue shortfall based on the December 2002 Revenue Forecast. The mental health target is \$3,759,654. The alcohol and drug target is \$339,074.

Reductions associated with HB 5100 are contingent and would be reversed if the tax referral were passed on January 28, 2003. Reductions associated with the December 2002 Revenue Forecast are permanent and not dependent upon the January 2003 election.

The first page of the attached spreadsheet outlines the permanent reductions associated with the December 2002 Revenue Forecast. The second page outlines reductions associated with HB 5100. The third page is a comprehensive total of both reductions. Please note that the "contracted" amounts refer to the total funds contracted through the CFAA for the period of February 2003 – June 2003 and includes both funds received by your county in substantially equal monthly allotments (Part A funds) and funds paid by a third party on your county's behalf (i.e. personal care system or BA 400 system) and added to the CFAA as a limitation (Part B funds).

If you need this letter in alternate format, please call 503-945-5763 (Voice) or 503-945-5823 (TTY)

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An Equal Opportunity Employer

You have already received an amendment making the majority of these reductions in the CFAA. Within the next two weeks you will receive an additional amendment reducing Continuum of Care Services (A&D 66) and Community Crisis Services for Adults and Children (MHS 25). If you have specific questions about the mental health reduction in your county or at your program, please call Carolina Marquette. She may be reached at (503) 945-8862. If you have specific questions about the reductions in alcohol and drug continuum of care, please call Joan Wan. She may be reached at (503) 947-5395.

We recognize the negative effects these reductions will have and regret having to make reductions. We appreciate your willingness to work with us as we continue to implement these reductions. If you would like to have a general conversation about these actions or if you have any questions, please call me at (503) 945-6185.

Sincerely,

A handwritten signature in black ink that reads "Bob Miller". The signature is written in a cursive style with a large initial "B" and "M".

Bob Miller
Operations Manager

Enclosure

I:\MHS_Shared\Sutton\Follow up Letter to Counties 01.doc

**Reductions to the 2001-2003 County Financial Assistance Agreement
For Mental Health and Alcohol and Drug
Effective 2/1/2003 - 6/30/2003**

County	Permanent reduction as a result of the December 2002 Revenue Forecast shortfall.			
	Community Crisis (MHS 25)		Continuum of Care Services (A&D 66)	
	Contracted Total Fund	General Fund Reduction	Contracted Total Fund	General Fund Reduction
Baker	4,477	1,094	38,902	3,541
Benton	45,587	11,630	78,433	7,139
Clackamas	288,729	73,657	143,595	13,071
Clatsop	27,253	6,952	32,742	2,980
Columbia	25,600	6,531	27,586	2,511
Coos	55,823	14,241	21,692	1,975
Crook	8,820	2,250	21,976	2,000
Curry	12,745	3,251	21,976	2,000
Deschutes	46,835	11,948	48,574	4,422
Douglas	85,657	21,852	-	-
Grant	7,308	1,864	21,976	2,000
Harney	7,118	1,816	21,976	2,000
Jackson	118,250	30,166	92,670	8,435
Jefferson	7,582	1,934	21,976	2,000
Josephine	59,427	15,160	131,685	11,987
Klamath	58,104	14,823	87,454	7,961
Lake	9,117	2,326	21,976	2,000
Lane	265,071	67,622	267,655	24,363
Lincoln	32,950	8,406	69,835	6,357
Linn	68,159	17,388	51,114	4,653
Malheur	25,031	6,385	76,428	6,957
Marion	212,800	54,287	355,223	32,334
Morrow/Wheeler	10,564	2,695	43,951	4,001
Multnomah	1,439,168	367,142	1,369,662	124,674
Polk	38,250	9,758	21,905	1,994
Tillamook	20,115	5,131	22,122	2,014
Umatilla	63,384	16,170	86,596	7,882
Union	23,572	6,013	21,975	2,000
Wallowa	11,793	3,008	21,976	2,000
Washington	164,267	41,906	212,618	19,354
Yamhill	72,951	18,610	51,566	4,694
Mid-Columbia	27,319	6,969	87,902	8,001
Warm Springs	6,826	1,741	-	-
EOHSC	69,204	17,654	-	-
County Subtotal:	3,419,854	872,380	3,595,717	327,302

Reductions to the 2001-2003 County Financial Assistance Agreement
 For Mental Health and Alcohol and Drug
 Effective 2/1/2003 - 6/30/2003

