



Multnomah County Oregon

Board of Commissioners & Agenda

connecting citizens with information and services

BOARD OF COMMISSIONERS

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JUNE 1 & 3, 2004

BOARD MEETINGS

FASTLOOK AGENDA ITEMS OF INTEREST

Pg 2	9:00 a.m. Tuesday Budget Work Session
Pg 3	6:00 p.m. Tuesday Public Budget Hearing
Pg 4	9:30 a.m. Thursday Opportunity for Public Comment on Non-Agenda Matters
Pg 4	9:30 a.m. Resolution Creating Classification of County Chief Financial Officer
Pg 4	9:35 a.m. Resolution Establishing Approval Process for Management Service Benefits and Compensation Plan Changes
Pg 5	10:15 a.m. Thursday Executive Session
Pg 5	9:30 a.m. Friday Meeting of Multnomah County School Superintendents and Board of Commissioners

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, June 1, 2004 - 7:30 AM to 9:00 AM
Multnomah Building, Sixth Floor Commissioners Conference Room 635
501 SE Hawthorne Boulevard, Portland

LOCAL PUBLIC SAFETY COORDINATING COUNCIL EXECUTIVE COMMITTEE MEETING

A quorum of the Multnomah County Board of Commissioners may be attending the Local Public Safety Coordinating Council Executive Committee meeting. This meeting is open to the public. Agenda topics include Update on Juvenile Accountability Block Grant; Gang Steering Committee Proposed Report; Public Safety in County Budget; Public Safety in City Budget; and Oregon Health Plan Report. For further information, contact Judith Bauman at (503) 988-5894.

Tuesday, June 1, 2004 - 9:00 AM - 12:00 PM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

BUDGET WORK SESSION

- WS-1 Multnomah County 2004-2005 Budget Work Session. This meeting is open to the public however no public testimony will be taken. Presentations by Karyne Dargan, Budget Office Staff, Department Directors and/or Staff.
- Strategic Investment Program Budget Presentation
 - Introduction of Budget Amendment Report and Budget Notes for the FY 2005 Budget
-

Tuesday, June 1, 2004 - 1:30 PM - 4:00 PM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

BUDGET WORK SESSION - IF NEEDED

WS-2 If needed Multnomah County 2004-2005 Budget Work Session. This meeting is open to the public however no public testimony will be taken.

Tuesday, June 1, 2004 - 6:00 PM - 8:00 PM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

PUBLIC BUDGET HEARING

PH-1 Public Hearing on the 2004-2005 Multnomah County Budget. Testimony is limited to three minutes per person. Fill out a speaker form available in the Boardroom and turn it into the Board Clerk.

Thursday, June 3, 2004 - 9:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

CONSENT CALENDAR - 9:30 AM

OFFICE OF SCHOOL AND COMMUNITY PARTNERSHIPS

- C-1 Budget Modification OSCP 09 Increasing the Office of School and Community Partnerships Fiscal Year '04 Budget by \$86,523 in Additional HUD Homesafe Teen Parent Funding
- C-2 Budget Modification OSCP 11 Increasing the Office of School and Community Partnerships Fiscal Year '04 Budget by \$130,816 in Renewed and Additional Oregon Department of Education 21st Century Funding
- C-3 Budget Modification OSCP 12 Increasing the Office of School and Community Partnerships Fiscal Year '04 Budget by \$436,614 in Low Income Energy Assistance Program Funding from the State of Oregon

DEPARTMENT OF COUNTY HUMAN SERVICES

- C-4 Budget modification DCHS 08 Appropriating \$201,134 in State and Federal Funds for the General Assistance Program in the Aging and Disability Services Division and \$19,770 in Federal Substance Abuse and Mental Health Services Administration (SAMHSA) Funding for a Case Management Position

- C-5 Budget Modification DCHS 09 Increasing Mental Health and Addiction Services Division (MHAS) Budget by \$5,167,647 to Reflect Current State of Oregon Funding Revisions
- C-6 Budget Modification DCHS 10 Increasing the Department's Appropriation Due to an Increased Allocation from the Oregon Department of Human Services to Account for Case Load Growth for Aging and Disability Services; Net Increase of \$202,670 and 2.16 FTE

DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES

- C-7 RESOLUTION Authorizing Private Sale of Certain Tax Foreclosed Property to REUBEN E. GILMORE

SHERIFF'S OFFICE

- C-8 Budget Modification 04_MCSO_09 Appropriating \$4,875 from the Oregon Department of Transportation (ODOT) for Pedestrian Safety Enforcement
- C-9 Budget Modification 04_MCSO_10 Appropriating \$83,300 to the Special Operations Fund for Landscaping and Custodial Services Performed by the Sheriff's Office Work Crew for Multnomah County Facilities and Property Management
- C-10 Budget Modification 04_MCSO_18 Appropriating \$16,000 from the Oregon Parks and Recreation Department to the Sheriff's Office for Patrol of Islands in Multnomah County

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. Fill out a speaker form available in the Boardroom and turn it into the Board Clerk.

NON-DEPARTMENTAL - 9:30 AM

- R-1 RESOLUTION Creating the Classification of County Chief Financial Officer
- R-2 RESOLUTION Establishing Approval Process for Management Service Benefits and Compensation Plan Changes

Thursday, June 3, 2004 - 10:15 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). 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. Presented by Agnes Sowle. 30 MINUTES REQUESTED.
-

Friday, June 4, 2004 - 9:30 AM to 11:00 AM
Multnomah Education Service District Office, Third Floor Boardroom
11611 NE Ainsworth, Portland

JOINT MEETING

- JM-1 The Multnomah County School Superintendents and members of the Multnomah County Board of Commissioners will co-host a joint meeting to discuss school based services and supports to schools. This meeting is open to the public. For further information, contact Bob Gravely at (503) 988-5273.

AGENDA PLACEMENT REQUEST

BUD MOD #: OSCP 09

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-1 DATE 06.03.04
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only:

Meeting Date: June 3, 2004

Agenda Item #: C-1

Est. Start Time: 9:30 AM

Date Submitted: 05/07/04

Requested Date: Next Available

Time Requested: n/a

Department: Office of School and Community Partnerships

Division: Housing & Public Works

Contact/s: Kathy Tinkle, Heather McGillivray

Phone: 988-6295

Ext: 26858 (KT) **I/O Address:** 166/2
24261 (HM)

Presenters: Kathy Tinkle

Agenda Title: Budget Modification OSCP 09, Increasing the Office of School and Community Partnerships Fiscal Year '04 Budget by \$86,523 in Additional HUD Homesafe Teen Parent Funding

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 Office of School and Community Partnerships requests the approval of Budget Modification OSCP 09. This budget modification increases the Office of School and Community Partnerships FY04 budget for the HUD Homesafe Teen Parent program by \$86,523.

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

The HUD Homesafe Teen Parent grant was awarded for two-year duration from March 1, 2002 through February 29, 2004. At the time that we prepared the Fiscal Year '04 budget, we were not sure if we would fully spend the award by February 29th, 2004, or if

the ending date would be extended through June 30th, 2004. Consequently, we did not budget for a renewal award in Fiscal Year '04.

The service providers were able to use all the funding for services before the end of Fiscal Year '04. HUD has awarded a renewal grant that we will begin in the final months of Fiscal Year '04 and continue into Fiscal Year '05.

We are requesting the approval of budget modification OSCP 09 to add \$86,523 of the renewal award to the Office of School and Community Partnerships budget for Fiscal Year '04 and continue services through the remainder of the fiscal year.

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

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:

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

This budget modification adds \$86,523 of the HUD Homesafe Teen Parent renewal award to the FY04 budget, bringing the FY04 total HUD Homesafe Teen Parent budget to \$278,601.

When we prepared the FY04 budget, we did not anticipate being able to spend out the previous award and receive a renewal award before June 30th, 2004.

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

The Office of School and Community Partnerships FY04 budget will be increased by \$86,523. The funds will be added to current service contracts with Insights Teen Parent Program (\$71,190) and Cascadia Behavioral Healthcare (\$15,333).

❖ **What do the changes accomplish?**

The HUD Homesafe award helps fund the Teen Parent program, which provides intensive case management, supportive services, and client assistance for homeless pregnant and parenting teens and their children.

This increase in funding will help provide four additional months of services to approximately 21 households.

❖ **Do any personnel actions result from this budget modification? Explain.**
There are no personnel changes.

❖ **Is the revenue one-time-only in nature? No**

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

The \$86,523 will be spent by June 30, 2004. Additional funds will be available on an ongoing basis.

❖ **When the grant expires, what are funding plans?**

This grant will be renewed.

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

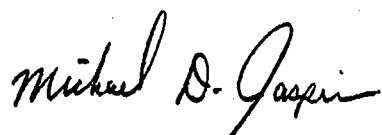
Required Signatures:

Department/Agency Director: Lorenzo T. Poe

By:  _____

Date: 04/14/04

Budget Analyst: Michael D. Jaspin

By:  _____

Date: 05/06/04

Dept/Countywide HR

By: _____

Date:

Budget Modification or Amendment ID: **OSCP 09****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: **04**

Line No.	Fund Center	Fund Code	Func. Area	Internal Order	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
						WBS Element						
1	21-40	20072				SCPHPWHS.HUDHSTP04.OP	60160	0	2,956	2,956		Pass Thru
2	21-40	20072				SCPHPWHS.HUDHSTP04.OP	50170	0	(2,956)	(2,956)		IG-OP-Direct Fed
3									0			
4	21-40	20072				SCPHPWHS.HUDHSTP04.LE	60160	0	46,855	46,855		Pass Thru
5	21-40	20072				SCPHPWHS.HUDHSTP04.LE	50170	0	(46,855)	(46,855)		IG-OP-Direct Fed
6									0			
7	21-40	20072				SCPHPWHS.HUDHSTP04.SS	60160	0	32,666	32,666		Pass Thru
8	21-40	20072				SCPHPWHS.HUDHSTP04.SS	50170	0	(32,666)	(32,666)		IG-OP-Direct Fed
9									0			
10	21-40	20072				SCPHPWHS.HUDHSTP.SS.M	60160	0	4,046	4,046		Pass Thru
11	21-40	20072				SCPHPWHS.HUDHSTP.SS.M	50170	0	(4,046)	(4,046)		IG-OP-Direct Fed
12									0			
13									0			
14									0			
15									0			
16									0			
17									0			
18									0			
19									0			
20									0			
21									0			
22									0			
23									0			
24									0			
25									0			
26									0			
27									0			
28									0			
29									0			
										0	0	Total - Page 1
										0	0	GRAND TOTAL

AGENDA PLACEMENT REQUEST

BUD MOD #: OSCP 11

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-2 DATE 06.03.04
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only:

Meeting Date: June 3, 2004

Agenda Item #: C-2

Est. Start Time: 9:30 AM

Date Submitted: 05/07/04

Requested Date: Next Available

Time Requested: n/a

Department: OSCP

Division: School Focused Services

Contact/s: Kathy Tinkle, Heather McGillivray

Phone: 503 988-6295

Ext: 26858 (KT) I/O Address: 166/2
24261 (HM)

Presenters: Kathy Tinkle

Agenda Title: Budget Modification OSCP 11, Increasing the Office of School and Community Partnerships Fiscal Year '04 Budget by \$130,816 in Renewed and Additional Oregon Department of Education 21st Century Funding

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 Office of School and Community Partnerships requests the approval of Budget Modification OSCP 11. This budget modification increases the Office of School and Community Partnerships FY04 budget for the Oregon Department of Education 21st Century funding by \$130,816.
 2. **Please provide sufficient background information for the Board and the public to understand this issue.**
This budget modification is due to the renewal of an Oregon Department of Education 21st Century grant that began in Fiscal Year '03, and the award of a second 21st Century grant with funding beginning February 1, 2004.

The original Oregon Department of Education 21st Century grant began in Fiscal Year '03 and was scheduled to end on January 31, 2004. Because this was a relatively new funding source, we did not know whether the award would be renewed in Fiscal Year '04 or how much the renewal amount would be. We did not plan for a renewal in the Fiscal Year '04 Adopted budget.

The State only recently notified us of the approved renewal. The new award period is February 1, 2004 through January 31, 2005. The second 21st Century grant is a new grant that was awarded to begin February 1, 2004. The official grant award documents did not arrive until March 2004.

We are requesting the approval of budget modification OSCP 11 to add \$130,816 of the renewal and new awards to the Office of School and Community Partnerships budget for Fiscal Year '04. This will allow us to continue existing grant services through the remainder of the fiscal year and start the new grant as required.

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

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:

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

This budget modification adds \$130,816 of the Oregon Department of Education 21st Century awards to the FY04 budget, bringing the FY04 total Oregon Department of Education 21st Century budget to \$414,168.

When we prepared the FY04 budget, we did not anticipate receiving a renewal award before June 30th, 2004 or being successful in a second application which was submitted in November 2003.

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

The Office of School and Community Partnerships FY04 budget will be increased by \$130,816.

We will contract for services with Portland Impact (\$41,540) and Metropolitan Family Service (\$75,495). The Office of School and Community Partnerships will use the remaining \$13,781 for indirect (\$4,289), temporary staff for data entry and technical assistance (\$8,212), and grant related education/training (\$1,280).

❖ **What do the changes accomplish?**

SUN Community School services at Alder and Davis Elementary Schools will continue through a contract with Metropolitan Family Service. Service numbers through the grant are estimated at 300 youth and 100 adults.

Portland Impact will provide SUN Community School services to Marshall High School students and their families, and to other youth and adults in the community. Approximately 225 youth and 100 adults will receive services from this increase in funding.

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

There are no personnel changes resulting from these awards.

❖ **Is the revenue one-time-only in nature? No**

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

The \$130,816 will be spent by June 30, 2004. Additional funds will be available on an ongoing basis.

- ❖ When the grant expires, what are funding plans?
This grant will be renewed.

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


Required Signatures:

Department/Agency Director: Lorenzo T. Poe

By:  _____

Date: 04/26/04

Budget Analyst: Michael D. Jaspin

By:  _____

Date: 05/06/04

Dept/Countywide HR

By: _____

Date:

Budget Modification or Amendment ID: **OSCP 11****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 04

Line No.	Fund Center	Fund Code	Func. Area	Internal Order	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
					Cost Center	WBS Element						
1	21-50	32079	40			SCPSFSUN.ODE21C	50190	(262,199)	(337,694)	(75,495)		IG-OP-Fed thru State
2	21-50	32079	40			SCPSFSUN.ODE21C	60160	253,699	326,902	73,203		Pass Thru
3	21-50	32079	40			SCPSFSUN.ODE21C	60170	8,500	10,792	2,292		Professional Services
4									0			
5	21-50	32079	40			SCPSFAD.ODE21C	50190	(21,153)	(29,872)	(8,719)		IG-OP-Fed thru State
6	21-50	32079	40			SCPSFAD.ODE21C	60100	1,459	7,417	5,958		Temporary
7	21-50	32079	40			SCPSFAD.ODE21C	60350	7,553	9,206	1,653		Central Indirect
8	21-50	32079	40			SCPSFAD.ODE21C	60355	3,700	4,808	1,108		Department Indirect
9									0			
10	21-50	32079	40			SCPSFSUN.ODE21C.R4	50190	0	(41,540)	(41,540)		IG-OP-Fed thru State
11	21-50	32079	40			SCPSFSUN.ODE21C.R4	60160	0	41,540	41,540		Pass Thru
12									0			
13	21-50	32079	40			SCPSFAD.ODE21C.R4	50190	0	(5,062)	(5,062)		IG-OP-Fed thru State
14	21-50	32079	40			SCPSFAD.ODE21C.R4	60100	0	2,254	2,254		Temporary
15	21-50	32079	40			SCPSFAD.ODE21C.R4	60260	0	1,280	1,280		Education & Training
16	21-50	32079	40			SCPSFAD.ODE21C.R4	60350	0	915	915		Central Indirect
17	21-50	32079	40			SCPSFAD.ODE21C.R4	60355	0	613	613		Department Indirect
18									0			
19	21-00	1000	40			SCPPS.CGF	50370	(106,320)	(108,041)	(1,721)		Dept Indirect Revenue
20	21-00	1000	40			SCPPS.FWO.CGF	60170	0	1,721	1,721		Professional Services
21									0			
22	19	1000	20		9500001000		50310		(2,568)	(2,568)		Indirect reimb rev in Gen Fund
23	19	1000	20		9500001000		60470		2,568	2,568		CGF Contingency expenditure
24									0			
25									0			
26									0			
27									0			
28									0			
29									0			
										0	0	Total - Page 1
										0	0	GRAND TOTAL

AGENDA PLACEMENT REQUEST

BUD MOD #: OSCP 12

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-3 DATE 06.03.04
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only:

Meeting Date: June 3, 2004
Agenda Item #: C-3
Est. Start Time: 9:30 AM
Date Submitted: 05/07/04

Requested Date: Next Available

Time Requested: n/a

Department: Office of School and Community Partnerships

Division: Energy Services

Contact/s: Kathy Tinkle, Heather McGillivray

Phone: 988-6295

Ext: 26858 (KT) **I/O Address:** 166/2
24261 (HM)

Presenters: Kathy Tinkle

Agenda Title: Budget Modification OSCP 12, Increasing the Office of School and Community Partnerships Fiscal Year '04 Budget by \$436,614 in Low Income Energy Assistance Program Funding from the State of Oregon

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 Office of School and Community Partnerships requests the approval of Budget Modification OSCP 12. This budget modification increases the Office of School and Community Partnerships Fiscal Year '04 budget for the Low Income Energy Assistance Program (LIEAP) grant by \$436,614.

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

When we prepared the Fiscal Year '04 Adopted budget, the State was unable to specify how much grant funding they would be awarding to each County for the biennium beginning July 1, 2003. We based our Fiscal Year '04 Adopted budget on the level of funding that was available during the biennium that ended June 30, 2003.

The State awards the federal Low Income Energy Assistance Program (LIEAP) funding in a monthly, cumulative Notice of Allocation. These funds are to be spent on a first-come-first-serve basis. Counties that have spent the most by the end of each allocation

period receive proportionately larger allocations for the following period than counties that have been spending at a slower rate.

The need for energy assistance in Multnomah County has been such that the amount budgeted for Fiscal Year '04 has been exhausted. Currently, the amount that the State has allocated to the Office of School and Community Partnerships exceeds the Adopted budget amount by \$436,614.

By adding the \$436,614 to the Office of School and Community Partnerships' Fiscal Year '04 budget, energy assistance will continue to be provided through the end of June 2004.

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

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:

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

This budget modification adds an additional \$436,614 in Low Income Energy Assistance (LIEAP) funding to the FY04 budget. This will bring the FY04 total LIEAP Energy budget to \$2,792,354 and increase the budget to the level of funding that is available in the grant.

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

The Office of School and Community Partnerships FY04 budget will be increased by \$436,614. Of this amount, \$422,298 will be used for payments to utility companies on behalf of their low-income customers and the remaining \$14,316 will be used for Indirect.