Total of Permanent and Contingent Reductions - Effective 2/1/03									
County	Non-Residential Adult (MHS 20)	Psychiatric Day Treatment (MHS 21)	Child and Adol. Mental Health Services (MHS 22)	Community Crisis (MHS 25)	Residential Treatment (MHS 28)	Supported Employment (MHS 38)	AD Residential (A&D 61)	AD Outpatient (A&D 66)	Total Reduction To Contractors
Baker	26,561	-	3,714	4,477	-	-	-	3,541	38,294
Benton	32,401	-	9,158	45,587	-	10,805	-	7,139	105,091
Clackamas	472,818	83,589	62,256	288,729	-	32,423	45,000	13,071	997,885
Clatsop	40,832	-	10,637	27,253	-	1,917	-	2,980	83,619
Columbia	47,315	-	5,947	25,600	-	-	30,000	2,511	111,372
Coos	58,094	-	10,640	55,823	-	2,162	-	1,975	128,694
Crook	15,328	-	3,567	8,820	-	-	-	2,000	29,716
Curry	19,964	-	4,736	12,745	-	-	-	2,000	39,445
Deschutes	90,510	-	30,333	46,835	-	-	-	2,000	172,099
Douglas	123,215	-	9,870	85,657	-	-	-	4,422	218,742
Grant	16,450	-	3,550	7,308	-	-	-	-	29,309
Harney	23,061	-	4,073	7,118	-	-	-	2,000	36,253
Jackson	119,689	-	12,471	118,250	-	-	-	2,000	406,814
Jefferson	19,037	-	5,264	7,582	-	12,969	135,000	8,435	33,883
Josephine	91,868	-	7,425	59,427	26	-	-	2,000	237,346
Klamath	61,449	-	9,778	58,104	-	21,615	45,000	11,987	240,622
Lake	8,467	-	1,557	9,117	-	13,331	90,000	7,961	21,141
Lane	278,493	-	10,154	265,071	-	-	-	2,000	904,831
Lincoln	29,727	-	10,464	32,950	-	161,749	165,000	24,363	79,497
Linn	65,647	-	10,155	68,159	-	-	-	6,357	148,614
Malheur	29,335	-	4,477	25,031	-	-	-	4,653	155,799
Marion	210,938	-	53,938	212,800	-	-	90,000	6,957	606,999
Morrow/Wheeler	15,697	-	2,179	10,564	-	36,989	60,000	32,334	32,440
Multnomah	630,375	91,610	130,525	1,439,168	304,610	-	-	4,001	3,471,745
Polk	65,288	-	11,422	38,250	-	90,783	660,000	124,674	1,994
Tillamook	18,000	-	3,335	20,115	-	-	-	1,994	116,954
Umatilla	86,872	-	21,080	63,384	-	-	-	2,014	43,463
Union	23,967	-	9,523	23,572	-	-	45,000	7,882	224,218
Wallowa	21,176	-	527	11,793	-	15,130	-	2,000	74,192
Washington	167,047	-	45,203	164,267	-	-	-	2,000	35,496
Yamhill	55,965	-	11,870	72,951	-	89,081	75,000	19,354	559,952
Mid-Columbia	45,794	-	10,031	27,319	-	21,614	15,000	4,694	182,094
Warm Springs	17,678	-	5,769	6,826	-	-	-	8,001	91,145
EOHSC	58,179	-	-	69,204	-	-	-	-	30,273
County Subtotal:	3,087,233	175,200	535,625	3,419,854	304,636	510,568	1,455,000	327,302	9,815,419

Reductions to the 2001-2003 County Financial Assistance Agreement For Mental Health and Alcohol and Drug Effective 2/1/2003 - 6/30/2003

Contingent reduction, as a result of House Bill 5100, which may be reinstated if the temporary tax measure is passed on January 28, 2003.

County	Non-Residential Adult (MHS 20)		Psychiatric Day Treatment (MHS 21)			Child and Adol. Services (MHS 22)		Community Crisis (MHS 25)		Residential Treatment (MHS 28)			Supporter Employment (MHS 38)			AD Residential (A&D 61)		
	Contracted Total Fund	General Fund Reduction	Contracted Total Fund	# Beds Reduced	Total Fund Reduction	Contracted Total Fund	General Fund Reduction	Contracted Total Fund	General Fund Reduction	Contracted Total Fund	# Slots Reduced	General Fund Reduction	Contracted Total Fund	Client Serv Mos Reduced	General Fund Reduction	Contracted Total Fund	# Beds Reduced	Total Fund Reduction
Baker	40,723	26,561																
Benton	54,473	32,401				7,115	3,714	3,384	3,384									
Clackamas	1,009,083	472,818	197,325	6.91	83,589	17,490	9,158	33,958	33,958									
Clatsop	77,486	40,832				198,410	62,256	215,072	215,072									
Columbia	224,519	47,315				32,351	10,637	20,301	20,301				10,805	60	10,805			
Coos	67,379	58,094				11,267	5,947	19,069	19,069				34,673	180	32,423	167,292	3	45,000.00
Crook	20,243	15,328				44,289	10,640	41,582	41,582				1,917	12	1,917			
Curry	50,593	19,964				6,790	3,567	6,570	6,570							152,083	2	30,000.00
Deschutes	156,099	90,510				9,053	4,736	9,493	9,493				2,162	12	2,162			
Douglas	170,720	123,215				82,322	30,333	34,887	34,887									
Grant	25,221	16,450				18,178	9,870	63,806	63,806									
Harney	35,356	23,061				57,574	3,550	5,443	5,443									
Jackson	212,197	119,689				7,802	4,073	88,083	88,083				11,111					
Jefferson	25,515	19,037				70,881	12,471	5,302	5,302									
Josephine	244,273	91,868				20,933	5,264	5,648	5,648									
Klamath	100,927	61,449				49,571	7,425	44,266	44,266				12,969	72	12,969	562,708	9	135,000.00
Lake	12,981	8,467				41,235	9,778	43,281	43,281	777,167		26						
Lane	646,397	278,493				2,971	1,557	6,791	6,791				75,781	120	21,615	182,500	3	45,000.00
Lincoln	82,937	29,727				18,916	10,154	197,450	197,450				13,331	74	13,331	365,000	6	90,000.00
Linn	90,910	65,647				32,012	10,464	24,544	24,544									
Malheur	96,953	29,335				19,064	10,155	50,771	50,771				161,749	444	161,749	745,208	11	165,000.00
Marion	501,755	210,938				32,338	4,477	18,645	18,645				6,750					
Morrow/Wheeler	24,066	15,697				103,339	53,938	158,513	158,513									
Multnomah	1,303,628	630,375	209,881	8.01	91,610	4,121	2,179	7,869	7,869							365,000	6	90,000.00
Polk	80,196	65,288				567,239	130,525	1,072,026	1,072,026				36,989	204	36,989	620,500	4	60,000.00
Tillamook	51,721	18,000				21,901	11,422	28,492	28,492	1,580,605	96	304,610						
Umatilla	185,623	86,872				6,324	3,335	14,983	14,983				118,046	500	90,783	2,828,750	44	660,000.00
Union	31,746	23,967				64,575	21,080	47,214	47,214				11,111					
Wallowa	56,602	21,176				30,078	9,523	17,559	17,559									
Washington	412,568	167,047				913	527	8,785	8,785				15,130	84	15,130	228,125	3	45,000.00
Yamhill	94,791	55,965				133,166	45,203	122,362	122,362									
Mid-Columbia	69,989	45,794				114,791	11,870	54,341	54,341				171,401	348	89,081	349,792	5	75,000.00
Warm Springs	27,103	17,678				43,097	10,031	20,350	20,350				21,614	120	21,614	45,625	1	15,000.00
EOHSC	58,179	58,179				11,120	5,769	5,085	5,085									
County Subtotal:	6,342,946	3,087,233	407,205	14.92	175,200	1,881,225	535,625	2,547,474	2,547,474	2,357,772	96	304,636	708,700	2,230	510,568	6,612,583	97	1,455,000

We are one year into the implementation of mental health system reforms in Multnomah County. What follows is a list of what has been accomplished since the changes in the provider contracts of January 1, 2002.

Structural Outcomes:

>A five fold increase in the size of the mobile crisis teams. Expanding mobile crisis coverage to the whole county and included a large investment (>\$1m) in both bicultural crisis workers and a dedicated mobile outreach team for families.

>Establishment of a \$900k flex fund for housing, home based stabilization services and transportation

>No appointment necessary access, county wide

>We have opened an all day every day fully staffed walk-in clinic for anyone in crisis. This was created as a safety net service to reduce the need for mental health crisis to be handled by hospital ERs or law enforcement.

>Elimination of numerous small but expensive projects from the "managed care" days. This streamlines access, assessment and referral systems.

>Pieces of mental health care responsibility were split between dozens of entities and hundreds of contracts. This was the principal cause of the fragmentation we saw in the system of care. Now we have consolidated responsibility, authority and accountability. Incentives are no longer split between commercial interests.