❖ **What do the changes accomplish?**

The Office of School and Community Partnerships will make payments to local utilities on behalf of low-income clients who are unable to pay their bills and are at risk of having their heat shut off.

The additional \$436,614 will help continue these services through the remainder of Fiscal Year '04 and provide assistance to approximately 845 households.

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

There are no personnel changes.

❖ **Is the revenue one-time-only in nature? No**

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

The grant covers the biennium 7/1/03-6/30/05.

❖ **When the grant expires, what are funding plans?**

This is an ongoing funding source that renews with each new State biennium

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

Required Signatures:

Department/Agency Director: Lolenzo T. Poe



By: _____

Date: 04/26/04

Budget Analyst: Michael D. Jaspin



By: _____

Date: 05/06/04

Dept/Countywide HR

By: _____

Date:

Budget Modification or Amendment ID: **OSCP 12****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: **04**

Line No.	Fund Center	Fund Code	Func. Area	Internal Order	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
					Cost Center	WBS Element						
1	21-30	20725	40			SCPEGEA.LIEAPEG.PMT	50190	0	(75,442)	(75,442)		IG-OP-Fed thru State
2	21-30	20725	40			SCPEGEA.LIEAPEG.PMT	60160	0	75,442	75,442	0	Pass Thru
3								0				
4	21-30	20725	40			SCPEGEA.LIEAPEG.PY04A.PG	50190	(1,653,729)	(2,000,585)	(346,856)		IG-OP-Fed thru State
5	21-30	20725	40			SCPEGEA.LIEAPEG.PY04A.PG	60160	1,653,729	2,000,585	346,856	0	Pass Thru
6								0				
7	21-30	20725	40			SCPEGAD.LIEAPEG.FFY03.AD	50190	0	(4,346)	(4,346)		IG-OP-Fed thru State
8	21-30	20725	40			SCPEGAD.LIEAPEG.FFY03.AD	60350	0	2,602	2,602		Central Indirect
9	21-30	20725	40			SCPEGAD.LIEAPEG.FFY03.AD	60355	0	1,744	1,744	0	Department Indirect
10								0				
11	21-30	20725	40			SCPEGAD.LIEAPEG.PY04A.AD	50190	(235,574)	(245,544)	(9,970)		IG-OP-Fed thru State
12	21-30	20725	40			SCPEGAD.LIEAPEG.PY04A.AD	60350	45,813	51,784	5,971		Central Indirect
13	21-30	20725	40			SCPEGAD.LIEAPEG.PY04A.AD	60355	30,693	34,692	3,999	0	Department Indirect
14								0				
15	21-00	1000	40			SCPPS.CGF	50370	(108,041)	(113,784)	(5,743)		Dept Indirect Revenue
16	21-00	1000	40			SCPPS.FWO.CGF	60170	1,721	7,464	5,743	0	Professional Services
17								0				
18	19	1000	20		9500001000		50310		(8,573)	(8,573)		Indirect reimb rev in Gen Fund
19	19	1000	20		9500001000		60470		8,573	8,573	0	CGF Contingency expenditure
20								0				
21								0				
22								0				
23								0				
24								0				
25								0				
26								0				
27								0				
28								0				
29								0				
									0		0	Total - Page 1
									0		0	GRAND TOTAL

AGENDA PLACEMENT REQUEST

BUD MOD DCHS 08

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-4 DATE 06-03-04
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only:

Meeting Date: June 3, 2004
Agenda Item #: C-4
Est. Start Time: 9:30 AM
Date Submitted: 05/10/04

Requested Date: June 3, 2004

Time Requested: N/A

Department: County Human Services

Division: Aging & Disabilities

Contact/s: Al Stickel/Chris Yager

Phone: 503 988-3691

Ext.: 84135/26777

I/O Address: 166/7

Presenters: Consent Calendar

Agenda Title: Budget Modification DCHS 08 Appropriating \$201,134 in State and Federal Funds for the General Assistance Program in the Aging and Disability Services Division and \$19,770 in Federal Substance Abuse and Mental Health Services Administration (SAMHSA) Funding for a Case Management Position

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 Department of County Human Services recommends approval of budget modification DCHS #08.
- 2. Please provide sufficient background information for the Board and the public to understand this issue.** This budget modification adds a \$201,134 appropriation for the General Assistance (GA) program in the Aging and Disability Services division. State and federal funds support the GA program, which provides assistance for individuals awaiting a Social Security Income (SSI) decision and provides Medicaid benefits from the Oregon Health Plan Plus benefit package. The State of Oregon had to cut the program, but it partially restored the GA effective November 1, 2003. The Department is adding 3.0 FTE associated with the program.

This budget modification also adds federal SAMHSA funding for a 0.38 FTE Case Manager 1. This position will assist staff at Central City Concern in providing stable housing for seniors and people with disabilities in Multnomah County by assuring that they access all of the public benefits available to them. The position will provide eligibility determination for Medicaid services, Food Stamps and will explore the potential for individuals receiving other benefits such as Veterans' Services, additional Medicare benefits, General Assistance, as well as other community resources.

This budget modification adds a net 3.38 FTE to the Aging and Disability Services (ADS) Division budget funded by Medicaid Title XIX of the Social Security Act. Material and supply costs are included in the request.

3. **Explain the fiscal impact (current year and ongoing).** Title XIX revenues increase by \$201,134; and Substance Abuse and Mental Health Services Administration (SAMHSA) grant revenue increases by \$19,770. The following expenses increase: personnel \$207,104; and supplies \$13,800. All revenues and expenses are assumed to be ongoing. Staffing increases by 3.38 FTE for FY 04 (6.75 FTE on a full year basis).

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:

- ❖ **What revenue is being changed and why?** Increases Title XIX by \$201,134 to restore a General Assistance program. Federal SAMHSA grant revenue adds \$19,770 to fund a position that provides access to public benefits and supports obtaining housing stability.
- ❖ **What budgets are increased/decreased?** Aging & Disability Service increase by \$220,904
- ❖ **What do the changes accomplish?** Provides funding for staffing of the General Assistance program. Recognizes new grant revenue to fund a position.
- ❖ **Do any personnel actions result from this budget modification? Explain.** Yes, net increase of 3.38 FTE (6.75 FTE ongoing). Staffing for General Assistance program is as follows: 0.50 FTE Office Assistant 2 (1.0FTE ongoing), 1.0 FTE Hearing Specialist (2.0 FTE ongoing), 1.5 FTE Case Manager 1 (3.0 FTE ongoing). Grant funded position is a 0.38 FTE (0.75 FTE ongoing for at least 3 years) Case Manager 1.
- ❖ **Is the revenue one-time-only in nature?** No
- ❖ **If a grant, what period does the grant cover?** Title XIX is a State Biennium allocation (2003-2005). Federal SAMHSA grant provides the funding for three years or more if extensions are granted.
- ❖ **When the grant expires, what are funding plans?** Title XIX is ongoing. Federal SAMHSA would end with the closure of the grant.

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

Required Signatures:

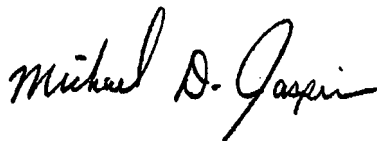
Department/Agency Director:



Date: 04/08/04

Budget Analyst

By:



Date: 05/07/04

Dept/Countywide HR

By:

/s/ Carolyn Edgett

Date: 01/20/04

BUDGET MODIFICATION DCHS #08 ADS GA

EXPENDITURES & REVENUES

Budget Fiscal Year: 03/04

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

Ln No.	Fund Center	Fund Code	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
			Internal Order	Cost Center	WBS Element						
1	30-55	26090			ADSDIVLTCSEDXIX	60000	1,793,498	1,885,049	91,551		Permanent [711760, 711761, 711763]
2	30-55	26090			ADSDIVLTCSEDXIX	60240	25,000	31,900	6,900		Supplies
3	30-55	26090			ADSDIVLTCSEDXIX	50190	(2,215,886)	(2,314,337)	(98,451)		IG-OP Fed Thru State
4											
5	30-55	26090			ADSDIVLTCNNEDXIX	60000	2,191,715	2,221,656	29,941		Permanent [711764]
6	30-55	26090			ADSDIVLTCNNEDXIX	60240	24,000	26,300	2,300		Supplies
7	30-55	26090			ADSDIVLTCNNEDXIX	50190	(2,749,570)	(2,781,811)	(32,241)		IG-OP Fed Thru State
8											
9	30-55	26090			ADSDIVLTCEDXIX	60000	1,521,439	1,551,380	29,941		Permanent [711765]
10	30-55	26090			ADSDIVLTCEDXIX	60240	12,000	14,300	2,300		Supplies
11	30-55	26090			ADSDIVLTCEDXIX	50190	(2,520,101)	(2,552,342)	(32,241)		IG-OP Fed Thru State
12											
13	30-55	32125			ADSDIVLTCWDCCCICH	60000	0	19,770	19,770		Permanent [711766]
14	30-55	32125			ADSDIVLTCWDCCCICH	50190	0	(19,770)	(19,770)		IG-OP Fed Thru State
15											
16	30-55	26090			ADSDIVLTCWDXIX	60000	1,483,053	1,518,954	35,901		Permanent [711762]
17	30-55	26090			ADSDIVLTCWDXIX	60240	20,000	22,300	2,300		Supplies
18	30-55	26090			ADSDIVLTCWDXIX	50190	(1,798,421)	(1,836,622)	(38,201)		IG-OP Fed Thru State
19											
20	70-01	3500		705210		60330	0	40,122	40,122		Claims Pd
21	70-01	3500		705210		50316	0	(40,122)	(40,122)		Svc Reim Insurance
22											
23											
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26											
27											
28											
29											
									0	0	Total - Page 1
									0	0	GRAND TOTAL

BUDGET MODIFICATION DCHS # 08 ADS GA

5. ANNUALIZED PERSONNEL CHANGE

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

							ANNUALIZED			
Fund	Cost Center	JCN	HR Org Unit	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
30-55	305703	6058	62960	Hrgs Spec	711762	1.00	47,286	11,855	12,661	71,802
30-55	305703	6298	62960	Case Mgr 1	711766	0.75	24,869	6,235	8,436	39,540
30-55	305704	6298	62961	Case Mgr 1	711765	1.00	38,462	9,642	11,778	59,882
30-55	305705	6298	62962	Case Mgr 1	711764	1.00	38,462	9,642	11,778	59,882
30-55	305706	6298	62963	Case Mgr 1	711761	1.00	38,462	9,642	11,778	59,882
30-55	305706	6001	62963	OA 2	711760	1.00	32,195	8,071	11,151	51,417
30-55	305706	6058	62963	Hrgs Spec	711763	1.00	47,286	11,855	12,661	71,802
										0
										0
										0
										0
										0
										0
										0
										0
										0
				TOTAL ANNUALIZED CHANGES		6.75	267,022	66,942	80,243	414,207

6. CURRENT YEAR PERSONNEL DOLLAR CHANGE

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

effective 01/01/2004

effective 01/01/2004							CURRENT YEAR			
Fund	Cost Center	JCN	HR Org Unit	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
30-55	305703	6058	62960	Hrgs Spec	711762	0.50	23,643	5,928	6,331	35,901
30-55	305703	6298	62960	Case Mgr 1	711766	0.38	12,435	3,118	4,218	19,770
30-55	305704	6298	62961	Case Mgr 1	711765	0.50	19,231	4,821	5,889	29,941
30-55	305705	6298	62962	Case Mgr 1	711764	0.50	19,231	4,821	5,889	29,941
30-55	305706	6298	62963	Case Mgr 1	711761	0.50	19,231	4,821	5,889	29,941
30-55	305706	6001	62963	OA 2	711760	0.50	16,098	4,036	5,576	25,709
30-55	305706	6058	62963	Hrgs Spec	711763	0.50	23,643	5,928	6,331	35,901
										0
										0
										0
										0
										0
										0
										0
										0
										0
				TOTAL CURRENT FY CHANGES		3.38	133,511	33,471	40,122	207,104

Restoring

CONTRACT MODIFICATION
11-1-03
General Assistance Program

Service Description

The 2003 Legislature appropriated funds to restore a General Assistance (GA) program, limited to those individuals who are most likely to be eligible for Supplemental Security Income (SSI) only. GA will be implemented on November 1, 2003.

State and federal funds support the GA Program. State funds provide cash assistance for individuals awaiting an SSI decision from Social Security Administration (SSA). These funds are recovered by the state when individuals SSI benefits are awarded. Combined Federal and state funds provide Medicaid benefits from the Oregon Health Plan Plus benefit package.

GA provides cash and medical assistance to single or married childless couples who are between the ages of 18-64 or a legal non-citizen, age 65 or older who:

- Have a documented physical or mental impairment that meets GA Impairment criteria
- Have monthly income less than \$314/individuals; \$628/married couples
- Have resources less than \$2000/individuals; \$3000/married couples
- Apply for and pursue SSI through SSA
- Sign an Interim Assistance Agreement authorizing the state to recover GA payments from awarded SSI benefits
- Pursue all available appeals through SSA
- Have not been denied SSI at the SSA Hearing level, Appeals Council Review or Federal District Court
- Do not have concurrent applications for both SSI and Social Security Disability Income (SSDI)

Specific Authorizing Statutes and Regulations

ORS 411.060; 411.070; 411.710; 414.042

Co CFR Part 404, Subpart P, Appendix 1 and 2

AGENDA PLACEMENT REQUEST

BUD MOD DCHS 09

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-5 DATE 06.03.04
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only:

Meeting Date: June 3, 2004
Agenda Item #: C-5
Est. Start Time: 9:30 AM
Date Submitted: 05/10/04

Requested Date: June 3, 2004

Time Requested: N/A

Department: County Human Services

Division: Mental Health & Addiction Svcs

Contact/s: Al Stickel / Chris Yager

Phone: 503 988-3691

Ext.: 84135/26777

I/O Address: 166/7

Presenters: Consent Calendar

Agenda Title: Budget Modification DCHS 09 Increasing Mental Health and Addiction Services Division (MHAS) Budget by \$5,167,647 to Reflect Current State of Oregon Funding Revisions

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 Department of County Human Services recommends approval of Budget Modification DCHS # 9.

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

This budget modification reflects the partial restoration of funds cut by the state. This modification reflects the changes in our 2003-2005 biennium County Financial Assistance Contract (CFAC) with the State of Oregon. Our initial budget reflected the best information we had at the time. The State Mental Health Grant Award is routinely amended by the state via FAA's (Financial Assistance Awards). FAA's changes refine and clarify the scope of services that are delivered and the funding available. This modification increases pass through for the following mental health services: Outpatient pools \$3,312,927; Respite Care \$166,017; Crisis Wrap Around \$1,480,885; Residential \$106,758; and Special Projects (Start up funds & Lukedorf) \$101,060.

3. **Explain the fiscal impact (current year and ongoing).** Budget Modification DCHS # 9 increases pass through expense in Mental Health & Addiction Services by \$5,167,647. This modification increases State Mental Health Grant revenue by \$5,167,647 with changes occurring in the following service elements:

\$ 1,643,242 for Non-Residential Adult (MHS 20);
\$ 313,224 for Child & Adolescent (MHS 22);
\$ 1,017 for Regional Acute Inpatient (MHS 24);
\$ 3,037,475 for MH Crisis Services (MHS 25);
\$ 106,758 for Residential (MHS 28);
(\$19,523) for Psychiatric Security Review Board (MHS 30);
(\$15,606) for Older/Disabled Adult MH (MHS 35);
\$101,060 for Special Projects (MHS 37)

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:

- ❖ **What revenue is being changed and why?** This modification increases State Mental Health Grant revenue by \$5,167,647 with changes occurring in multiple service elements.
What budgets are increased/decreased? The Mental Health & Addiction Services budget is increased by \$5,167,647.
- ❖ **What do the changes accomplish?** Budget Modification DCHS #9 brings the Mental Health & Addiction Services budget in line with current operations by reflecting the current State of Oregon funding revisions.
- ❖ **Do any personnel actions result from this budget modification? Explain.**
N/A
- ❖ **Is the revenue one-time-only in nature?** N/A
- ❖ **If a grant, what period does the grant cover?** N/A
- ❖ **When the grant expires, what are funding plans?** N/A

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. N/A

Required Signatures:

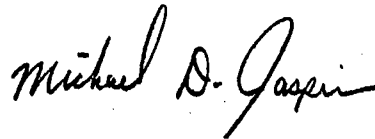
Department/Agency Director:



Date: 04/08/04

Budget Analyst

By:



Date: 05/07/04

Dept/Countywide HR

By:

Date:

BUDGET MODIFICATION DCHS # 9
EXPENDITURES & REVENUES

Budget Fiscal Year: 03/04

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

Ln No.	Fund Center	Fund Code	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
			Internal Order	Cost Center	WBS Element						
1	20-80	82020			OPCC AD 20	60160	236,592	389,045	152,453		Passthrough
2	20-80	82020			OPCC AD 20	50190	(236,592)	(389,045)	(152,453)		IG-OP Fed Thru State
3											
4	20-80	82020			OP AD 20	60160	0	1,490,789	1,490,789		Passthrough
5	20-80	82020			OP AD 20	50190	0	(1,490,789)	(1,490,789)		IG-OP Fed Thru State
6											
7	20-80	82022			OPCC CH 22	60160	204,662	517,886	313,224		Passthrough
8	20-80	82022			OPCC CH 22	50190	(204,662)	(517,886)	(313,224)		IG-OP Fed Thru State
9											
10	20-80	82024			IP RS 24	60160	457,129	623,146	166,017		Passthrough
11	20-80	82024			IP RS 24	50190	(457,129)	(623,146)	(166,017)		IG-OP Fed Thru State
12											
13	20-80	82024			CM ICP 24	60000		(165,000)	(165,000)		Permanent
14	20-80	82024			CM ICP 24	50190	(624,913)	(459,913)	165,000		IG-OP Fed Thru State
15											
16	20-80	82025			CR CON SER AD 25	60160	0	1,480,885	1,480,885		Passthrough
17	20-80	82025			CR CON SER AD 25	50190	0	(1,480,885)	(1,480,885)		IG-OP Fed Thru State
18											
19	20-80	82025			CM ICP 25	60000	0	165,000	165,000		Permanent
20	20-80	82025			CM ICP 25	50190	0	(165,000)	(165,000)		IG-OP Fed Thru State
21											
22	20-80	82025			OP AD 25	60160	0	1,391,590	1,391,590		Passthrough
23	20-80	82025			OP AD 25	50190	0	(1,391,590)	(1,391,590)		IG-OP Fed Thru State
24											
25	20-80	82028			CM RS 28	60160	0	106,758	106,758		Passthrough
26	20-80	82028			CM RS 28	50190	0	(106,758)	(106,758)		IG-OP Fed Thru State
27											
28	20-80	82030			OP AD 30	60160	863,145	843,622	(19,523)		Passthrough
29	20-80	82030			OP AD 30	50190	(863,145)	(843,622)	19,523		IG-OP Fed Thru State
									0	0	Total - Page 1
									0	0	GRAND TOTAL

BUDGET MODIFICATION DCHS # 9
EXPENDITURES & REVENUES

Budget Fiscal Year: 03/04

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

Ln No.	Fund Center	Fund Code	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
			Internal Order	Cost Center	WBS Element						
30	20-80	82035			OP AD 35	60160	173,418	157,812	(15,606)		Passthrough
31	20-80	82035			OP AD 35	50190	(173,418)	(157,812)	15,606		IG-OP Fed Thru State
32											
33	20-80	82037			OP AD 37 SP	60160	0	101,060	101,060		Passthrough
34	20-80	82037			OP AD 37 SP	50190	0	(101,060)	(101,060)		IG-OP Fed Thru State
35											
36											
37											
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58											
									0	0	Total - Page 2

AGENDA PLACEMENT REQUEST

BUD MOD DCHS 10

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-6 DATE 06-03-04
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only:

Meeting Date: June 3, 2004
Agenda Item #: C-6
Est. Start Time: 9:30 AM
Date Submitted: 05/10/04

Requested Date: June 3, 2004

Time Requested: N/A

Department: County Human Services

Division: Aging & Disability

Contact/s: Al Stickel/Chris Yager

Phone: 503 988-3691

Ext.: 84135/26777

I/O Address: 166/7

Presenters: Consent Calendar

Agenda Title: Budget Modification DCHS 10 Increasing the Department's Appropriation Due to an Increased Allocation from the Oregon Department of Human Services to Account for Case Load Growth for Aging and Disability Services; Net Increase of \$202,670 and 2.16 FTE

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 Department of County Human Services recommends approval of budget modification DCHS#10.
- 2. Please provide sufficient background information for the Board and the public to understand this issue.** In the middle of the year we received another notice from the state of additional biennium allocation increase for case load growth for service levels 1-11. This modification does not restore any service levels. Title XIX revenue increases by \$202,670. Personnel located at area offices increases by 2.17 FTE include the following .17 FTE Office Assistant 2; .34 FTE Case Manger Senior; 1.32 FTE Case Manager 2; .33 FTE Case Manager Assistant. The case load growth occurred after reassessments of clients who would be losing services (LTC 12-17) found their impairments worsened, putting them in levels 1-11.

3. **Explain the fiscal impact (current year and ongoing).** Title XIX revenue increases by \$202,670 along with an ongoing increase in our biennium allocation. Personnel expenses increases by \$137,293 and 2.16 FTE; annualizes to 6.50 FTE and \$416,042. Supplies increases by \$65,377 and service reimbursement from the Fed/State Fund to the Insurance fund increases by \$29,555.

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:

- ❖ **What revenue is being changed and why?** Increase Title XIX to reflect current biennium allocation from the state.
- ❖ **What budgets are increased/decreased?** Aging & Disability Services increased by \$202,670.
- ❖ **What do the changes accomplish?** Brings the budget in line with current grant allocation to fund case load growth.
- ❖ **Do any personnel actions result from this budget modification? Explain.** Adds 2.16 FTE (.17 FTE OA2; .34 FTE Case Manager Senior; 1.32 FTE Case Manager 2; .33 FTE Case Manager Assistant).
- ❖ **Is the revenue one-time-only in nature?** No
- ❖ **If a grant, what period does the grant cover?** Title XIX is a State Biennium allocation (2003-2005)
- ❖ **When the grant expires, what are funding plans?** Ongoing grant from the state.

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:

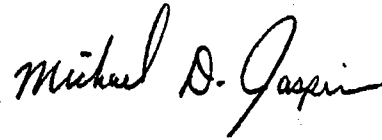
Department/Agency Director:



Date: 04/08/04

Budget Analyst

By:



Date: 05/07/04

Dept/Countywide HR

By:



Date: 04/27/04

Budget Modification DCHS #10

EXPENDITURES & REVENUES

Budget Fiscal Year: 03/04

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

Ln No.	Fund Center	Fund Code	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
			Internal Order	Cost Center	WBS Element						
1	30-55	26090			ADSDIVLTCMCXIX	60000	2,649,123	2,714,711	65,588		Permanent [701055, 711803-711805]
2	30-55	26090			ADSDIVLTCMCXIX	60240	30,000	33,960	3,960		Supplies
3	30-55	26090			ADSDIVLTCMCXIX	50190	(2,679,123)	(2,748,671)	(69,548)		IG-OP Fed Thru State
4											
5	30-55	26090			ADSDIVLTCNFXIX	60000	1,385,861	1,408,217	22,356		Permanent [711806]
6	30-55	26090			ADSDIVLTCNFXIX	60240	10,000	11,320	1,320		Supplies
7	30-55	26090			ADSDIVLTCNFXIX	50190	(1,395,861)	(1,419,537)	(23,676)		IG-OP Fed Thru State
8											
9	30-55	26090			ADSDIVLTCSEDXIX	60000	1,793,498	1,815,854	22,356		Permanent [711807]
10	30-55	26090			ADSDIVLTCSEDXIX	60240	25,000	26,320	1,320		Supplies
11	30-55	26090			ADSDIVLTCSEDXIX	50190	(1,818,498)	(1,842,174)	(23,676)		IG-OP Fed Thru State
12											
13	30-55	26090			ADSDIVLTCWDXIX	60000	1,660,115	1,647,318	(12,797)		Permanent [704437]
14	30-55	26090			ADSDIVLTCWDXIX	60240	20,000	20,000	0		Supplies
15	30-55	26090			ADSDIVLTCWDXIX	50190	(1,680,115)	(1,667,318)	12,797		IG-OP Fed Thru State
16											
17	30-55	26090			ADSDIVLTCNNEDXIX	60000	2,191,715	2,217,309	25,594		Permanent [704437]
18	30-55	26090			ADSDIVLTCNNEDXIX	60240	26,300	26,960	660		Supplies
19	30-55	26090			ADSDIVLTCNNEDXIX	50190	(2,218,015)	(2,244,269)	(26,254)		IG-OP Fed Thru State
20											
21	30-55	26090			ADSDIVLTCEDXIX	60000	1,551,656	1,565,853	14,197		Permanent [711808]
22	30-55	26090			ADSDIVLTCEDXIX	60240	14,300	15,620	1,320		Supplies
23	30-55	26090			ADSDIVLTCEDXIX	50190	(1,565,956)	(1,581,473)	(15,517)		IG-OP Fed Thru State
24											
25											
26	30-45	26090			ADSDIVCS201VSPXIX	60170	0	56,796	56,796		Prefoessional Services
27	30-45	26090			ADSDIVCS201VSPXIX	50190	0	(56,796)	(56,796)		IG-OP Fed Thru State
28											
29											
									0	0	Total - Page 1
									0	0	GRAND TOTAL

Budget Modification DCHS #10

EXPENDITURES & REVENUES

Budget Fiscal Year: 03/04

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

Ln No.	Fund Center	Fund Code	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
			Internal Order	Cost Center	WBS Element						
30	70-01	3500		705210		60330	0	29,555	29,555		Claims Pd
31	70-01	3500		705210		50316	0	(29,555)	(29,555)		Svc Reim Insurance
32											
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58											
									0	0	Total - Page 2
									0	0	GRAND TOTAL

Budget Modification DCHS #10

5. ANNUALIZED PERSONNEL CHANGE

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

							ANNUALIZED			
Fund Ctr	Cost Center	JCN	HR Org Unit	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
30-55	305701	6296	62958	Case Mgr Senior	701055	0.50	22,837	5,725	10,216	38,778
30-55	305701	6001	62958	OA 2	711803	0.50	12,254	3,072	9,157	24,483
30-55	305701	6297	62958	Case Mgr 2	711804	1.00	44,283	11,102	12,360	67,745
30-55	305701	6297	62958	Case Mgr 2	711805	1.00	44,283	11,102	12,360	67,745
30-55	305702	6297	62959	Case Mgr 2	711806	1.00	44,283	11,102	12,360	67,745
30-55	305706	6297	62963	Case Mgr 2	711807	1.00	44,283	11,102	12,360	67,745
30-55	305703	6296	62960	Case Mgr Senior	704437	(0.50)	(22,837)	(5,725)	(10,216)	(38,778)
30-55	305705	6296	62962	Case Mgr Senior	704437	0.50	22,837	5,725	10,216	38,778
30-55	305705	6296	62962	Case Mgr Senior	704437	0.50	22,837	5,725	10,216	38,778
30-55	305704	6299	62961	Case Mgr Assistant	711808	1.00	25,980	6,513	10,530	43,023
										0
										0
										0
										0
										0
				TOTAL ANNUALIZED CHANGES		6.50	261,040	65,443	89,559	416,042

6. CURRENT YEAR PERSONNEL DOLLAR CHANGE

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

							CURRENT YEAR			
Fund Ctr	Cost Center	JCN	HR Org Unit	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
30-55	305701	6296	62958	Case Mgr Senior	701055	0.17	7,536	1,889	3,371	12,796
30-55	305701	6001	62958	OA 2	711803	0.17	4,044	1,014	3,022	8,080
30-55	305701	6297	62958	Case Mgr 2	711804	0.33	14,613	3,664	4,079	22,356
30-55	305701	6297	62958	Case Mgr 2	711805	0.33	14,613	3,664	4,079	22,356
30-55	305702	6297	62959	Case Mgr 2	711806	0.33	14,613	3,664	4,079	22,356
30-55	305706	6297	62963	Case Mgr 2	711807	0.33	14,613	3,664	4,079	22,356
30-55	305703	6296	62960	Case Mgr Senior	704437	(0.17)	(7,536)	(1,889)	(3,371)	(12,796)
30-55	305705	6296	62962	Case Mgr Senior	704437	0.17	7,536	1,889	3,371	12,796
30-55	305705	6296	62962	Case Mgr Senior	704437	0.17	7,536	1,889	3,371	12,796
30-55	305704	6299	62961	Case Mgr Assistant	711808	0.33	8,573	2,149	3,475	14,197
										0
										0
										0
										0
										0
				TOTAL CURRENT FY CHANGES		2.16	86,141	21,597	29,555	137,293

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: June 3, 2004

Agenda Item #: C-7

Est. Start Time: 9:30 AM

Date Submitted: 05/10/04

Requested Date: June 3, 2004

Time Requested: N/A

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: RESOLUTION Authorizing the Private Sale of a Tax Foreclosed Property to REUBEN E. GILMORE

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 one tax foreclosed property to REUBEN E. GILMORE. The Department of Business and 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 is a vacant lot approximately 22' x 72' that came into Multnomah County ownership through the foreclosure of delinquent property tax liens on September 24, 2002. The subject property was originally a part of a double lot with house that came into County ownership through the foreclosure of delinquent tax liens on November 3, 1989. This entire property was transferred to North East Community Development Corporation (NECDC) in September 1991.

In December of 1994, the Gilmores signed a property sale contract with NECDC and they began rehabilitating the house. Prior to signing the contract, the Gilmores were

informed that NECDC was removing the southern 22' x 72' parcel, the subject property, from the legal in the contract. According to NECDC, this parcel was removed to render the second 50' x 100' lot unsuitable for constructing a house. Apparently, the adjacent neighbor to the south who shared the property line did not want NECDC to build a new house on the vacant lot.

According to Mr. Gilmore, the subject parcel was historically the side yard of the house since it was constructed in 1907. The neighbor to the south protested the NECDC plans to develop the property and passed a petition throughout the neighborhood and NECDC honored it. They offered to sell it to the neighbor but apparently, their price was too high. The Gilmores have been maintaining the property since they have lived in the house. NECDC went out of business in the 1990's, the taxes on the parcel were not paid and the subject property came into County ownership in September 2002.

The attached plat map, Exhibit A, shows the location of the property with 5621 NE Rodney St adjacent and to the north of it. The attached Exhibit B is an aerial photo that shows the proximity of the lot to the adjacent property and the area of the side yard that it takes up. Exhibit C is two photos of the property that show it's proximity to the house and detached garage.

Written confirmation was obtained from the City of Portland stating that the subject property is unsuitable for construction or placement of a dwelling thereon 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 a full recovery of the delinquent taxes, fees, and expenses as shown in Exhibit D. The property will also be reinstated on the tax roll.

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.

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:

Robert A. Maestre

Date: 05/10/04

Budget Analyst

By:

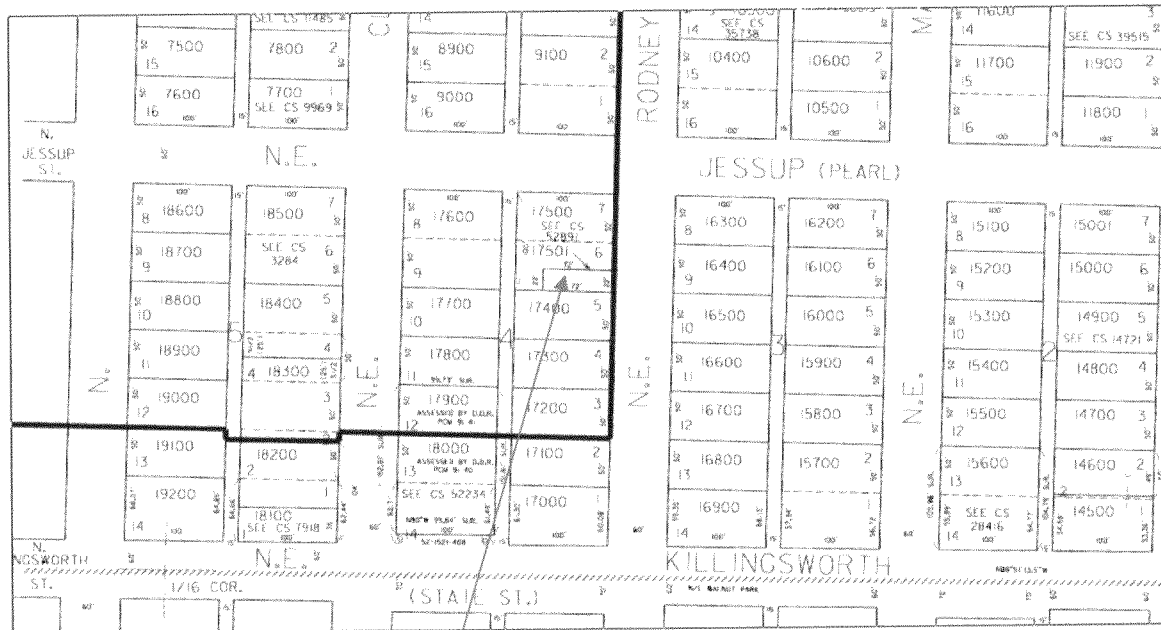
Date:

Dept/Countywide HR

By:

Date:

EXHIBIT A



Subject

5621 NE Rodney

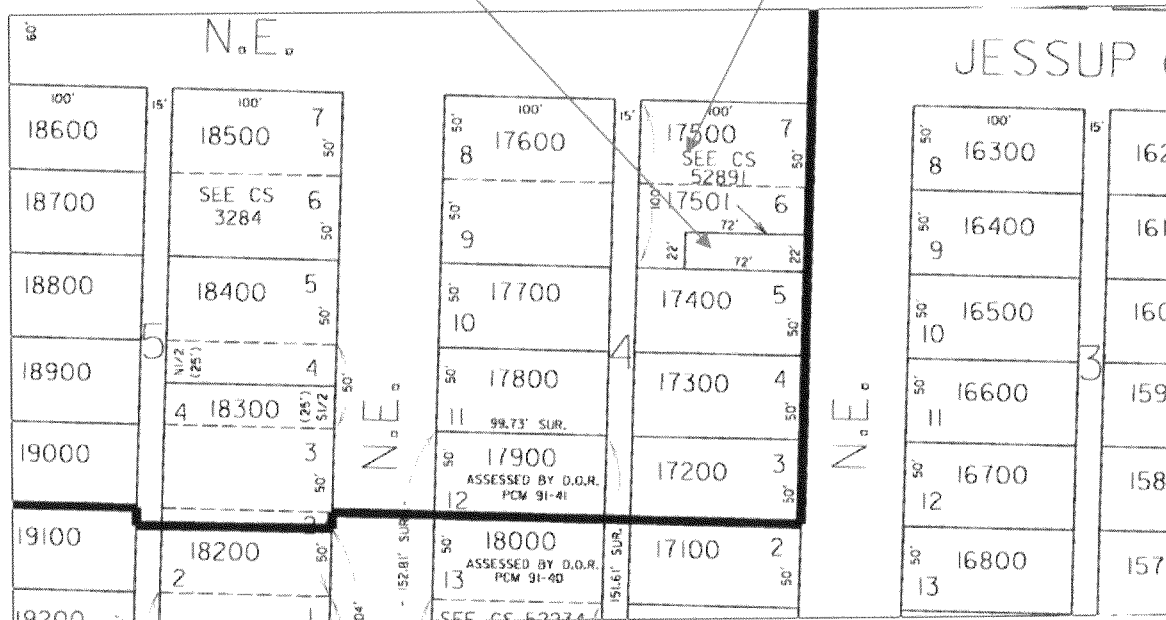
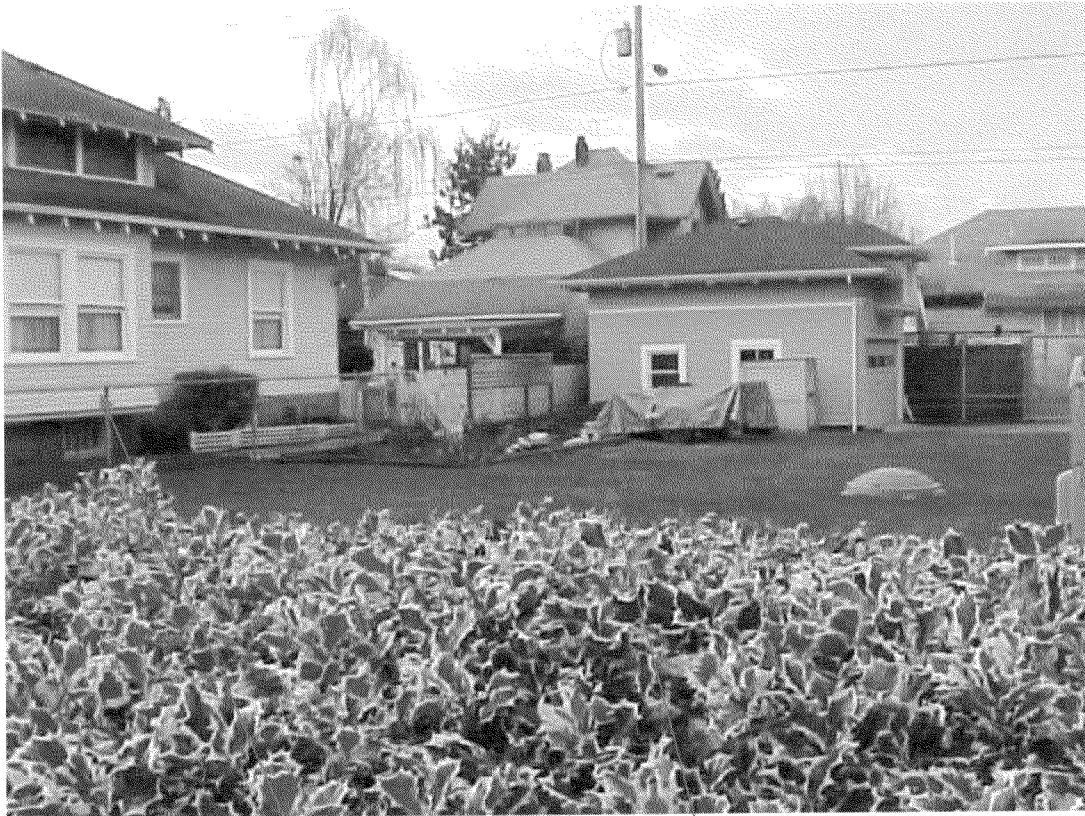


EXHIBIT B



Subject

EXHIBIT C



Neighbor to south

Subject property
5621 NE Rodney



**EXHIBIT D
PROPOSED PROPERTY LISTED FOR PRIVATE SALE
FISCAL YEAR 2003-04**

LEGAL DESCRIPTION:

E 72' OF S 22' LOT 6, BLOCK 4, PIEDMONT

ADJACENT PROPERTY ADDRESS: 5621 NE Rodney St

TAX ACCOUNT NUMBER: R243153

GREENSPACE DESIGNATION: None

SIZE OF PARCEL: Approximately 22' x 72' (approx. 1,584sf)

ASSESSED VALUE: \$2,000.00

ITEMIZED EXPENSES FOR TOTAL PRICE OF PRIVATE SALE
--

BACK TAXES & INTEREST:	\$1064.71
TAX TITLE MAINTENANCE COST & EXPENSES:	\$310.00
ADVERTISING COST:	-0-
RECORDING FEE:	\$26.00
CITY LIENS:	-0-
SUB-TOTAL	\$1,400.71
MINIMUM PRICE REQUEST OF PRIVATE SALE	\$1,750.00

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY

RESOLUTION NO. _____

Authorizing Private Sale of Certain Tax Foreclosed Property to REUBEN E. GILMORE.