An end to the commercial competitive model in the safety net is important. When companies can only survive at the expense of each other, this fragments the service array. This makes large gaps in the safety net in the areas not considered profitable.

>We made a large investment in Cultural Competency. This has occurred in the county's MHASD administration, the contracting process, and in new culturally specific investments.

>We put an end to the widespread practice of avoiding treatment responsibility for people who need high intensity outpatient services. This means that no provider is growing their book of business by barring access to, or closing the cases of high-end clients.

>County and providers have hired more than a hundred new positions to do community based case management of various kinds.

>Assertive Community Treatment and Wraparound service programs have been established with enough capacity for all of the county's highest need service users.

>Established a one number for everything call center at the heart of the mental health system

- Crisis services
- Information and Referral
- Provider Relations/Utilization Management
- Member Services/Care Coordination
- Complaint resolution

>Marked expansion of the mental health system's capacity to work with law enforcement at every level.

>Increased proportional investment in services for children and families.

Process Outcomes:

* Reversed the hospitalization trend combined with a decrease in the number of people ending up in the criminal justice system or emergency rooms.

* Marked improvement in relationships at all levels with underserved communities.

* All consumer and family advocacy organizations are united in their general approval of the various directions we have taken. Something very progressive must be under way or this could not occur.

RJD 11/1/03



Expanded Crisis Services Available to Multnomah County Residents

Contact: Mark Schorr, Communications Director 503 238-5204

After the recent tragic shooting of a Clackamas County deputy, allegedly by a mentally ill youth, as well as past difficulties statewide in accessing the system, we wanted to let Multnomah County residents know the many ways to access crisis services here.

Existing programs now have expanded hours, and crisis services that were restricted to a limited geographic area are now county-wide, thanks to Multnomah County's Mental Health and Addiction Services Division and a consortium which includes Trillium Family Services, Morrison Center, and Cascadia Behavioral HealthCare.

Multnomah County call Center staff, at **503 988-4888** can assist callers in finding the best service and location for help. This is also the number for a 24-hour, seven day a week crisis phone line staffed by master's level mental health professionals

Other crisis services available to Multnomah County residents include:

- Cascadia/Trillium's 24-hour mobile crisis response and outreach team. The mobile crisis/outreach team (Project Respond) covers all of the county. The teams provide evaluation, crisis counseling, outreach, stabilization, and referral to adults, children, and families in their home or community setting. Project Respond works closely with emergency responders in crisis situations to provide assessment, service recommendation, and referral. Bi-lingual, bi-cultural specialists have been added to make services more accessible to all county residents. We provide brief in-home crisis stabilization for children, families, and adults experiencing a mental health crisis.
- An evening and weekend child and family specific urgent walk-in clinic located at on the Morrison Center campus at 3355 SE Powell Boulevard.
- A central 24-hour urgent walk-in clinic for all ages located at Cascadia's Plaza site, 2415 SE Division St. (near SE 43rd Ave.) They serve Multnomah County residents in crisis with assessment, brief stabilization, and referral.