The Multnomah County Board of Commissioners Finds:

- a) Multnomah County acquired the real property described below through the foreclosure of liens for delinquent taxes.
- b) The property has an assessed value of \$2,000.00 on the County's current tax roll.
- c) Written confirmation was obtained from the City of Portland stating that the subject property is unsuitable for construction or placement of a dwelling thereon under current zoning ordinances and building codes, as provided under ORS 275.225.
- d) REUBEN E. GILMORE has agreed to pay \$1750.00, 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. The Tax Title division has received payment in full \$1750.00 from REUBEN E. GILMORE.
- 2. The Chair on behalf of Multnomah County, is authorized to execute a deed conveying to REUBEN E. GILMORE, the following described real property:

E 72' OF S 22' LOT 6, BLOCK 4, PIEDMONT, in the City of Portland, Multnomah County, Oregon.

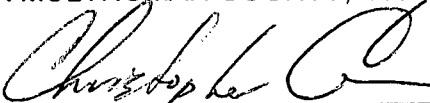
ADOPTED this 3rd day of June 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 

Christopher D. Crean, Assistant County Attorney

REUBEN E. GILMORE
5621 NE RODNEY AVE
PORTLAND OR 97211

After recording, return to:
MULTNOMAH COUNTY
TAX TITLE DIVISION
503/4

Deed D041951

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to REUBEN E. GILMORE, Grantee, that certain real property, located in the City of Portland, Multnomah County, Oregon more particularly described as follows:

E 72' OF S 22' LOT 6, BLOCK 4, PIEDMONT

The true and actual consideration paid for this transfer; stated in the terms of dollars is \$1750.00.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

IN WITNESS WHEREOF, MULTNOMAH COUNTY has caused these presents to be executed by the Chair of the Multnomah County Board of Commissioners the 3rd day of June 2004, by authority of a Resolution of the Board of County Commissioners heretofore entered of record.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____

Christopher D. Crean, Assistant County Attorney

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 3rd day of June 2004, by Diane M. Linn, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.

Deborah Lynn Bogstad
Notary Public for Oregon
My Commission expires: 6/27/05

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 04-072

Authorizing Private Sale of Certain Tax Foreclosed Property to REUBEN E. GILMORE

The Multnomah County Board of Commissioners Finds:

- a) Multnomah County acquired the real property described below through the foreclosure of liens for delinquent taxes.
- b) The property has an assessed value of \$2,000.00 on the County's current tax roll.
- c) Written confirmation was obtained from the City of Portland stating that the subject property is unsuitable for construction or placement of a dwelling thereon under current zoning ordinances and building codes, as provided under ORS 275.225.
- d) REUBEN E. GILMORE has agreed to pay \$1750.00, 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. The Tax Title division has received payment in full \$1750.00 from REUBEN E. GILMORE.
- 2. The Chair on behalf of Multnomah County, is authorized to execute a deed conveying to REUBEN E. GILMORE, the following described real property:

E 72' OF S 22' LOT 6, BLOCK 4, PIEDMONT, in the City of Portland, Multnomah County, Oregon.

ADOPTED this 3rd day of June 2004.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Christopher D. Crean, Assistant County Attorney

Until a change is requested, all tax statements shall be sent to the following address:
REUBEN E. GILMORE
5621 NE RODNEY AVE
PORTLAND OR 97211

After recording, return to:
MULTNOMAH COUNTY
TAX TITLE DIVISION
503/4

Deed D041951

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to REUBEN E. GILMORE, Grantee, that certain real property, located in the City of Portland, Multnomah County, Oregon more particularly described as follows:

E 72' OF S 22' LOT 6, BLOCK 4, PIEDMONT

The true and actual consideration paid for this transfer; stated in the terms of dollars is \$1750.00.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

IN WITNESS WHEREOF, MULTNOMAH COUNTY has caused these presents to be executed by the Chair of the Multnomah County Board of Commissioners the 3rd day of June 2004, by authority of a Resolution of the Board of County Commissioners heretofore entered of record.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 

Christopher D. Crean, Assistant County Attorney

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 3rd day of June 2004, by Diane M. Linn, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.

Deborah Lynn Bogstad
Notary Public for Oregon
My Commission expires: 6/27/05

Until a change is requested, all tax statements shall be sent to the following address:
REUBEN E. GILMORE
5621 NE RODNEY AVE
PORTLAND OR 97211

After recording, return to:
MULTNOMAH COUNTY
TAX TITLE DIVISION
503/4

Deed D041951

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to REUBEN E. GILMORE, Grantee, that certain real property, located in the City of Portland, Multnomah County, Oregon more particularly described as follows:

E 72' OF S 22' LOT 6, BLOCK 4, PIEDMONT

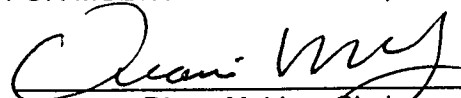
The true and actual consideration paid for this transfer; stated in the terms of dollars is \$1750.00.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

IN WITNESS WHEREOF, MULTNOMAH COUNTY has caused these presents to be executed by the Chair of the Multnomah County Board of Commissioners the 3rd day of June 2004, by authority of a Resolution of the Board of County Commissioners heretofore entered of record.




BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Diane M. Linn, Chair

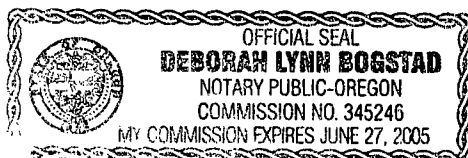
REVIEWED: 


AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Christopher D. Crean, Assistant County Attorney

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 3rd day of June 2004, by Diane M. Linn, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.




Deborah Lynn Bogstad
Notary Public for Oregon
My Commission expires: 6/27/05

AGENDA PLACEMENT REQUEST

BUD MOD #: 04_MCSO_09

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-8 DATE 06.03.04
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only:

Meeting Date: June 3, 2004
Agenda Item #: C-8
Est. Start Time: 9:30 AM
Date Submitted: 05/26/04

Requested Date: June 3, 2004

Time Requested: N/A

Department: Sheriff's Office

Division: Law Enforcement

Contact/s: Angela Burdine, Budget Manager

Phone: 503 988-4455

Ext.: 84455

I/O Address: 503/350

Presenters: Consent Calendar

Agenda Title: Budget Modification 04_MCSO_09 Appropriating \$4,875 from the Oregon Department of Transportation (ODOT) for Pedestrian Safety Enforcement

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 Sheriff's Office is requesting approval of Budget Modification 04_MCSO_09 to appropriate \$4,875 of revenue from ODOT. The revenue will be used to increase motorists' awareness of their obligation to stop for pedestrians and to provide pedestrian safety enforcement.
2. **Please provide sufficient background information for the Board and the public to understand this issue.** Although it is difficult to calculate the exposure rates of pedestrian travel, it is clear pedestrian injuries and fatalities consistently represent a disproportionate percentage of overall injuries and deaths. In 1999, the Transportation Safety Division began expansion of its pedestrian safety program which included working with law enforcement partners to initiate pedestrian safety enforcement operations.

ODOT will reimburse the Sheriff's Office for overtime costs in providing pedestrian safety enforcement.

3. **Explain the fiscal impact (current year and ongoing).** This will increase the Enforcement Division's revenue by \$4,875 in the Federal/State Fund. The Grant covers the Central Indirect for administration of the funds.

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:

- ❖ **What revenue is being changed and why?** This is grant award will increase the Federal/State Fund by \$4,875.
- ❖ **What budgets are increased/decreased?** The Enforcement Division will increase their Federal/State budget by \$4,875. Contingency is also increased by \$105 for Central Indirect costs.
- ❖ **What do the changes accomplish?** The budgetary change recognizes \$4,875 in revenue from Oregon Department of Transportation.
- ❖ **Do any personnel actions result from this budget modification? Explain.**
No
- ❖ **Is the revenue one-time-only in nature?** Yes.
- ❖ **If a grant, what period does the grant cover?** Fiscal Year 2004.
- ❖ **When the grant expires, what are funding plans?** This grant is not being used to support ongoing operations.

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain:

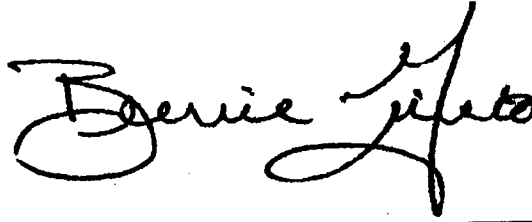
- ❖ **Why was the expenditure not included in the annual budget process?**
- ❖ **What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?**
- ❖ **Why are no other department/agency fund sources available?**
- ❖ **Describe any new revenue 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?**

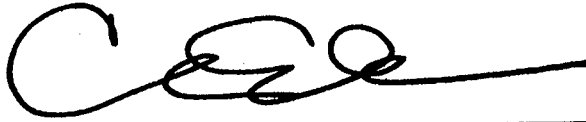
4. **Explain any legal and/or policy issues involved.** None at this time.
5. **Explain any citizen and/or other government participation that has or will take place.**

Required Signatures:



Department/Agency Director: _____ Date: 05/25/04

Budget Analyst



By: _____ Date: 05/24/04

Dept/Countywide HR

By: _____ Date: _____

BUDGET MODIFICATION: # 04_MCSO_BCC_09
EXPENDITURES & REVENUES

Budget Fiscal Year: 03/04

This bud mod recognized revenue from ODOT for Pedestrian Safety Enforcement Grant

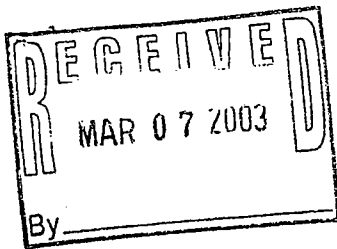
Line No.	Fund Center	Fund Code	Internal Order	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
				Cost Center	WBS Element						
1	60-50	20170			SOOPS.PEDS.ODOT	50236	0	(4,875)	(4,875)		IG-OP-Charges for Srvcs
2	60-50	20170			SOOPS.PEDS.ODOT	60110	0	3,402	3,402		Overtime
3	60-50	20170			SOOPS.PEDS.ODOT	60130	0	1,096	1,096		Salary related Expenses
4	60-50	20170			SOOPS.PEDS.ODOT	60140	0	272	272		Insurance
5	60-50	20170			SOOPS.PEDS.ODOT	60350	0	105	105		Indirect (Central 2.2%)
6											
7	70-01	3500		705210		50316	0	(272)	(272)		Increase Insurance Revenue
8	70-01	3500		705210		60330	0	272	272		Increase Offsetting Exp
9	19	1000		9500001000		50310	0	(105)	(105)		Indirect Revenue
10	19	1000		9500001000		60470	0	105	105		Contingency
11											
12											
13											
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16											
17											
18											
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21											
									0	0	Total - Page 1
									0	0	GRAND TOTAL
20								0			

BUDGET MODIFICATION: # 04_MCSO_BCC_09
EXPENDITURES & REVENUES

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Budget Fiscal Year: 03/04

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21											
									0	0	Total - Page 1
									0	0	GRAND TOTAL
20								0			



REC'D FROM J. GATE
8.26.03

MCSO 04 EXT 09

TSD #03PS6004M

PEDESTRIAN SAFETY MINI-GRANT

THIS AGREEMENT is made and entered into by and between THE STATE OF OREGON, by and through the Department of Transportation, Transportation Safety Division, hereafter referred to as Department, and Multnomah County Sheriff's Office, hereafter called Agency.

RECITALS

1. By the authority granted in ORS 190.110 and 283.110, state agencies may enter into agreements with units of local government or other state agencies for the performance of any or all functions and activities that a party to the agreement, its officers, or agents have the authority to perform.
2. By the authority granted in ORS 802.300 through ORS 802.340, the Department may enter into contracts and agreements for the performance of functions and activities to promote highway safety.
3. Department and agency agree that the principal purpose of this agreement is to conduct police pedestrian safety operations.

NOW THEREFORE, the premises being in general as stated in the foregoing recitals, it is agreed by and between the parties hereto as follows:

TERMS OF AGREEMENT

1. Under such authority, Department wishes to retain the services of Agency to perform the work as outlined on Exhibit "A," attached hereto and by this reference made a part hereof. Payment for said services shall not exceed a maximum amount of \$4875 federal funds.
2. The work is to begin upon execution of the agreement by all parties and be completed no later than September 30, 2003,

AGENCY OBLIGATIONS

1. Agency shall perform the work described on Exhibit A.

SECT 6.0425 SUBMITTALS

2. *Agency shall submit reports and billings quarterly to the Department not later than the 10th of the month following each previous quarter during FY 2003 (Jan. 10, April 10, July 10, Oct.10). These bills must reflect 100% of the actual costs and work accomplished during the billing period. (Billing can be monthly by special request.)*
3. The only allowable charges under this agreement shall be to conduct police pedestrian safety operations.
4. Agency shall not enter into any subcontracts for any of the work scheduled under this agreement without obtaining prior written approval from Department.
5. Agency agrees to comply with all federal, state, and local laws, regulations, executive orders and ordinances applicable to the work under this agreement, including, without limitation, the provisions of ORS 279.312, 279.314, 279.316, 279.320 and 279.555, WHICH HEREBY ARE INCORPORATED BY REFERENCE. Without limiting the generality of the foregoing, Agency expressly agrees to comply with (i) Title VI of Civil Rights Act of 1964; (ii) Section V of the Rehabilitation Act of 1973; (iii) the American with Disabilities Act of 1990 and ORS 659.425; (iv) all regulations and administrative rules established pursuant to the foregoing laws; and (v) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations.
6. Agency shall perform the service under this agreement as an independent contractor and shall be exclusively responsible for all costs and expenses related to its employment of individuals to perform the work under this agreement, including but not limited to PERS contributions, workers compensation, unemployment taxes and state and federal income tax withholdings.

DEPARTMENT OBLIGATIONS

1. *In consideration for the services performed, Department agrees to pay Agency a maximum amount of \$4875. Department shall pay quarterly billings received by Agency within 45 days if received by Department on or before the 10th of the month following the billing period.*
2. Department certifies, at the time this agreement is executed, that sufficient funds are available and authorized for expenditure to finance costs of this agreement within Department's current appropriation or limitation of current biennial budget.

3. Project managers:

Officer Garr Nielsen

Multnomah County Sheriff's Office
12240 NE Glisan Street
Portland, OR 97230
503-255-3600, FAX 503-251-2484
Fed. ID# 93-6002309

Department/Transportation Safety Division:

Frederick (Rick) A. Waring, RN
Transportation Safety Division, ODOT
235 Union St. NE
Salem, OR 97301
Email: Rick.A.Waring@odot.state.or.us
Phone: 503-986-4196
Fax: 503-986-4341

GENERAL PROVISIONS

1. Agency, its subcontractors, if any, and all employers working under this agreement are subject employers under the Oregon Workers Compensation Law and shall comply with ORS 656.017, which requires them to provide workers' compensation coverage for all their subject workers.

2. This agreement may be terminated by mutual written consent of both parties upon 30 days notice.

Department may terminate this agreement effective upon delivery of written notice to Agency, or at such later date as may be established by Department, under any of the following conditions, but not limited to these conditions.

- a. If Agency fails to provide services called for by this agreement within the time specified herein or any extension thereof.


- b. If Agency fails to perform any of the other provisions of this agreement, or so fails to pursue the work as to endanger performance of this agreement in accordance with its terms, and after receipt of written notice from Department fails to correct such failures within 10 days or such longer period as Department may authorize. Any termination of this agreement shall not prejudice any rights or obligations accrued to the parties prior to termination.
 - c. If Department fails to receive funding, or appropriations, limitations or other expenditure authority at levels sufficient to pay for the work provided in the agreement.
3. Agency acknowledges and agrees that Department, the Secretary of State's Office of the State of Oregon, the federal government, and their duly authorized representatives shall have access to the books, documents, papers, and records of Agency which are directly pertinent to the specific agreement for the purpose of making audit, examination, excerpts, and transcripts for a period of three years after final payment. Copies of applicable records shall be made available upon request. Payment for costs of copies is reimbursable by Department.
4. It is understood and agreed that the activity covered in this agreement is undertaken under the authority of Section 402, Title 23, United States Code, and is subject to the administrative regulations established by Federal guidelines including Circulars A-87 and A-102 and are hereby attached as **Exhibit D** and incorporated by reference with the same force and effect as if they were given in full text.
5. This agreement and attached exhibits constitute the entire agreement between the parties on the subject matter hereof. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this agreement. No waiver, consent, modification or change of terms of this agreement shall bind either party unless in writing and signed by both parties and all necessary approvals have been obtained. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. The failure of Department to enforce any provision of this agreement shall not constitute a waiver by Department of that or any other provision.

The Oregon Transportation Commission on August 21, 2002 approved the FY 2003 Oregon Traffic Safety Plan and Exhibit A; and delegated authority to the Division Manager to approve and execute agreements for work in the plan.

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their seals as of the day and year hereinafter written.

AGENCY
Multnomah Sheriff's Office
By G. J. [Signature], CAPTAIN

STATE OF OREGON, by and through
Department of Transportation

By 
Manager, Transp. Safety Division

Date 3/7/03

Multnomah County Sheriff's Office
12240 NE Glisan Street
Portland, OR 97230
503-255-3600, FAX 503-251-2484
Fed. ID# 93-6002309

1. Five operations of 4 hours each utilizing 6 officers @ \$40.63/hr. to be completed by Sept. 30, 2003.
2. Multnomah Sheriff's Office will submit quarterly claims and reports using ODOT Agency Mini-Grant Claim for Reimbursement and Quarterly Highway Safety Project Report Forms. These reports provide summary information and data on project activities and accomplishments and detail on expenses and local matching support.
3. Complete a final project report including evaluation by October 10, 2003.

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VIII. Exhibit D: AGREEMENTS AND ASSURANCES

The following Agreements and Assurances apply to all grants funded by the Transportation Safety Division (TSD), Oregon Department of Transportation:

A. General

1. The activity described in this grant is undertaken under the authority of Title 23, United States Code, Sections 154-164 and 402-411, and is subject to the administrative regulations established by OMB Circulars A-21, A-87, A-122, A-128, A-133, 23 CFR Chapter II, 45 CFR Part 74, 48 CFR Part 31, 49 CFR Part 18, Part 19, and the Highway Safety Grant Funding Policy for NHTSA/FHWA Field-Administered Grants.
2. Any federal funds committed shall be subject to the continuation of funds made available to TSD by the National Highway Traffic Safety Administration (NHTSA) and the Federal Highway Administration (FHWA) by statute or administrative action. Projects are funded for the federal fiscal year, which is October 1 through September 30. Typical grants are for one year but may be continued for up to two additional years. Public information and education projects are continued indefinitely.
3. The grantee shall ensure compliance with 49 CFR Part 18.42 which addresses retention and access requirements for grant-related records. The State, the federal grantor agency and the Comptroller General of the United States, or any of their authorized representatives, shall have the right of access to any books, documents, papers or other records of the grantee which are pertinent to the grant. These records must be retained for a period of five years starting on the date the grantee submits its final request for reimbursement for this grant.
4. Any obligation of grant funds extends only to those costs incurred by the grantee after "Authorization to Proceed" for the particular part of the program involving costs.
5. Grant funds shall not be used for activities previously carried out with the grantee's own resources (supplanting).
6. Income earned through services conducted through the project should be used to offset the cost of the project and be included in the Budget and Cost Summary.
7. The grantee shall ensure that all grant-related expenditures are included as a part of entity-wide audits conducted in accordance with the Single Audit Act of 1984 (31 USC 7561-7). The grantee shall provide TSD a copy of all Single Audit Reports covering the time period of the grant award as soon as they become available. Federal funds received have the following Catalog of Federal Domestic Assistance (CFDA) numbers: 20.600, State and Community Highway Safety; 20.601, Alcohol Traffic Safety and Drunk Driving Prevention Incentive Grants; 20.602, Occupant Protection Incentive Grants; 20.603, Highway Safety Data Improvements Incentive Grants;

20.604, Safety Incentive Grants for Use of Seat Belts and, 20.605, Safety Incentive Grants to Prevent Operation of Motor Vehicles by Intoxicated Persons

8. The grantee shall reimburse TSD within 30 days for any ineligible or unauthorized expenditures as determined by a state or federal review for which grant funds have been claimed and payment received.
9. The grantee and its contractors cannot use federal funds to influence federal employees, members of Congress, and Congressional staff regarding special grants. The grantee and its contractors must submit disclosure documentation when non-federal funds are used to influence the decisions of federal officials on behalf of specific projects. Signing this Agreement constitutes a certification of compliance with these lobbying restrictions.
10. The grantee, its subcontractors, if any, and all employers working under this agreement are subject to employers under the Oregon Workers' Compensation Law and shall comply with ORS 656-017, which requires them to provide workers' compensation coverage for all their subject workers.
11. The grantee shall make purchases of any equipment, materials, or services pursuant to this Agreement under procedures consistent with those outlined in Oregon Department of Administrative Services Administrative Rules (Oregon Administrative Rules Chapter 125 and Oregon State Law, ORS Chapter 279).
12. The grantee shall defend, save and hold harmless the State of Oregon, including the Oregon Transportation Commission, the Oregon Transportation Safety Committee, the Department of Transportation, the Transportation Safety Division, and their members, officers, agents, and employees from all claims, suits or actions of whatever nature arising out of the performance of this Agreement, except for claims arising out of the negligent acts or omissions of the State of Oregon, its employees, or representatives. This provision is subject to the limitations, if applicable, set forth in Article XI, Section 10 of the Oregon Constitution and in the Oregon Tort Claims Act, ORS 30.260 to 30.300.

B. Project Director's Responsibilities

The Project Director is responsible for fulfilling this Agreement and establishing and maintaining procedures that will ensure the effective administration of the project objectives. The Project Director shall:

1. Establish or use an accounting system that conform to generally accepted accounting principles, and ensure that source documents are developed which will reliably account for the funds expended.
2. Maintain copies of job descriptions and resumes of persons hired for all project-related positions which are funded at 0.25 FTE or more.
3. Maintain records showing actual hours utilized in project-related activity by all grant-funded personnel and by all other staff personnel or volunteers whose time is used as in-kind match.

4. Complete a Quarterly Highway Safety Project Report, including a Data Table as provided in the Traffic Safety Grant Application Packet. Each report must be signed by the Project Director or the Designated Alternate, and submitted to TSD by the tenth of the month following the close of each calendar quarter for the duration of the grant period. The Designated Alternate is an individual who is given the authority to sign Quarterly Highway Safety Project Reports for the Project Director, in the event he/she is unable to sign due to circumstances beyond his/her control.
5. Submit a Claim for Reimbursement within 35 days of the end of the calendar quarter in which expenses were incurred, using the form provided by TSD as follows:
 - a. Copies of invoices and/or receipts for all specified items must be submitted to TSD upon request with the Claim for Reimbursement;
 - b. claims may be submitted monthly, and must be submitted at least quarterly; and,
 - c. claims must be signed by the Project Director or the Designated Alternate (duplicated signatures will not be accepted).
6. Prepare a Project Directors Final Evaluation Report in accordance with the Evaluation Plan described in the grant document. The report will be no more than ten pages and will include the following elements:
 - a. A summary of the project including problems addressed, objectives, major activities, and accomplishments as they relate to the objectives;
 - b. a summary of the costs of the project including amount paid by TSD, funded agency, other agencies, and private sources. The amount of volunteer time should be identified;
 - c. discussion of implementation process so that other agencies implementing similar projects can learn from your experiences. What went as planned? What didn't work as expected? What important elements made the project successful or not as successful as expected?
 - d. responses to Evaluation Questions. List each question and answer (refer to Data Table); and,
 - e. Completed Data Table.

The Project Director's Final Evaluation Report must be submitted within 35 days following the last day of the grant period.

C. Project Revision

1. Any proposed changes in the project objectives, key project personnel, time period, budget, or mailing address must be requested in writing, and receive approval by TSD. A Grant Adjustment Form will be signed by both TSD and the grantee.
2. Any time extension in the project period must be requested at least six weeks prior to the end of the project period and approved by the federal grantor agency if the end of federal fiscal year is involved.

D. Non-Discrimination Assurance

1. The grantee and its contractors will comply with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, as amended, and as implemented by 49 CFR parts 21 and 27, and with the

Executive Order 11246, entitled "Equal Employment Opportunity" as amended by Executive Order 11371 and supplemented by Department of Labor regulations 41 CFR Part 60, and shall ensure that no person shall on the grounds of race, color, creed, sex, or national origin be excluded from participation, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity under this project.

2. The grantee and its contractors shall ensure that employment and procurement of goods and services made in connection with the project will be provided without regard to race, color, national origin or handicap.
3. The grantee and its contractors shall take all necessary affirmative steps in accordance with 49 CFR Part 23 to ensure that minority business enterprises and/or business enterprises owned and controlled by women have the maximum opportunity to compete for and to perform contracts.
4. The grantee and its contractors shall ensure that no otherwise qualified handicapped person shall, solely by reason of his/her handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity related to this grant.
5. The grantee shall ensure that any contracts and subcontracts awarded in excess of \$10,000 shall contain a provision requiring compliance with the standards set forth in paragraphs 1 through 4 of this section.

E. Contracts and Other Service Agreements

1. Any contracts or other service agreements that are entered into by the grantee as part of this project shall be reviewed and approved by TSD to determine whether the work to be accomplished is consistent with the objectives of the project, and whether the provisions of paragraphs 2 through 4 of this section are considered.
2. All contracts awarded by the grantee shall include a provision that any subcontracts include all provisions stated in this section or the provision that no subcontracts shall be awarded.
3. The grantee shall ensure that each contractor adhere to applicable requirements established for the grant and that each contract include provisions for the following:
 - a. Administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as may be appropriate;
 - b. mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (94-163);
 - c. access by the grantee, the state, the federal grantor agency, the Comptroller General of the United States, or any of their duly authorized representatives, to any books, documents, papers, and records of the contractor which are

- directly pertinent to that specific contract, for the purpose of making audit, examination, excerpts, and transcriptions. Grantees shall require contractors to maintain all required records for three years after grantees make final payments and all other pending matters are closed;
- d. notice of grantor agency requirements and regulations pertaining to reporting, requirements and regulations pertaining to patent rights with respect to any discovery or invention which arises or is developed in the course of or under such contract, and requirements and regulations pertaining to copyrights and rights in data; and,
 - e. requirements given in Section A. 9-12.

4. Where applicable, contracts shall include the following provisions:
 - a. Termination for cause and for convenience by the grantee including the manner by which it will be effected and the basis for the settlement (Contracts in excess of \$10,000);
 - b. Compliance with Executive Order 11246 of September 24, 1965 entitled "Equal Employment Opportunity," as amended by Executive Order 11375 of October 13, 1967 and supplemented in Dept. of Labor regulations (41 CFR Part 60) (Contracts in excess of \$10,000);
 - c. Compliance with sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 USC 327-330) as supplemented by Dept. of Labor regulations (29 CFR Part 5) (Contracts in excess of \$2,500);
 - d. Bidders, proposers, and applicants must certify that neither they nor their principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in this transaction by any federal agency or department (Contracts in excess of \$25,000).

F. Travel

1. The grantee shall keep a record of all significant travel. In-state trips outside the grantee's jurisdiction should be summarized on Quarterly Highway Safety Project Reports.
2. All out-of-state travel must be pre-approved by TSD. To receive authorization, the trip must be detailed on the project budget or requested in a grant adjustment. Reports on out-of-state trips shall be summarized on Quarterly Highway Safety Program Report.
3. Reimbursement will only be authorized for travel of persons employed by the grantee in project-related activities unless prior written approval is granted by TSD.

G. Development of Printed or Production Materials

1. The grantee shall provide TSD with draft copies of all materials developed using grant funds. TSD may suggest revisions and must approve production.
2. All brochures; course, workshop and conference announcements; and other materials that are developed and/or printed using grant funds shall include a statement crediting TSD and federal participation.
3. Materials produced through this project shall be provided to TSD for its use and distribution and may

not be sold for profit by either the grantee or any party.

H. Equipment Purchased with Grant Funds

1. A Residual Value Agreement shall be completed submitted to TSD if grant funds are used in whole part to acquire any single item equipment costing \$5,000 or more or at TSD discretion. A copy of the original vendor's invoice indicating quantity, description, manufacturer's identification number cost of each item will be attached to the signed agreement. All equipment should be identified with property identification number.
2. All material and equipment purchased shall be produced in the United States in accordance with Section 165 of the Surface Transportation Assistance Act of 1982 (Pub. L. 97-424; 96 Stat. 2097) unless Secretary of Transportation has determined under Section 165 that it is appropriate to waive this agreement.
3. Material and equipment shall be used in the project or activity for which it was acquired as long as new whether or not the project continues to be supported by grant funds. Ownership of equipment acquired with grant funds shall be vested with the grantee. Costs incurred for maintenance, repairs, updating, or replacement of such equipment shall be borne by the grantee.
4. If any material or equipment ceases to be used in project activities, the grantee agrees to promptly notify TSD. In such event, TSD may direct the grantee to transfer, return, keep, or otherwise dispose of the equipment.

I. Debarment

The grantee, in accepting this Agreement, certifies that the grantee, its agency or its officials are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in this transaction by any state or federal agency or department.

J. Termination

1. TSD may terminate this Agreement for convenience whole or in part whenever:
 - a. The requisite state and/or federal funding becomes unavailable through failure of appropriation or otherwise; or,
 - b. The requisite local funding to continue this project becomes unavailable to grantee; or,
 - c. Both parties agree that continuation of the project would not produce results commensurate with further expenditure of funds.
2. TSD may, by written notice to grantee, terminate this Agreement for any of the following reasons:
 - a. The grantee takes any action pertaining to this Agreement without the approval of TSD and which under the provisions of this agreement would have required the approval of TSD; or
 - b. The commencement, prosecution, or timely completion of the project by grantee is, for any reason, rendered improbable, impossible, or illegal; or,
 - c. The grantee is in default under any provision of this Agreement.

K. Conditions of Project Approval

Actions taken by the Oregon Transportation Safety Committee, if any, regarding conditions under which this project is approved are given in the Conditions of Approval. The grantee agrees to follow these conditions in implementing the project.

L. Contract Provisions and Signatures

It is understood and agreed that the grantee shall comply with all federal, state, and local laws, regulations, or ordinances applicable to this agreement and that this Agreement is contingent upon grantee complying with such requirements.

This Agreement shall be executed by those officials authorized to execute this Agreement on the grantee's behalf. In the event grantee's governing body delegates signature of the Agreement, grantee shall attach to this Agreement a copy of the motion or resolution which authorizes said officials to execute this Agreement, and shall also certify its authenticity.

Pedestrian Safety Enforcement (PSE) Mini-Grants

History:

Walking is the most basic, original form of transportation. Almost every one of us, including those who use chairs and assistive devices, are pedestrians at some point during the day. Yet, we have become so reliant on motor vehicles, we have tended to forget the importance of walking. Furthermore, in our massive, fast-moving vehicles we have forgotten how vulnerable a walking person is and the life-threatening, destructive power of a collision.

Although it is difficult to calculate the exposure rates of pedestrian travel, nonetheless it is clear pedestrian injuries and fatalities consistently represent a disproportionate percentage of overall injuries and deaths. Since nearly ½ of pedestrians are hit while in a crosswalk or at an intersection, it also is clear that motorists need to be reminded the law requires a driver to stop and yield for a pedestrian in a crosswalk, whether it is marked or unmarked.

Some years ago, Redmond, Washington suffered a terrible tragedy when three employees were hit leaving their workplace after work--two were killed and the other severely injured. Their police already had been working on a crosswalk enforcement plan and this tragedy led to immediate implementation. The point of the enforcement was not to write citations or generate revenue, it was to re-educate motorists of the law and of their obligation to stop for pedestrians. Redmond's focused enforcement has been successful in increasing motorist awareness of the law.

In 1999, the Transportation Safety Division began expansion of its pedestrian safety program. Part of this expansion included working with law enforcement partners to initiate pedestrian safety enforcement (PSE) operations similar to the Redmond model. Experts came to Oregon to train police on the issue of pedestrian safety and on how to safely and fairly conduct these operations.

Since the inception of this project, 50 police agencies have attended the required training and 23 have received mini-grants to conduct PSEs. Each year the project has expanded because it has been successful in raising

motorist awareness, but also because it has been very popular with the communities and with pedestrians who are tired of being afraid when crossing their streets.

What it is:

This year the project has been expanded to include four trainings (see the Trainings Section of this website) and up to 21 additional mini-grants of \$4,000 apiece. Participation by ODOT Regional Safety Representatives may provide additional funding for a few additional grants.

The mini-grant process is designed to be user-friendly and simple. It consists of a one-time grant up to \$4000 to a police agency. The agency must have sent a representative to one of the trainings, but this year we will allow departments signed up for the Spring trainings to apply.

How it works:

- Eligible entities include any law enforcement department with authority to write traffic citations in their jurisdiction.
- Applications and instructions will be mailed shortly after the New Year with a return deadline of approximately 3 weeks.
- The addressee list is our complete list of Oregon law enforcement agencies. However, if you want to be sure you will receive an application, please let us know.
- A panel will review the applications and selections will be made based on criteria described in the application. Notification will follow shortly thereafter.
- Expenditures by grantees are paid on a reimbursement basis. Certain rules apply and those will be outlined in the application and instructions.

When are the timelines:

- Applications and letters go out the first week of January.
- Deadline for return will be the end of January.
- Review of applications, selection of grantees and return of grant documents will be slated for mid-February.
- Grantees sign their grant document and return it to us for our final signatures. The grant then will be effective, probably by first of March.

- Grantees will have until 9-30-02 to complete their projects and submit the simple required reports. Billing for costs can occur as often as monthly or grantees can wait and bill the entire amount at once.

Questions, etc:

Contact Rick Waring:

Transportation Safety Division
235 Union St. NE
Salem, Oregon 97301
503-986-4196 FAX 503-986-4341
Rick.A.Waring@odot.state.or.us.

AGENDA PLACEMENT REQUEST

BUD MOD #: 04_MCSO_10

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-9 DATE 06-03-04
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only:

Meeting Date: June 3, 2004
Agenda Item #: C-9
Est. Start Time: 9:30 AM
Date Submitted: 05/26/04

Requested Date: June 3, 2004

Time Requested: N/A

Department: Sheriff's Office

Division: Corrections

Contact/s: Angela Burdine, Budget Manager

Phone: 503 988-4455

Ext.: 84455

I/O Address: 503/350

Presenters: Consent Calendar

Agenda Title: Budget Modification 04_MCSO_10 Appropriating \$83,300 to the Special Operations Fund for Landscaping and Custodial Services Performed by the Sheriff's Office Work Crew for Multnomah County Facilities and Property Management

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 Sheriff's Office is requesting approval of Budget Modification 04_MCSO_10 to appropriate \$83,300 in revenue for landscaping and custodial services performed by the Sheriff's Office work crew for Facilities and Property Management.
2. **Please provide sufficient background information for the Board and the public to understand this issue.**
The Sheriff's Office currently performs these mutually agreed upon services for Facilities and Property Management and has been reimbursed for these services by Facilities and Property Management. The Sheriff's Office wishes to have this revenue recognized.
3. **Explain the fiscal impact (current year and ongoing).**
This will increase the Corrections Divisions' revenue by \$83,300 in the Special Operations Fund. The contract also covers the central indirect for administration of the funds.