Multnomah County Mental Health and Addiction Services Division				
Financial Statement				
For the Period: July 2002 through November 2002 (41.7%)				
	Annual Budget	Year to Date Expenses	Balance	Percent of Budget Expended
Adults				
Crisis Services				
Mobile Crisis and Urgent Walk-In	3,510,238	1,444,306	2,065,932	41.15%
Home Stabilization	419,158	186,846	232,312	44.58%
Transportation	59,375	18,472	40,903	31.11%
Flex Funds	258,799	135,603	123,196	52.40%
Subtotal:	4,247,570	1,785,227	2,462,343	42.03%
Inpatient / High Intensity Services				
Sub Acute	1,146,443	594,024	552,419	51.81%
Respite				
Inpatient Verity	7,263,319	2,190,699	5,072,621	30.16%
Indigent Emergency Holds	1,048,249	372,033	676,216	35.49%
Indigent Waitlist	717,360	85,392	631,968	11.90%
Subtotal:	10,175,371	3,242,148	6,933,223	31.86%
Outpatient Services				
Primary Provider Outpatient & Fee-for-Service Outpatient	12,923,067	6,048,438	6,874,629	46.80%
Supported Employment contracted with Cascadia	283,311	157,266	126,045	55.51%
Geropsych Specialists contracted with Cascadia	248,292	133,334	114,958	53.70%
Psychiatric Security Review Board Treatment and Supervision (PSRB)				
Regular PSRB Outpatient Mental Health	340,092	175,963	164,129	51.74%
Difficult to Place PSRB Residential Mental Health	499,000	258,182	240,818	51.74%
Residential Treatment Facility Services (RCF)	731,063	336,355	394,708	46.01%
Enhanced Care Facility Mental Health (e.g. "Premier Living" - Passages/SDSD)	57,895	62,698	(4,803)	108.30%
SDSD Client-Specific Residential Mental Health				
Extended Care Mgmt Unit (ECMU) Intensive Case Mgmt (Community Support)	231,250	114,406	116,844	49.47%
Extended Care Mgmt Unit (ECMU) Residential Mental Health (Passages)				
SPMI Homeless Transitional Housing at Bridgeview and Central City Concern	109,425	49,926	59,499	45.63%
Subtotal:	15,423,395	7,336,566	8,086,829	47.57%
Special Projects				
Cultural Competency	600,000	135,843	464,157	22.64%
Young Adults				
Bienestar	92,286	37,029	55,257	40.12%
Mental Health Salary Stipend				
Subtotal:	692,286	172,872	519,414	24.97%
County Operated Care Management				
Intensive Community Svcs (ICS):				
Post Commitment Care Coordinators / Trial Visit Monitors	452,242	198,114	254,128	43.81%
Involuntary Commitment Investigators	943,552	426,080	517,472	45.16%
Residential Case Managers	275,256	65,611	209,645	23.84%
Targeted Case Mgmt	185,483	75,527	109,956	40.72%
Call Center	1,178,804	589,199	589,605	49.98%
Warm Line	75,036	12,551	62,485	16.73%
Subtotal:	3,110,373	1,367,083	1,743,290	43.95%
Addiction Services				
DUII Program Administration	531,811	223,986	307,825	42.12%
Assessment & Referral	147,041	72,893	74,148	49.57%
DUII	654,374	199,442	454,932	30.48%
Outstationed Assessment & Referral	559,781	288,360	271,421	51.51%
A & D Contracts	14,993,839	7,096,785	7,897,054	47.33%
Subtotal:	16,886,846	7,881,466	9,005,380	46.67%
Administration and Contracts:				
MHASD: Division Administration	865,898	531,090	334,808	61.33%
MHASD: Care Management Admin	747,595	272,924	474,671	36.51%
MHASD: Multnomah County Indirect Expenses	1,026,038		1,026,038	0.0%
MHASD: Operations Support & Claims	385,131	151,568	233,563	39.35%
MHASD: Quality Assurance/Utilization Review Admin (formerly Verity personel)	739,654	277,599	462,055	37.53%
Subtotal:	3,764,316	1,233,181	2,531,135	32.76%
Grand Total - Adults:	54,300,158	23,018,543	31,281,615	42.39%

Multnomah County Mental Health and Addiction Services Division				
Financial Statement				
For the Period: July 2002 through November 2002 (41.7%)				
	Annual Budget	Year to Date Expenses	Balance	Percent of Budget Expended
Children				
Crisis Services - Contracted				
Mobile Crisis and Urgent Walk-In	352,846	132,048	220,798	37.42%
Home Stabilization	46,572	20,761	25,811	44.58%
Transportation	3,125	972	2,153	31.11%
Flex Funds	28,755	15,067	13,688	52.40%
Subtotal:	431,298	168,848	262,450	39.15%
Inpatient / High Intensity Services				
Sub Acute	573,136	296,967	276,169	51.81%
Intensive Evaluation and Stabilization				
Crisis Respite	609,696	220,417	389,279	36.15%
Inpatient Verity	919,376	253,508	665,868	27.57%
Treatment Foster Care	241,898	103,778	138,120	42.90%
DARTS & JCAHO	739,356	206,776	532,580	27.97%
Intensive Treatment Services - Pilot (ITS)	3,649,993	1,469,331	2,180,662	40.26%
Subtotal:	6,733,455	2,550,776	4,182,679	37.88%
Outpatient Services				
Primary Provider Outpatient - Capitation & Fee-for-Service Outpatient ***	6,435,758	2,252,234	4,183,524	35.00%
Primary Provider Outpatient - Monthly Allotment ***	104,728	183,869	(79,141)	175.57%
Fee-for-Service Outpatient				
Youth Service Enhancement - CAMI				
Case Rate Specialized Programs:				
Partnership	1,211,453	173,726	1,037,727	14.34%
Therapeutic School for non-partnership children	1,200,000	215,343	984,657	17.95%
Supported Classroom for non-partnership children	575,000	113,575	461,425	19.75%
Portland Public Schools (PPS) Day Treatment Classroom				
Behavioral Rehabilitation Service (BRS)				
SOAP/RAPP	399,835	187,711	212,124	46.95%
Targeted Capacity	41,250	43,778	(2,528)	106.13%
Subtotal:	9,968,024	3,170,235	6,797,789	31.80%
Special Projects				
Cultural Competency	400,000	90,562	309,438	22.64%
Bienestar	522,955	209,830	313,125	40.12%
Subtotal:	922,955	300,392	622,563	32.55%
County Operated Care Management Programs				
Intensive Community Svcs (ICS): (Safety Net Team)				
Call Center "Crisis Line"	144,211	75,624	68,587	52.44%
Warm Line	37,518	6,276	31,242	16.73%
Subtotal:	181,729	81,899	99,830	45.07%
County Operated Treatment Programs:				
Adolescent, Intervention & Treatment Program (AITP)	164,233	78,773	85,460	47.96%
Care Coordination - County	321,408	207,537	113,871	64.57%
School Mental Health Program - East County	245,608	98,154	147,455	39.96%
School Mental Health Program - Safe Schools	1,532,905	258,152	1,274,753	16.84%
School Based Health Clinic	788,484	319,531	468,953	40.52%
Early Childhood Program	1,000,981	368,039	632,942	36.77%
Kaleidoscope	186,766	87,240	99,526	46.71%
CARES NW	434,478	199,632	234,846	45.95%
Family Enhancement	253,511	107,388	146,123	42.36%
Children's Receiving Center	467,126	72,244	394,882	15.47%
Subtotal:	5,395,500	1,796,689	3,598,811	33.30%
Administration and Contracts:				
MHASD: Division Administration	1,091,186	482,475	608,711	44.22%
MHASD: Care Management Admin	285,279	122,478	162,801	42.93%
MHASD: Multnomah County Indirect Expenses	513,012		513,012	0.0%
MHASD: Operations Support & Claims	192,563	75,783	116,780	39.35%
MHASD: Quality Assurance/Utilization Review Admin (formerly Verity personnel)	1,043,427	375,980	667,447	36.03%
NAMI	151,999	76,138	75,861	50.09%
Subtotal:	3,277,466	1,132,853	2,144,613	34.56%
Grand Total - Children:	26,910,427	9,201,693	17,708,734	34.19%
Note: Children's percentage of the total MHASD budget is:		33.14%		
Children's percentage of the actual MHASD spending is:		28.56%		
*** Per contract the revenue will match the expenses.				
GRAND TOTAL: ADULT AND CHILDREN REPORTS:	81,210,585	32,220,236	48,990,349	39.67%



2003 Legislative Agenda



Multnomah County values its partnership with the State of Oregon and other jurisdictions as vital providers within Oregon's system of care. Each entity in this relationship is impacted as changes take place throughout the system. Multnomah County is mandated by state law to perform specific functions with state funds. Because Multnomah County relies on the state for 30% of its budget, changes at the state level significantly affect the county.

Multnomah County has made significant strides in working more efficiently with existing resources. Eliminating duplication of services, enhancing coordination among departments and across jurisdictions, and evaluating core service responsibilities have contributed to successful restructuring of our local mental health, early childhood, and school services frameworks. The Board of County Commissioners continues to find ways to improve efficiencies, working with its federal, state, local, educational, nonprofit, and business partners.

Similar to the rest of the state, Multnomah County's economy has experienced a significant downturn, resulting in a major effort to downsize and re-evaluate spending priorities. In the last year and a half, Multnomah County has faced a series of spending reductions; including a reduction of \$18.6 million in the mid-year rebalance of FY 2001-02, \$13.4 million of reductions in the adoption of the FY 2002-03 budget, and an overall reduction of \$15.6 million in the FY 2002-03 mid-year rebalance. It is estimated that the FY 2003-04 budget will include a \$25 million shortfall. None of these reductions have included state reductions; instead, they are evidence of revenue shortfalls in Multnomah County's tax base.

The 2003 Multnomah County Legislative Agenda emphasizes the importance of maintaining critical services for Oregon's most needy and vulnerable residents. Multnomah County serves more than 650,000 Oregonians in its health and human services, public safety programs, and general government operations. Providing these essential services in both good economic times and bad, operating with fiscal integrity, and securing reasonable, long-term revenue solutions, is a priority of the Multnomah County Board of Commissioners.