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:

- ❖ **What revenue is being changed and why?** This is an increase of revenue of \$83,300 in the Special Operations Fund for services performed by the Sheriff's Office Work Crew.
- ❖ **What budgets are increased/decreased?** The Corrections Division will increase their Special Operations budget by \$83,300. Contingency is also increased by \$1,749 for Central Indirect costs.
- ❖ **What do the changes accomplish?** The budgetary changes recognize the revenue for services performed by the Sheriff's Office Work Crews.
- ❖ **Do any personnel actions result from this budget modification? Explain.** Increase of 1.0 additional FTE Corrections Deputy to the Special Operations Funded Work Crew.
- ❖ **Is the revenue one-time-only in nature?** No
- ❖ **If a grant, what period does the grant cover?** N/A
- ❖ **When the grant expires, what are funding plans?** N/A

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?**

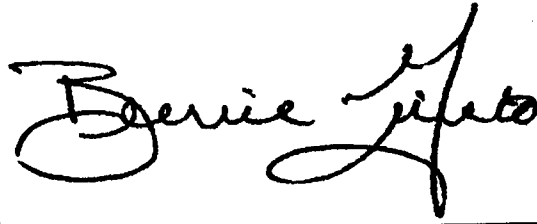
If grant application/notice of intent, explain:

- ❖ **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 involved.**
None at this time.

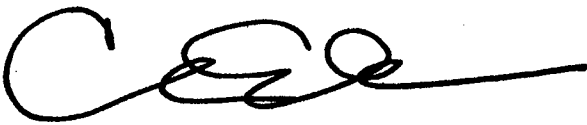
- 5. Explain any citizen and/or other government participation that has or will take place.**
This revenue is from services performed for Multnomah County Facilities and Property Management.

Required Signatures:



Department/Agency Director: _____ Date: 05/25/04

Budget Analyst

By:  _____ Date: 05/24/04

Dept/Countywide HR

By: _____ Date: _____

BUDGET MODIFICATION: # 04_MCSO_BCC_10
EXPENDITURES & REVENUES

Budget Fiscal Year: 03/04

This bud mod recognizes work crew revenue from landscaping and custodial services.

Line No.	Fund Center	Fund Code	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
			Internal Order	Cost Center						
1	60-30	1516		60427	50310	0	(83,300)	(83,300)		Internal Services Reimbursement
2	60-30	1516		60427	60000	112,469	163,444.04	50,975		Permanent
3	60-30	1516		60427	60120	37,194	39,190.00	1,996		Premium
4	60-30	1516		60427	60130	37,194	51,681.10	14,487		Salary related Expenses
5	60-30	1516		60427	60140	24,130	38,179.00	14,049		Insurance
6	60-30	1516		60427	60350	3,528	5,321.16	1,793		Indirect (Central 2.2%)
7										
8										
9	70-01	3500		705210	50316		(14,049.00)	(14,049)		Increase Insurance Revene
10	70-01	3500		705210	60330		14,049.00	14,049		Increase Offsetting Exp
11							0			
12	19	1000		9500001000	50310		(1,749)	(1,749)		Indirect Revenue
13	19	1000		9500001000	60470		1,749	1,749		Contingency
14							0			
15							0			
16							0			
17							0			
18							0			
19							0			
17							0			
18							0			
19							0			
20							0			
21							0			
22							0			
23							0			
24							0			
25							0			
26								0	0	Total - Page 1
27								0	0	GRAND TOTAL

5. ANNUALIZED PERSONNEL CHANGEChange on a full year basis even though this action affects only a part of the fiscal year (FY).

							ANNUALIZED			
Fund	Job #	Cost Center	HR Org Unit	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1516	2029	601427	63151	Corrections Deputy		1.00	50,975	14,487	14,049	79,511
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
TOTAL ANNUALIZED CHANGES						1.00	50,975	14,487	14,049	79,511

6. CURRENT YEAR PERSONNEL DOLLAR CHANGECalculate costs/savings that will take place in this FY; these should explain the actual dollar amounts being changed by this Bud Mo

							CURRENT YEAR			
Fund	Job #	Cost Center	HR Org Unit	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1516	2029	601427	63151	Corrections Deputy		1.00	50,975	14,487	14,049	79,511
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
TOTAL CURRENT FY CHANGES						1.00	50,975	14,487	14,049	79,511

LANDSCAPING AGREEMENT
Between
MULTNOMAH COUNTY FACILITIES AND
PROPERTY MANAGEMENT
and
MULTNOMAH COUNTY SHERIFF'S OFFICE

1. Parties to the Agreement

This agreement is between Multnomah County Facilities and Property Management ("Facilities") and Multnomah County Sheriff's Office ("Sheriff's Office").

2. Effective Date and Term

The effective date of this agreement shall be May 1, 2003. The initial term of this agreement shall be until April 30, 2004. The agreement may be extended for additional one year terms upon mutual agreement of both parties.

3. Scope

a. Responsibilities of the Sheriff's Office

Sheriff's Office agrees to provide the specified services at the County sites identified in Exhibits 1 and 3. All work shall be done in accordance with the standards established in this agreement and at the frequencies stated. The Sheriff's Office shall bear sole responsibility for the proper performance of the work including all supervision, equipment, materials, tools, supplies, transportation, labor, subcontractors, and any other items necessary to perform the work.

b. Responsibilities of Facilities

Facilities agrees to compensate the Sheriff's Office for work completed at the rates stated in Exhibit 2 for the term of the agreement. In the event of a change in service, rates will be adjusted accordingly. Such compensation shall be in the form of a cash transfer, processed upon receipt and approval of a monthly invoice.

- i. For routine services identified within Exhibit 1, monthly amount shall be in a lump sum and represent $1/12^{\text{th}}$ of the total cost for the fiscal year.
- ii. For exception services as identified in Exhibit 1 and 3, Facilities shall compensate the Sheriff's Office as invoiced upon completion of services as outlined in each work order as specified in Exhibit 2.

4. Administration

The Facilities and Property Management, Account Manager, and the Sheriff's Office, Finance Manager will administer this Agreement. Facilities and the Sheriff's Office will provide each other relevant contact names and phone numbers in order to administer this Agreement.

5. Reviews

Representatives from Facilities and the Sheriff's Office Fiscal Unit shall conduct quarterly reviews during the life of this Service Level Agreement to verify that the terms and conditions of the Service Level Agreement are being met.

6. Revisions

Either Facilities or the Sheriff's Office may initiate change requests to this Service Level Agreement at any time. It is expected that revisions to this Service Level Agreement will only be requested when warranted by actual or expected change in the facility-related environment managed by either party.


Modifications will be by written addendum only, signed by both parties, and will not be subjected to reductions by executive order until Facilities provides advance written notification to the Sheriff's Office.

7. Approval

By signing this agreement, both Facilities and the Sheriff's Office formally acknowledge that they are in agreement with the terms and conditions of this Service Level Agreement and are committed to its success.

8. Reporting/Decrease in Service


The Sheriff's Office will provide weekly reporting to the Facilities Service Manager. This reporting will outline the activities undertaken and the location where the activities occurred. Facilities will immediately advise the Sheriff's Office of customer complaints. After the third complaint has been issued for the same worksite within the term of this agreement, Facilities may immediately issue a notice for the Sheriff's Office to discontinue service in this area. Facilities shall compensate the Sheriff's Office for all service previously rendered.



Doug Butler
Director, Facilities and Property
Management

6/11/03

(Date)



For Sheriff, Multnomah County

6/13/03

(Date)

EXHIBIT 1

1) SCOPE OF WORK

- a) Exhibit 1 contains the minimum specifications for Grounds Maintenance Services for Multnomah County.
- b) The objective of the Grounds Maintenance Agreement is to ensure that the designated grounds and plants are healthy, clean and aesthetically pleasing. Although the following Specifications are designed to reflect the schedule and scope of work, it is the intent of this Agreement to maintain all areas as designated at the current level of appearance and health. The Sheriff's Office is to furnish all Labor, Equipment, and Materials necessary to meet the maintenance specifications outlined below.

2) NATURE AND EXTENT OF SERVICES

- a) Multnomah County has numerous facilities Countywide that serve the public in varying capacities depending on the function of each facility. All services shall be performed in a professional manner; that is, in accordance with standards and methods generally accepted within the Grounds Maintenance Services Industry. It is important to the County that the Sheriff's Office and the Sheriff's Office Work Crews project a courteous, industrious and professional attitude or manner to the general public and County employees while working at a job site.
- b) The Sheriff's Office shall assign a Corrections Deputy to oversee all work activity associated with the Standard Maintenance Specifications herein defined. This supervisor must be present and accountable for all such work activity. The Sheriff's Office shall maintain and provide a phone number through which the Sheriff's Office can be contacted twenty-four (24) hours a day, seven (7) days a week and in the case of emergency.
- c) The "Schedule of Services" is set forth in Exhibit III.
- d) The Sheriff's Office is prohibited from subcontracting any contracted services without obtaining, in advance, the written consent of Facilities.

3) STANDARD GROUNDS MAINTENANCE SPECIFICATIONS

a) Turf Care

i) Mowing and raking:

Turf to be kept uniform and even. No clippings on parking lots, curbs, walkways or beds. All clippings are to be bagged and removed from premises after each mowing. (see paragraph 3g entitled "Disposal").

ii) Edging:

Turf perimeters, walks, curbs and driveways, tree and monument cutouts and sprinkler head cutouts to be maintained neat and uniform. Chemical edging shall not be utilized without prior authorization from Facilities and Property Management.

iii) Fertilizing:

Fertilizer shall be applied as needed with Facilities contracting with outside vendors for application. As well as routing the fertilizing application, the Sheriff's office shall notify Facilities Dispatch when fertilizer is needed

iv) Soil Analysis:

Facilities shall complete annual soil analysis to ensure the proper balance of nutrients to provide long-term health of turf. Based on data supplied by Facilities, the Sheriff's Office shall make efforts to anneal the soil as required.

v) Weed Control:

Hand-weed as required to ensure a neat appearance. Chemical Herbicides shall be applied as needed with Facilities contracting with outside vendors for application. As well as routine chemical application, the Sheriff's office shall notify Facilities Dispatch when conditions warrant additional, unscheduled treatment.

b) Trees, Shrubs, ornamentals, Ground Covers

i) Pruning:

Trees, shrubs and ornamentals (foliage with a base trunk diameter of eight (8) inches or less) are to be pruned to remove dead wood, crossed limbs, suckers and any growth that impairs walks, driveways, parking lots, or accepted visual corridors to achieve the best potential for their growth and bloom.

ii) Fertilizing:

Fertilizer shall be applied as needed with Facilities contracting with outside vendors for application. As well as routing the fertilizing application, the Sheriff's office shall notify Facilities Dispatch when fertilizer is needed.

iii) Weeding:

Planted beds are to be kept free from weeds in a manner that is not detrimental to plants. Chemical weed control shall be allowed but hand-weeding may be required to ensure that all beds are weed free. Chemical Herbicides shall be applied as needed by Facilities contracting with outside vendors for application. The Sheriff's office shall notify Facilities Dispatch when conditions warrant additional, unscheduled treatment.

c) Leaf and Debris Removal

- i) Turf, planted beds, sidewalks and perimeters of all buildings shall be cleared of branches, leaves, cones, needles and any other types of landscape debris on a schedule approved by Facilities and the Sheriff's Office.
- ii) Roof and Gutter cleaning is to be performed at the start of the winter months, or when notified by the Facilities Representative. Roof and Gutter cleaning is required to remove the leafy debris from blocking the roof drainage systems.
- iii) The Sheriff's Office shall be responsible for hauling and recycling debris.

d) Snow Removal

i) Equipment and supplies required to perform specified service:

- (1) Properly equipped vehicles to get to sites during inclement weather.
- (2) Snow shovels.
- (3) Ice melt (supplied by Facilities) to be stored at the Sheriff's Office.

ii) Specific requirements for performance:

- (1) Supply shop location(s): Facilities requires regional coverage as well as a building prioritization for snow removal.
- (2) Available manpower must be adequate to cover regional areas as well as adhere to prioritization needs within a reasonable amount of time.
- (3) Must be able to mobilize work crew within reasonable amount of time to allow the County to assume normal business hours.
- (4) Must be able to mobilize work crew more than once in a 24-hour period as requested by Facilities.
- (5) Must be able to mobilize work crew for evenings, weekends, and early mornings as requested by Facilities.

e) Pressure Washing

Pressure washing of sidewalks and exterior stairways is to be scheduled to occur in the late Spring or early Summer months. Facilities will be contracting with an outside vendor for treatment. The Sheriff's office shall notify Facilities Dispatch when conditions warrant additional, unscheduled treatment.

f) Graffiti Removal

The removal of graffiti is to be performed on an as-needed basis. Facilities will be contracting with an outside vendor for service. The Sheriff's office shall notify Facilities Dispatch when conditions warrant additional, unscheduled treatment.

g) Disposal

- i) The Sheriff's Office shall dispose of all debris removed from County property in such a manner and at such places as the Sheriff's Office may elect which will not infringe on private rights, or be contrary to regulations of governmental bodies with jurisdiction on the premises.
- ii) Improper handling or disposal of recyclable materials is a violation of the City Code and is subject to civil penalties of up to \$500 for the first occurrence, or \$1,000 and \$1,500 for subsequent violations -Chapter 17.102.

h) Supervision

The Sheriff's Office shall be responsible for the direct supervision of Sheriff's Office Work Crews.

i) Inspection

i) Sheriff's Office Inspection

A representative of the Sheriff's Office shall make an inspection of all landscape areas to determine Agreement compliance. A representative of the Sheriff's Office who is thoroughly familiar with all the services specified shall make such inspection.

ii) Facilities Inspection

A Facilities Representative will inspect all facilities on a routine basis for Agreement compliance. Discrepancies will be noted and the Sheriff's Office Representative will be notified for correction, and corrections shall be completed.

j) Emergencies

In case of an emergency, Sheriff's Office Work Crews will be available to respond to the emergency. Emergencies shall include but not be limited to bomb threats, fires, inclement weather, ice and snow, wind damage, irrigation, etc. All emergencies shall be dispatched by Facilities. Response to dispatched emergencies shall be within 2 hours.

k) Exception Landscaping Services

The Sheriff's Office may occasionally be required to perform landscaping services on an exception basis for items or areas not covered by this agreement. The Facilities Representative, on an individual basis, shall request such services with the creation of a work order. These services, billed to Facilities and Property Management, shall be provided at an additional, predetermined cost, as outlined in Exhibit 2.

l) General Notations

- i) The Sheriff's Office shall check security gates and doors for security upon completion of work.
- ii) The Sheriff's Office shall report any damaged or broken plumbing, glass, light fixtures, furniture, paint, floor, lavatory fixtures, etc., to Facilities and Property Management at (503) 988-3779

- iii) The Sheriff's Office shall report any unusual security problems to Facilities and Property Management at (503) 988-3779.
- iv) The Sheriff's Office shall use designated areas for storage of equipment and supplies.
- v) The Sheriff's Office shall not permit visitors and/or children of Work Crew Member's on work site while working.
- vi) The Sheriff's Office shall repair, at Sheriff's Office cost, any property damaged by Sheriff's Office Work Crews.
- vii) The Sheriff's Office shall turn in lost and found articles to the Facilities Representative.
- viii) The Sheriff's Office shall maintain on file a complete package of Material Safety Data Sheets (MSDS) for all chemicals utilized and any necessary employee certification required. This package shall be updated throughout the term of the Agreement to reflect any additions or deletions. All MSDS shall be available for review through the Sheriff's Office Life Safety Officer.

The Sheriff's Office shall transmit to Facilities a weekly work log that details work performed in compliance with this agreement.

EXHIBIT 2
BUDGETARY CONSIDERATIONS
& ADDITIONAL FEES

1) Routine Services

For routine services rendered as identified within this agreement, Facilities shall compensate the Sheriff's Office at the following rates for Fiscal Years 2003 and 2004. Amounts below are inclusive of all fringe, burden, indirect, overhead, equipment, material, and/or equipment rental costs.

Service Type	FY 2003/4 Compensation	Monthly Invoice Amount
Routine Landscaping Services	\$44,800	\$3,733.33

2) Snow Removal and Extra Work

The Sheriff's office shall provide work crews at the rate of \$30.00 per hour for an eight man crew for snow removal and extra work.

3) Exception Services

Exception service rate for Fiscal Years 2003 and 2004 shall be \$200 per work crew, per day and or \$30.00 per hour, per work crew, per hour.

4) Rate Adjustments

For each year that it is anticipated that this agreement may be extended, rates for both routine service and exception service shall be negotiated in a timely manner so that they may included in the annual County budget submission.

EXHIBIT 3:
LANDSCAPING ANNUAL SCHEDULE OF SERVICES

Building Number/ Address	Turf Mowing	Turf Edging	Turf Fertilize	Bed Fertilization	Tree Pruning	Shrub Pruning	Bed Raking	Leaf Collection	Blowing	Litter Removal	Hand Weed Beds	Parking Lot Cleaning	Parking Lot Litter
Justice Center B119 1120 SW 5th Ave	NA	NA	N A	1	1	2	1	5	32	32	A	0	4
JJC B311 1401 NE 68th Ave	32	16	2	1	1	2	1	5	32	32	A	0	A/W
Lot 24, Printing Press Park, Motor Pool #111	32	16	2	1	1	2	1	5	32	32	A	A/W	32
Hansen	32	16	2	1	1	2	1	5	32	32	A	1	32
Inverness Jail	32	16	2	1	1	2	1	5	32	32	A	1	32
Yeon	32	16	2	1	1	2	1	5	32	32	A	1	32
Multnomah Garage B504 508 S.E. Hawthorne	NA	NA	N A	NA	1	N A	N A	NA	NA	NA	NA	A	A

Legend

A- As needed

A/W- As needed,
1/week minimum.

mcs 04 Ext. 10

12/4/03 COPD
Sent to Fac.
to Sign
Start date -
12/02.

**Custodial Agreement
between
Multnomah County Facilities and
Property Management
and
Multnomah County Sheriff's Office**

1. Parties to the Agreement

This Agreement is between Multnomah County Facilities and Property Management ("Facilities") and Multnomah County Sheriff's Office ("Sheriff's Office").

2. Effective Date and Term

The effective date of this Agreement shall be on the first Monday ten (10) working days after the last signature affixed to this Agreement. The initial term of this Agreement shall be for one year. The Agreement may be extended for additional one year terms upon mutual Agreement of both parties.

3. Scope

a. Responsibilities of the Sheriff's Office

Sheriff's Office agrees to provide the specified services at the County sites identified in Exhibits 1, 3 and 4. All work shall be done in accordance with the standards established in this Agreement and at the frequencies stated. The Sheriff's Office shall bear sole responsibility for the proper performance of the work including all supervision, equipment, materials, tools, supplies (except for those listed in Exhibit 4), transportation, labor, and any other items necessary to perform the work.

b. Responsibilities of Facilities

Facilities agrees to compensate the Sheriff's Office for work completed at the rates stated in Exhibit 2 for the term of the Agreement. In the event of a change in service, rates will be adjusted accordingly upon mutual consent of both parties. Such compensation shall be in the form of a cash transfer, processed upon receipt and approval of a monthly invoice.

i. For routine services identified within Exhibit 1, monthly amount shall be in a lump sum and represent 1/12th of the total cost for the fiscal year.

ii. For enhanced services dispatched by Facilities as identified in Exhibits 1 and 3, Facilities shall compensate the Sheriff's Office as invoiced upon completion of services as outlined in each work order as specified in Exhibit 2.