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As the second largest governmental entity in the state, Multnomah County is considered an integral community partner within the metropolitan region and throughout Oregon. The wide variety of services provided by the county assists its partners in schools, social services, and businesses. The following general government policy issues are top priorities in Multnomah County:

- **Secure a stable and long-term funding source for schools.** Funding for schools is an investment in Oregon's business infrastructure. The entire community benefits when Oregon's schools are strong. Multnomah County participates in education initiatives that promote student success, encourage students to stay in school, and involve parents in school activities.
- **Maintain current levels and expand accessibility of housing that is both affordable and safe.** Oregon faces a statewide low-income housing crisis. Affordable housing options are the key to holding stable jobs and living independently. The need for affordable housing is particularly acute in urban areas of the state as the disparity between incomes and housing prices expands. As areas such as East Multnomah County continue to grow, a regional and strategic approach to providing affordable housing is supported by the county.
- **Adequately fund transportation and infrastructure projects that assist Oregon commerce and the public's day-to-day lives.** Multnomah County's six Willamette River bridges and miles of unincorporated county roads are key regional transportation conduits. Dedicating resources to maintain and enhance the architecturally-admired historic bridges, as well as the region's overall transportation system, is essential to improving the regional and state economy.
- **Support fair, balanced, and reasonable reforms to Oregon's Public Employee Retirement System (PERS).** As the employer of over 5,000 employees, and one of the

main litigants in the PERS lawsuit, Multnomah County has a vested interest in containing the costs of PERS while providing a secure and competitive retirement package for its valued employees. The Board of Commissioners supports reform efforts proposed by the Local Government Employer Task Force.

Ensuring the Public's Safety

Counties provide key services within the public safety system in Oregon: jailing offenders awaiting trial, prosecuting crimes, and supervising offenders' re-entry into the community after incarceration. Statistics reveal that crimes in Oregon increasingly include people with serious mental health problems, result in domestic violence and child abuse, and are very likely to involve alcohol or drug use or abuse. The following public safety policy issues are top priorities in Multnomah County:

- **Increase the DUII (Driving while Under the Influence of Intoxicants) assessment fee.** The assessment fee covers the cost of each DUII offender's assessment, allowing local public safety officials to accurately target penalties and monitor treatment of these offenders, thereby reducing their risk of re-offending.
- **Support system enhancements to reduce the incidence of domestic violence.** This includes expansion of services for families, safe housing, increased counseling for victims, services for children who witness domestic violence, and strict supervision of perpetrators.
- **Allocate resources to improve and augment Oregon's mental health system to keep those with mental illnesses out of jails and in effective treatment.** Efforts to close gaps in services, focus on cultural competency, and improve coordination of support services such as treatment for addiction, are priorities of Multnomah County.
- **Provide adequate resources to counties under the SB 1145 community corrections agreement so that offenders can successfully transition back into the community after being incarcerated.** Studies show that offenders who receive mental health and alcohol and drug supports, in addition to assistance with family, employment, and housing, have a better chance of staying out of the criminal justice system.

Providing the Essential Safety Net of Services

As the state-designated Public Health Authority and Mental Health Authority in Multnomah County, the Board of Commissioners takes seriously its responsibility to provide safety net services to those most vulnerable in our community. The emerging bioterrorist threats and threats of disease to local communities has alerted authorities nationwide as cases of West Nile Virus spread westward, cases of Anthrax proved deadly, and the threat of terrorism became real. The following health and human service policy issues are top priorities in Multnomah County:

- **Support local public health authorities in emergency preparedness efforts.** A strong local public health infrastructure is critical as counties respond to disease surveillance and epidemiology and initiate community-wide disease prevention efforts. Counties play a critical role in increasing homeland security and preventing threats to public health.
- **Address the health care needs of low-income Oregonians who are underinsured or uninsured.** Multnomah County supports efforts to increase access to health services as Oregon continues to struggle with a weakened economy.
- **Expand early childhood services.** Proposals that support early childhood education and prevention programs and social services for families with young children are a high priority. Studies show that investing in prevention avoids higher treatment costs in the future.
- **Enhance mental health treatment and services.** The Board of Commissioners and many community stakeholders have been working to improve the county's mental health system with an emphasis on consumers and families. Maintenance of these system improvements and the creation of mental health parity are essential to increasing services to those with mental illnesses in Oregon. Efforts to redistribute state resources for local mental health services are not supported by Multnomah County.
- **Increase the tax on beer and wine to stabilize alcohol and drug treatment and prevention programs.** Oregon taxpayers invest over \$900 million each year to support the costs of treatment, yet the beer and wine industry contributes less than 1.3% of the cost through existing taxes. Studies show that investment in treatment and prevention reduces the enormous social and economic costs associated with substance abuse.