4. Administration

The Facilities Property Manager and a representative of the Sheriff's Office will administer this Agreement. Facilities and the Sheriff's Office will provide each other relevant contact names and phone numbers in order to administer this Agreement.

5. Reviews

Representatives of Facilities and the Sheriff's Office shall conduct quarterly reviews during the life of this Service Level Agreement to verify that the terms and conditions of this Agreement are being met.

6. Revisions

Either Facilities or the Sheriff's Office may initiate change requests to this Agreement at any time. It is expected that revisions to this Agreement will only be requested when warranted by actual or expected change in the facility-related environment managed by either party. Modifications will be by written addendum only, signed by both parties, and will not be subjected to reductions by executive order until Facilities provides a ten (10) day advance written notice to the Sheriff's Office.

7. Reporting/Decrease in Service

After the third complaint has been issued, Facilities may immediately issue a notice for the Sheriff's Office to discontinue service in this area. Facilities shall compensate the Sheriff's Office for all service previously rendered.

8. Termination

This Agreement may be terminated by either party upon sixty (60) days written notice, or terminated with less by notice by mutual agreement of both parties.

9. Approval

By signing this Agreement, both Facilities and the Sheriff's Office formally acknowledge that they are in agreement with the terms and conditions of this Agreement and are committed to its success.

Doug Butler
Director, Facilities and Property
Management

Bernie Giusto
Bernie Giusto
Sheriff, Multnomah County

(Date)

12/2/03
(Date)

Exhibits:

1. Statement of Work
2. Payment
3. Cleaning Services Floor Plan
4. Annual Schedule of Cleaning Services
5. Janitorial Supplies

Exhibit 1
Statement of Work

1) Scope of work

- a) Exhibit 1, 3 and 4 contain the minimum specifications for Multnomah Custodial Services for Multnomah County.
- b) The objective of the Custodial Maintenance Agreement is to ensure that the designated areas are kept reasonably clean. Although the following Specifications are designed to reflect the schedule and scope of work, it is the intent of this Agreement to maintain all areas as designated at the current level of appearance and at proper health standards. The Sheriff's Office is to furnish all Labor, Equipment, and Materials (except for items listed in Exhibit 4) necessary to meet the maintenance specifications outlined below.

2) Nature and extent of services

- a) Multnomah County has numerous facilities Countywide that serve the public in varying capacities depending on the function of each facility. All services shall be performed in a professional manner; that is, in accordance with standards and methods generally accepted within the custodial industry. It is important to the County that the Sheriff's Office and the Sheriff's Office Work Crews project a courteous, industrious and professional attitude or manner to the general public and County employees while working at a job site.
- b) The Sheriff's Office shall assign a Corrections Deputy to oversee all work activity associated with the Standard Maintenance Specifications herein defined. This supervisor must be present and accountable for all such work activity. The Sheriff's Office shall maintain and provide a phone number through which the Sheriff's Office can be contacted twenty-four (24) hours a day, seven (7) days a week and in the case of emergency.
- c) The "Schedule of Services" is set forth in Exhibits 3 and 4 based upon seven days of service per week.
- d) The Sheriff's Office is prohibited from subcontracting any contracted services without obtaining, in advance, the written consent of Facilities.

3) Custodial specifications for Multnomah County Inverness Jail (MCIJ)

a) General

i) Scope:

Although other buildings could be added to this Agreement, only MCIJ is addressed in this paragraph. This specification is based upon varying frequency of cleaning identified in Exhibits 3 and 4. Additionally, off-limit areas are marked on Exhibits 3 and 4; these will be cleaned by an outside custodial contractor supervised and paid by Facilities. Off-limit areas include the pharmacy, control centers and their restrooms, medical file room, and seven (7) indirect rooms adjoining the dormitories.

ii) Custodial Supplies:

The Sheriff's Office shall supply all labor, material, supplies, equipment, and other costs associated with providing this service, except for specific cleaning supplies set forth in Exhibit 5. Facilities shall provide these cleaning supplies as ordered by the Sheriff's Office for performing service at MCIJ.

b) Disposal

i) The Sheriff's Office shall dispose of all debris removed from County property in such a manner and at such places as the Sheriff's Office may elect which will not infringe on private rights, or be contrary to regulations of governmental bodies with jurisdiction on the premises.

ii) Improper handling or disposal of recyclable materials is a violation of the City Code and is subject to civil penalties of up to \$500 for the first occurrence, or \$1,000 and \$1,500 for subsequent violations -Chapter 17.102.

c) Supervision

The Sheriff's Office shall be responsible for the direct supervision of Sheriff's Office Work Crews.

d) Emergencies

In case of an emergency, Sheriff's Office Work Crews will be available to respond to the emergency. Emergencies shall include but not be limited to bomb threats, fires, inclement weather, ice and snow, wind damage, water damage, and hazardous or bodily fluids. Assigned deputies shall be trained in clean-up of bodily fluids. If substance is unknown, contact Facilities for resolution. All emergencies shall be dispatched by Facilities. Response to dispatched emergencies shall be within 2 hours. If dispatched by Facilities, Facilities shall pay Sheriff's Office for emergency work at the "Extra Work" rate included in Exhibit 2, paragraph 2.

e) Exception Custodial Services

The Sheriff's Office may occasionally be required to perform services on an exception basis for items or areas not covered by this Agreement. The Facilities Representative, on an individual basis, shall request such services with the creation of a work order. If dispatched

by Facilities, Facilities shall pay Sheriff's Office for these services at the "Extra Work" rate included in Exhibit 2, paragraph 2.

f) General Notations

- i) The Sheriff's Office shall check security gates and doors for security upon completion of work.
- ii) The Sheriff's Office shall report any damaged or broken plumbing, glass, light fixtures, furniture, paint, floor, lavatory fixtures, etc., to Facilities at (503) 988-3779.
- iii) The Sheriff's Office shall report any unusual security problems to Facilities and Property Management at (503) 988-3779.
- iv) The Sheriff's Office shall use designated areas for storage of equipment and supplies.
- v) The Sheriff's Office shall not permit visitors and/or children of Work Crew Member's on work site while working.
- vi) The Sheriff's Office shall repair, at Sheriff's Office cost, any property damaged by Sheriff's Office Work Crews.
- vii) The Sheriff's Office shall turn in lost and found articles to the Sheriff's Office Facility Security Officer (FSO) on duty.
- viii) The Sheriff's Office shall maintain on file a complete package of Material Safety Data Sheets (MSDS) for all chemicals utilized and any necessary employee certification required. This package shall be updated throughout the term of the Agreement to reflect any additions or deletions. All MSDS shall be available for review through the Sheriff's Office Life Safety Officer.

Exhibit 2 Payment

1) Routine Services

For routine services rendered as identified within this Agreement, Facilities shall compensate the Sheriff's Office at the following rates. Amounts below are inclusive of all fringe, burden, indirect, overhead, equipment, material, supplies and/or equipment rental costs.

Service Type	Annual Compensation	Monthly Invoice Amount
MCIJ Custodial Services set forth in Exhibits 1, 3, and 4	\$77,000	\$6,416.66

It is agreed that the Sheriff's Office shall not provide cleaning services for specified areas at MCIJ as shown and listed in Exhibits 1, 3 and 4. For Fiscal Year 2004, Facilities shall compensate the third party contractor for the specified cleaning services provided in these areas. For services to be rendered after Fiscal Year 2004, the Sheriff's Office shall advise Facilities of any changes requested of the third party contractor. In turn, Facilities will provide third party price quotes to Sheriff's Office reflecting these changes. The Sheriff's Office shall receive a copy from Facilities of the third party bills on a monthly basis.

2) Extra Work

The Sheriff's Office shall provide work crews at the rate of \$48.00 per hour for an eight-man crew for extra work.

3) Exception Services

Exception service rate shall be \$390 per work crew, per day and or \$48.00 per hour, per work crew, per hour.

4) Rate Adjustments

For each year that it is anticipated that this Agreement may be extended, rates for both routine service, emergency, and exception service shall be negotiated in a timely manner so that they may included in the annual County budget submission. If negotiations between the parties are not completed within three months of commencement date, the parties agree to use the Multnomah County Board approved contract increase.

EXHIBIT 4:
ANNUAL SCHEDULE OF CLEANING SERVICES
CLEANING FREQUENCY AND CUSTODIAN SERVICE PROVIDER

MCIJ LOCATION	CLEANING FREQUENCY			CUSTODIAN SERVICE PROVIDER		
	DAILY	WEEKLY	QUARTERLY	WELLSPRING	WORK CREWS	INMATES
CORRECTIONS ADMINISTRATION						
STAFF WORK AREAS		X			X	
CONFERENCE ROOMS		X			X	
RESTROOMS	X				X	
LUNCHROOMS	X				X	
MECHANICAL SPACES			X		X	
WORK OUT ROOM		X			X	
LOCKER ROOMS	X				X	
STORAGE ROOMS		X			X	
LOBBY		X			X	
CORRIDOR		X			X	
PUBLIC LOBBY						
FSO WORK STATION	X				X	
WAITING AREAS	X				X	
RESTROOMS	X				X	
CORRECTIONS HEALTH ADMIN						
STAFF WORK AREAS		X		X		
PHARMACY	X			X		
MEDICAL RECORDS	X			X		
RESTROOMS	X			X		
CONFERENCE ROOMS		X		X		
STAFF KITCHENETTE	X			X		
MEDICAL CLINIC						
EXAM ROOMS	X				X	
DENTAL EXAM ROOM	X				X	
X-RAY OFFICE	X				X	
X-RAY HOLDING ROOM	X				X	
STAFF OFFICES		X			X	
RESTROOM	X				X	
HOLDING ROOMS	X				X	
VISITING AREAS						
PUBLIC SIDE		X			X	
INMATE SIDE		X				X
CONTACT VISITING		X			X	
NON-CONTACT VISITING						
PUBLIC		X			X	
INMATE		X				X
PROCESSING						
PROCESSING CONTROL						
CONTROL ROOM	X			X		
RESTROOM	X			X		
PROCESSING EXAM ROOM		X			X	
CLOTHING PROPERTY ROOM		X			X	
CLOTHING PROP. CORRIDOR		X			X	

MCIJ LOCATION	CLEANING FREQUENCY			CUSTODIAN SERVICE PROVIDER		
	DAILY	WEEKLY	QUARTERLY	WELLSPRING	WORK CREWS	INMATES
INDIRECT						
1/2 INDIRECT		X		X		
4/5 INDIRECT		X		X		
1/7 INDIRECT		X		X		
8/9 INDIRECT		X		X		
10/11 INDIRECT		X		X		
12/13 INDIRECT		X		X		
14/15 INDIRECT		X		X		
RESTROOMS		X		X		
CONTROL CENTERS						
CENTRAL CONTROL	X			X		
16/17 CONTROL	X			X		
RESTROOM	X			X		
EAST CONTROL	X			X		
RESTROOM	X			X		
HOUSING AREA- GENERAL						
CENTRAL SERGEANT'S OFFICE		X			X	
PROCESSING ENTRY, RESTRM	X				X	
MECHANICAL ROOMS			X		X	
ELEVATOR/STAIRWELLS			X		X	
GARBAGE CORRIDOR		X			X	
WEST STAFF LUNCH ROOM	X				X	
RESTROOM	X				X	
G.E.D. OFFICE		X			X	
HOUSING - GENERAL						
DORMS	X					X
CORRIDORS	X					X
KITCHEN	X					X
2nd FLOOR OFFICES						
PROGRAM ROOMS						
STAFF WORK AREAS		X			X	
RESTROOMS		X			X	
WEST SERGEANT'S OFFICES		X			X	
CORRIDOR		X			X	
2nd FLOOR MECHANICAL AREA						
TELECOMMUNICATIONS AREA			X		X	
ELECTRONICS/ELECTRICAL			X		X	
GENERATOR ROOM			X		X	
BOILER ROOM			X		X	
STORAGE ROOM			X		X	
OUTSIDE						
FRONT PORCH	X				X	
FRONT SIDEWALK		X			X	
MECHANICAL ROOMS			X		X	
LOADING DOCK		X			X	
STAFF ENTRY PORCH	X				X	
INFO TECHNOLOGY OFFICE					X	
RESTROOM		X			X	
STAFF WORK AREA		X			X	
MAINTENANCE DEPUTY OFFICE					X	
CORRIDOR		X			X	
OFFICE		X			X	
STORAGE ROOM		X			X	

**Exhibit 5:
Janitorial Supplies**

STOCK #	UNIT	DESCRIPTION
M48555001	PAIL	CLEANER DISINFECTANT 5 GAL
M48540002	CAN	CLEANER DISINFECTANT FOAM SPRAY 20 OZ
M48526001	CASE	CLEANER TOILET BOWL 12 QT/CS
M48528002	CASE	CLEANER WINDOW READY TO USE FASTRACK 4-1 GAL/CS
M64075001	CASE	COVER TOILET SEAT 1/2 FOLD 5M/CS
M66524001	CASE	LINER 33X39 .8mil CLEAR 250/CS
M66524008	CASE	LINER 33X39 1.25mil WHITE 150/CS
M66524007	CASE	LINER 33X39 1.35mil CLEAR 250/CS
M66524002	CASE	LINER 36X58 1.5mil BLACK 100/CS
M66524003	CASE	LINER 36X58 2.0mil CLEAR 100/CS
M66524005	CASE	LINER 40X46 .8mil CLEAR 250/CS
M66524009	CASE	LINER WASTEBASKET 24X23 .9mil WHITE 500/CS
M66524006	CASE	LINER WASTEBASKET 24X24 .6mil BLACK 500/CS
M47532001	CASE	SANITARY NAPKIN BAG
M65239001	CASE	SANITARY NAPKINS HOSPECO
M65239003	CASE	SANITARY TAMPONS 500/CS HOSPECO
M48586005	CASE	SOAP HAND LOTION 800ml 12/CS
M64075008	CASE	TISSUE TOILET 1000 SH/RL 96/CS
M64075002	CASE	TISSUE TOILET ROLL JUMBO 6RL/CS
M64075006	CASE	TOWEL PAPER MULTIFOLD RECYCLED
M64075004	CASE	TOWEL PAPER ROLL HOUSEHOLD 30RL/CS
M48530001	CASE	URINAL SCREEN W/DEODOR BLOCK 12/CS
		Cleaner polish stainless steel and disinfectant air freshener - not covered

FAX ORDERS TO: Becky Bilodeau @ (503) 988-5082

AGENDA PLACEMENT REQUEST

BUD MOD #: 04_MCSO_18

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-10 DATE 06.03.04
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only:

Meeting Date: June 3, 2004

Agenda Item #: C-10

Est. Start Time: 9:30 AM

Date Submitted: 05/26/04

Requested Date: June 3, 2004

Time Requested: N/A

Department: Sheriff's Office

Division: Law Enforcement

Contact/s: Angela Burdine, Budget Manager

Phone: 503 988-4455

Ext.: 84455

I/O Address: 503/350

Presenters: Consent Calendar

Agenda Title: Budget Modification 04_MCSO_18 Appropriating \$16,000 from the Oregon Parks & Recreation Department to the Sheriff's Office for patrol of islands in Multnomah County.

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 Sheriff's Office is requesting approval of Budget Modification 04_MCSO_18 to appropriate \$16,000 of revenue from the Oregon Parks & Recreation Department. The revenue will be used to enhance patrol and emergency services in support of the recreation management of Government Island, McGuire Island and Lemon Island, in Multnomah County.
- 2. Please provide sufficient background information for the Board and the public to understand this issue.** The Sheriff's Office and the Oregon Parks & Recreation Department have entered into a mutually agreed upon service contract, an IGA, approved by the board of commissioners on 12/05/02. The Sheriff's Office will provide patrol and emergency services to Government Island, Lemon Island and McGuire Island beginning the Friday of Memorial Day weekend and continuing through Monday of the Labor Day weekend each year.

3. **Explain the fiscal impact (current year and ongoing).** This will increase the Enforcement Division's revenue by \$16,000 in the Federal/State Fund. The Grant covers the Central Indirect for administration of the funds.