BOGSTAD Deborah L

From: LINN Diane M
Sent: Thursday, January 16, 2003 2:46 PM
To: #MULTNOMAH COUNTY ALL EMPLOYEES
Subject: Ballot Measure 28 Update

County leadership is strongly supporting passage of Ballot Measure 28 and remains optimistic that Oregon's citizens will vote in favor of maintaining essential human services.

Without the temporary revenue increase provided by Measure 28, the County will be required to make additional reductions in its services as well as corresponding staff reductions. By County rules and Union agreements, we are required to provide those employees who may be affected by layoff on January 31 with 15-day advance notice.

We have been working with the Public Affairs Office, the Budget Office and appropriate departmental staff to identify additional staff reductions that may be required. Regrettably, each affected employee will receive a layoff letter dated today, consistent with our 15-day advance notice requirements.

If you or someone you know is affected by a layoff letter, please know that each County employee is valued and appreciated. I would encourage affected employees to be proactive in the event a career transition may be required by utilizing the various workshops and other services that are offered through Human Resources.

I know this is a difficult and uncertain time for all of us. It is my sincere hope that Measure 28 will pass and we will be able to rescind most layoff letters being issued today.

On a related note, the Board of County Commissioners approved our legislative agenda this morning. For a copy of the agenda, please feel free to contact Gina Mattioda or Stephanie Soden in the Public Affairs Office (PAO). I would like to remind County staff who may be called to provide information to members of the legislature to please coordinate efforts with the PAO.

Thank you for your patience, support and continued dedication during this challenging time.

Sincerely,

Diane M. Linn

FREQUENTLY ASKED QUESTIONS ABOUT BALLOT MEASURE 28

What is Ballot Measure 28?

Ballot Measure 28 is a referral to the January 28, 2003 ballot, from the Oregon Legislature to voters. During the 2002 fifth special session, the legislature referred a temporary three-year income tax surcharge. This temporary three-year income tax surcharge is one-half of one percent for personal income taxpayers and a proportionate increase in the corporate income tax rate. Ballot Measure 28 will raise \$313 million in the current biennium and another \$411 million in the 2003-2005 biennium.

What need does Ballot Measure 28 address?

During 2002, the legislature confronted a revenue shortfall of more than \$1 billion. Members of the legislature through a series of five special sessions, cut spending and programs as well as other financing approaches, but it wasn't enough to keep many basic services intact. Measure 28 will restore \$313 million worth of scheduled budget cuts to several programs, such as education, public safety, and human services, including senior and disabled citizen care. According to the proponents of Measure 28, if passed, this measure will require most Oregonians to pay less than \$9.50 per month.

How will Multnomah County be affected if Ballot Measure 28 fails?

Multnomah County relies on the State of Oregon for roughly 30% of its budget, financial changes at the state level significantly affect the county. Multnomah County is mandated by state law to perform specific functions with these state funds. Recently, the Board of County Commissioners were briefed from our budget office, who stated that if Ballot Measure 28 were to fail, the county revenue from the state will be reduced by about \$10 Million which could mean a cut of approximately 110 county positions.

BOGSTAD Deborah L

From: SODEN Stephanie A
Sent: Thursday, January 16, 2003 5:05 PM
To: LINN Diane M; ROJO DE STEFFEY Maria; CRUZ Serena M; NAITO Lisa H; ROBERTS Lonnie J
Cc: TURNER Kathy G; UHERBELAU Rebecca A; BOGSTAD Deborah L; #ALL DISTRICT 1; #ALL DISTRICT 2; #ALL DISTRICT 3; #ALL DISTRICT 4; DISCIASCIO Barbara A; MATTIODA Gina M; SODEN Stephanie A; FLYNN Suzanne J; SCHRUNK Michael D; KIRK Christine A
Subject: Modified Legislative Agenda

Attached is the modified 2003 Legislative Agenda. Per the Board discussion this morning, please see revisions highlighted in yellow. The PAO will begin distributing this to legislators after the Multnomah County Legislative Breakfast on Tuesday, Jan. 21.

Thank you-

Stephanie Soden
Multnomah County Public Affairs Office
503-921-4617 pager
Stephanie.a.soden@co.multnomah.or.us

1/16/2003



2003 Legislative Agenda



Multnomah County values its partnership with the State of Oregon and other jurisdictions as vital providers within Oregon's system of care. Each entity in this relationship is impacted as changes take place throughout the system. Multnomah County is mandated by state law to perform specific functions with state funds. Because Multnomah County relies on the state for 30% of its budget, changes at the state level significantly affect the county.

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