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:

- ❖ **What revenue is being changed and why?** The Federal/State Fund will be increased by \$16,000.
- ❖ **What budgets are increased/decreased?** The Enforcement Division will increase their Federal/State budget by \$16,000. Contingency is also increased by \$344 for Central Indirect costs.
- ❖ **What do the changes accomplish?** The budgetary change recognizes \$16,000 in revenue from the Oregon Parks & Recreation Department.
- ❖ **Do any personnel actions result from this budget modification? Explain.**
No
- ❖ **Is the revenue one-time-only in nature?** No.
- ❖ **If a grant, what period does the grant cover?** N/A - This is an IGA which began upon execution of the contract, 12/05/02, and is in perpetuity.
- ❖ **When the grant expires, what are funding plans?** N/A

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain:

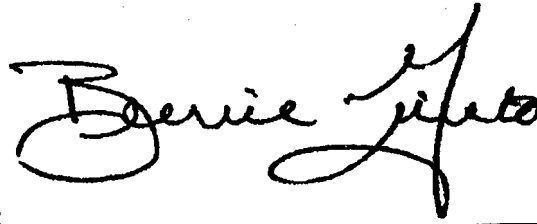
- ❖ **Why was the expenditure not included in the annual budget process?**
- ❖ **What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?**
- ❖ **Why are no other department/agency fund sources available?**
- ❖ **Describe any new revenue 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?**

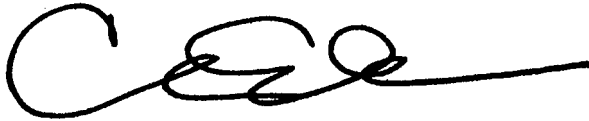
4. **Explain any legal and/or policy issues involved.** None at this time.
5. **Explain any citizen and/or other government participation that has or will take place.** N/A

Required Signatures:



Department/Agency Director: _____ Date: 05/25/04

Budget Analyst



By: _____ Date: 05/24/04

Dept/Countywide HR

By: _____ Date: _____

BUDGET MODIFICATION: # 04_MCSO-BCC_18

EXPENDITURES & REVENUES

Budget Fiscal Year: 03/04

This bud mod allocates money for Government Island

Line No.	Fund Center	Fund Code	Internal Order	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
				Cost Center	WBS Element						
1	60-50	23991			SORPU.GOV.03	50236	0	(16,000)	(16,000)		Federal/State Revenue-Fee for Services
2	60-50	23991			SORPU.GOV.03	60110	0	11,165	11,165		Overtime
3	60-50	23991			SORPU.GOV.03	60130	0	3,597	3,597		Salary related Expenses
4	60-50	23991			SORPU.GOV.03	60140	0	893	893		Insurance
5	60-50	23991			SORPU.GOV.03	60350		344	344		Central Indirect (2.2%)
6	70-01	3500		705210		50316		(3,597)	(3,597)		Increase Insurance revenue
7	70-01	3500		705210		60330		3,597	3,597		Increase Offsetting Exp
8	19	1000		9500001000		50310		(344)	(344)		Indirect Revenue
9	19	1000		9500001000		60470		344	344		Contingency
10											
11											
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25											
26									0	0	Total - Page 1
27									0	0	GRAND TOTAL

MULTNOMAH COUNTY CONTRACT APPROVAL FORM

Pre-approved Contract Boilerplate (with County Counsel signature) ☐ Attached ☐ Not Attached

Contract #: 0210298
Amendment #:

CLASS I	CLASS II	CLASS III
<input type="checkbox"/> Professional Services not to exceed \$50,000 (and not awarded by RFP or Exemption) <input type="checkbox"/> Revenue not to exceed \$50,000 (and not awarded by RFP or Exemption) <input checked="" type="checkbox"/> Intergovernmental Agreement (IGA) not to exceed \$50,000 <input type="checkbox"/> Expenditure <input checked="" type="checkbox"/> Revenue <input type="checkbox"/> Architectural & Engineering not to exceed \$10,000 (for tracking purposes only)	<input type="checkbox"/> Professional Services that exceed \$50,000 or awarded by RFP or Exemption (regardless of amount) <input type="checkbox"/> PCRB Contract <input type="checkbox"/> Maintenance Agreement <input type="checkbox"/> Licensing Agreement <input type="checkbox"/> Construction <input type="checkbox"/> Grant <input type="checkbox"/> Revenue that exceeds \$50,000 or awarded by RFP or Exemption (regardless of amount)	<input type="checkbox"/> Intergovernmental Agreement (IGA) that exceeds \$50,000 <input type="checkbox"/> Expenditure <input type="checkbox"/> Revenue <div style="text-align: center;"> APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS AGENDA # <u>C-7</u> DATE <u>12-05-02</u> DEB BOGSTAD, BOARD CLERK </div>

Department: Sheriff's Office Division: ENF Date: 10/30/02
 Originator: Sgt. David Hadley Phone: 288-6788 Bldg/Rm: 313/RPU
Dave Braaksma Phone: 988-4415 Bldg/Rm: 503/350

Description of Contract: Provide summer patrol team for Govt. Island, Lemon Island & McGuire Island

RENEWAL: ☐ PREVIOUS CONTRACT #(S): 800819,0110255, 0210234

RFP/BID: _____ RFP/BID DATE: _____

EXEMPTION #/DATE: _____ EXEMPTION EXPIRATION DATE: _____ ORS/AR #:

CONTRACTOR IS: ☐ MBE ☐ WBE ☐ ESB ☐ QRF ☐ N/A ☐ NONE (Check all boxes that apply)

Contractor <u>Oregon Parks & Recreation Dept</u>		Remittance address _____	
Address <u>Rooster Rock State Park</u>		(If different) _____	
P O Box 100			
<u>Corbett, OR 97019</u>			
Attn: <u>Jan Jones, Senior Contract Administrator</u>			
Phone <u>503-378-4168 ext. 309</u>		Payment Schedule / Terms	
Employer ID# or SS# _____	<input type="checkbox"/> Lump Sum \$ _____	<input type="checkbox"/> Due on Receipt	
Effective Date <u>Upon execution</u>	<input type="checkbox"/> Monthly \$ _____	<input type="checkbox"/> Net 30	
Termination Date <u>In Perpetuity</u>	<input type="checkbox"/> Other \$ _____	<input type="checkbox"/> Other	
Original Contract Amount \$ <u>16,000 / yr</u>	<input type="checkbox"/> Requirements Not to Exceed \$ _____		
Total Amt of Previous Amendments \$ _____	Encumber <input type="checkbox"/> Yes <input type="checkbox"/> No		
Amount of Amendment \$ _____			
Total Amount of Agreement \$ <u>16,000/yr</u>			

REQUIRED SIGNATURES:

Department Manager Peter C. Van der

DATE 103002

Purchasing Manager _____

DATE _____

(Class II Contracts Only)

County Counsel _____

DATE 11/5/02

County Chair _____

DATE 12/5/02

Sheriff _____

DATE 10/31/02

Contract Administration _____

DATE _____

(Class I, Class II Contracts only)

LGFS VENDOR CODE						DEPT REFERENCE					
LINE #	FUND	AGENCY	ORG	SUB ORG	ACTIVITY	OBJ/ REV	SUB OBJ	REP CAT	LGFS DESCRIPTION	AMOUNT	INC DEC
01											
02											
03											

Exhibit A, Rev. 3/25/98 DIST: Originator, Accts Payable, Contract Admin - Original If additional space is needed, attach separate page. Write contract # on top of page.

INTERGOVERNMENTAL AGREEMENT

This agreement is between the State of Oregon, acting by and through its Parks and Recreation Department, hereinafter called OPRD, and Multnomah County Sheriff's Office, hereinafter called Contractor.

The purpose of this agreement is to provide intergovernmental mutual assistance in providing law enforcement and emergency services in support of the recreation management of Government Island, McGuire Island and Lemon Island, in Multnomah County.

This agreement is entered into under OPRD's authority of ORS 190.003-010, ORS 390.140 and OAR 736.10.010-020, and the delegated authority of the OPRD Commission. This agreement is further authorized under the provisions of a ground lease with the Port of Portland to OPRD for the management of the recreational use of the islands.

This agreement shall be in effect from the date of final signature executing the agreement until such time when either of the parties wish to terminate the agreement. Termination shall be in compliance with Section XII of this agreement.

I. Statement of Work

A. Contractor agrees to accomplish the following work under this agreement:

1. Contractor agrees to provide a patrol team hereinafter "assigned personnel", consisting of two deputy sheriffs, which shall patrol Government Island, Lemon Island and McGuire Island (hereinafter known as the "islands"), during the hours mutually agreed upon by Contractor and OPRD beginning the Friday of Memorial Day weekend and continuing through Monday of the Labor Day weekend each year. If river and safety conditions warrant, Contractor may, in their professional judgment, cancel a scheduled patrol.
2. Contractor may assign one or more Reserve Deputy Sheriffs to a patrol team as long as at least one member of each patrol team is a regular, sworn Deputy Sheriff serving under compensation.
3. Contractor agrees to provide to OPRD a bimonthly activity report with their invoice. Reports shall include the time periods from the Friday of Memorial Day weekend through June 30, and from July 1 through the Monday of Labor Day weekend. Reports are due no more than 14 days from the end of the reporting period.

B. Contractor agrees to the following delivery schedule for the work described in Paragraph A above.

1. Contractor shall provide assigned personnel for a minimum of five (5) hours per day for weekends (Friday/Saturday/Sunday) during the period of this agreement and extended coverage of at least a total of 20 hours each holiday weekend: Memorial Day, 4th of July and Labor Day.

II. Consideration

- A. OPRD AGREES TO PAY contractor an amount not to exceed \$16,000 for performance of this agreement. This payment shall be the sole monetary obligation of the OPRD and the OPRD's obligation to pay is limited by the provisions of Section XII, Termination. Payment of all operating costs, federal, state, county or city taxes/assessments and any other charges imposed by law upon employers shall be the responsibility of Contractor.
- B. Interim payments shall be made to Contractor. Interim payments will be made on the basis of requests for payment submitted with bimonthly reports, according to the following schedule:
 - 1. OPRD shall make payments:
 - a. \$5,000 for the period beginning Friday of Memorial Day weekend to June 30 of the agreement year.
 - b. \$11,000 for the period July 1 through the Monday of the Labor Day weekend.
- C. Contractor agrees to submit a final invoice for work completed under this agreement, not later than 45 days after the final scheduled patrol of the season. Due to restrictions imposed by the funding agency, the Oregon Parks and Recreation Department may be unable to pay invoices presented later than 45 days after the final scheduled patrol of the season.
- D. All requests for payment shall be submitted to

Kevin W. Price, Assistant Area Manager
Rooster Rock State Park
PO Box 100
Corbett, OR 97019
- E. All requests for payment must include documentation of expenditures, for OPRD to determine conformance with the terms of the agreement; the budget and those expenditures which are allowable.
- F. All payments are contingent upon satisfactory progress or completion of work to date, as determined by OPRD. All requests for payment are subject to the approval of OPRD. Final payment will be made after final acceptance of all work.

III. Travel

- A. Travel and other expenses of the Contractor shall not be reimbursed by OPRD.

IV. Project Manager

OPRD has designated Kevin W. Price, Assistant Area Manager as Project Manager for this agreement.

V. Subcontracts

Contractor shall not enter into any subcontracts for any of the work scheduled under this agreement without obtaining prior written approval from OPRD.

VI. Publicity

Any publicity or advertising regarding the work performed under this agreement must be approved by the Project Manager and must acknowledge the support of the Oregon Parks and Recreation Department, and if applicable any other grantor agency.

VII. Indemnity

- a) Contractor shall defend, save and hold harmless the State of Oregon and OPRD, its officers, agents, employees and members, from all claims, suits or actions of whatever nature resulting from or arising out of the activities of Contractor or its subcontractors, agents or employees under this agreement.
- b) State of Oregon and OPRD shall defend, save and hold harmless Contractor, its officers, agents, employees and members, from all claims, suits or actions of whatever nature resulting from or arising out of the activities of the State of Oregon and OPRD or its subcontractors, agents or employees under this agreement.

VIII. Excuses for Nonperformance

Neither party shall be held responsible for delay or failure to perform when such a delay or failure is due to fire, flood, epidemic, strikes, acts of God or the public enemy, unusually severe weather, legal acts of public authorities, or delays or defaults caused by public carriers, which cannot reasonably be foreseen or provided against. Either party may terminate the agreement, effective with the giving of written notice, after determining such delay or failure will reasonably prevent successful performance in accordance with the terms of the agreement.

IX. Changes

No changes to or waivers of provisions of this agreement will be valid until they have been reduced to writing, approval and signed by both parties.

X. Retention of Records and Reports

Contractor agrees to maintain records of costs and services provided to document the Project and full support billings. All books, records and other documents relevant to this agreement shall be retained for:

- A. Three years after the end of the fiscal year during which they were created; or
- B. Any longer period which may be required to complete any audit or to resolve any pending audit findings.

XI. Access to Records

OPRD, the Secretary of State's Office of the State of Oregon, the Federal Government, and their duly authorized representatives shall have access to the books, documents, papers, and records of Contractor and any subcontractors which are directly pertinent to this contract for the purpose of making audit, examination, excerpts and transcripts.

XII. Termination

- A. This agreement may be terminated by mutual consent of both parties or by either party for any reason whatsoever.
- B. OPRD may terminate this agreement effective upon delivery of written notice to Contractor, or at such later date as may be established by OPRD, under any of the following conditions:

If OPRD funding from federal, state or other sources is not obtained and continued at levels sufficient to allow for purchases of the indicated quantity of services. When possible, and when agreed upon, the agreement may be modified to accommodate a reduction in funds.

- C. Any termination under paragraph A or B above of this Section shall be without prejudice to any obligations or liabilities or either party already accrued prior to such termination.
- D. OPRD by written notice of default to Contractor may terminate the whole or any part of this agreement.
 - 1. If Contractor fails to provide services called for by this agreement within the time specified herein or any extension thereof; or
 - 2. If Contractor fails to perform any of the other provisions of this agreement, or so fails to pursue the work as to endanger performance of this agreement in accordance with its terms, and after receipt of written notice from OPRD, fails to correct such failures within ten (10) days or such longer period as OPRD may authorize.

XIII. Nondiscrimination

Contractor agrees to comply with all applicable requirements of federal and state civil rights and rehabilitation statues, rules and regulations.

XIV. Funds Available and Authorized

OPRD certifies at the time the agreement is written that sufficient funds are available and authorized for expenditures to finance costs of this agreement within OPRD current appropriation or limitation. Continuation of this agreement after the current budget period is contingent on legislative approval of funding for this purpose.

MULTNOMAH COUNTY

OREGON PARKS &
RECREATION DEPT.

Dan Noelle
Dan Noelle, Sheriff

Michael Carrier
Michael Carrier, Director

10/31/02
Date

1/29/03
Date

Diane M. Linn
Diane M. Linn, Chair

12.5.02
Date

Reviewed,
Thomas Sponsler, Attorney for
Multnomah County

BY: [Signature] 11/5/02
Assistant County Attorney Date

APPROVED MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-7 DATE 12.05.02
DEB BOGSTAD, BOARD CLERK

Contract Routing Form

Contract # 0210298

Contractor: OR. Parks & Rec

Vendor #: _____

Value: \$16,000/yr

Effective: 11/01/02 Until: 10/31/19 Class: I IGA (Revenue) Received in Contract Admin.: 10/30/2002

Previous contract amount: \$ 14,000

Expended amount last fiscal year: \$ 14,000

Cost Center: SORPU.GOV.3

G/L Account 50236

Contract Packet Preparation

Compile documents (check each step as completed)

☒ Body of the Contract ☐ Outline Agreement (SAP)

Exhibits: ☐ 1 ☐ 2 ☐ 3 ☐ 4

☒ CAF

☐ Agenda Placement Form

☐ Purchasing Documents

Packet Completed and routed to Fiscal Manager for review 10/30/02

Solicit Insurance N/A

Initial Request for Vendor Insurance Via: ☐ Phone ☐ Formal letter Date: _____

Added to Contract Packet: _____ Comments: _____

Internal (Agency) Routing

Reviewed | CAF Initialed by Fiscal Manager.....Date: 10/30/02

Reviewed | CAF Signed by Chief Deputy Date / /

Reviewed | Contract Originals Signed by SheriffDate / /

External (County) Routing

No Board Approval Needed

Forwarded to:
Central Procurement / Contract Administration
(503 / 4 / CPCA)

Date: / /

Requires Board Approval

Forwarded to: (check one)
☐ Budget Office (Due to attached Bud Mod)
(503 / 4 / Julie Neburka)
Or
☐ County Attorney (503 / 5 / Jacquie Weber)

Date / /

Returned from external (County) routing with all signatures present Date / /

Vendor Approval

☐ Attached Cover letter

☐ Attached Return Envelope

☐ Mailed Date / /

Returned from Vendor Signed Date: / /

Completed Contract Distribution

Organization or Person	Contract	CAF	Insurance	Purch. Docs	Routing Slip
CPCA (503/4/CPCA)	Original	Original	Original	Originals	---
MCSO Contract Files	Original	Copy	Copy	Copies	Original
Initiating Manager	Copy	Copy	---	Copies	---
Heidi or Brad (Accounts Payable Contracts)	Copy	Copy	---	---	---
Sharon (Revenue Contracts)	Copy	Copy	---	Copy of CSS (if applicable)	---
Angela (Grant Funded contracts or with Bud Mod attached)	Copy	Copy	---	---	---

12/9/2002

**Oregon Parks and Recreation Dept.
ATTN: Jan Jones Senior Contract Admin
PO Box 100
Corbett OR 97019**

Enclosed you will find three copies of a Multnomah County Intergovernmental Agreement between the Multnomah County Sheriff's Office and the Oregon Parks and Recreation Department for the purpose of providing summer patrol team for Government Island, Lemon Island and McGuire Island.

Please sign the Agreements where marked, then keep one copy for your records, and return the remaining two copies to us in the provided envelope.

**We appreciate your willingness to expedite this matter.
Thank you so much for the opportunity to do business with you.**

If you have any questions in this matter, feel free to contact me at the number below.

Sincerely,

**Dave Braaksma
Contracts Administrator
Multnomah County Sheriff's Office
501 SE Hawthorne Blvd., Suite 350
Portland, OR 97214
(503) 988-4415
david.a.braaksma@co.multnomah.or.us**



Oregon

Theodore R. Kulongoski, Governor

Park and Recreation Department

1115 Commercial St. NE

Salem, OR 97301-1002

(503) 378-6305

FAX (503) 378-6447

www.oregonstateparks.org

JANUARY 31, 2003

DAVE BRAAKSMA
MULTNOMAH CO SHERIFF'S OFFICE
501 SW HAWTHORNE BLVD, SUITE 350
PORTLAND OR 97214

OPRD AGREEMENT #: AGR03-14



Dear Mr. Braaksma:

Please find enclosed two fully executed originals of agreement number AGR03-14 with the Oregon Parks and Recreation Department. This agreement allows the Multnomah County Sheriff's Office to provide a summer patrol team for Government Island, Lemon Island and McGuire Island. This is your official NOTICE TO PROCEED with the work.

If you have any questions, regarding our agreement process, please contact me at 503-378-4168, extension 309. If you have questions regarding the work, please contact Kevin Price, Portland/Columbia River Gorge State Parks Assistant Area Manager, at 503-695-2261, extension 222.

Sincerely,

Jan Jones
Senior Contracts Officer

Enclosures

c: Jack Wiles, Portland/Columbia River Gorge State Parks Area Manager
Kevin Price, Portland/Columbia River Gorge State Parks Assistant Area Manager

jcj

#1

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

*****This form is a public record*****

MEETING DATE: 6/3/04
SUBJECT: Montavilla LIBRARY

AGENDA NUMBER OR TOPIC: _____

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Maureen WRIGHT

ADDRESS: 1505 SEMADISON ST

CITY/STATE/ZIP: Portland OR 97214

PHONE: _____ DAYS: 233 9383 EVES: SAME

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: As above

WRITTEN TESTIMONY: TO FOLLOW

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#2

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE:

SUBJECT:

AGENDA NUMBER OR TOPIC:

FOR:

AGAINST:

THE ABOVE AGENDA ITEM

NAME:

ADDRESS:

CITY/STATE/ZIP:

PHONE:

DAYS:

EVES:

EMAIL:

FAX:

SPECIFIC ISSUE:

WRITTEN TESTIMONY:

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#3

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: Tuesday

SUBJECT: Review and non-monetary, 6-3-04
binding and voluntary MCM Health Aid. for, 2004

AGENDA NUMBER OR TOPIC: 9:30 AM [no agenda]

FOR: _____ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: "Help 1" John Francis Outreach Ministries

ADDRESS: 207 NW 3rd Ave

CITY/STATE/ZIP: Portland OR 97209

PHONE: 503 DAYS: 225-0590 EVES: 228-3617

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: On Request

just call
please

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: June 3, 2004

Agenda Item #: R-1

Est. Start Time: 9:30 AM

Date Submitted: 05/26/04

Requested Date: June 3, 2004

Time Requested:

Department: Non-Departmental

Division: Districts 1, 2,3,4

Contact/s: Gail Parnell

Phone: 503 988-5135

Ext.: 22495

I/O Address: 503/4

Presenters: Gail Parnell, DCBS

Agenda Title: Resolution Creating the Classification of County Chief Financial Officer

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?** Create the classification of County Finance Manager as a single-position classification.
2. **Please provide sufficient background information for the Board and the public to understand this issue.** The classification of County Financial Officer is required in order to perform the essential financial and tax administration duties for the County. The Chief Financial Officer (CFO) is responsible for:
 - setting County financial policy;
 - the overall tax administration for the County, including presenting recommendations to the Board of County Commissioners, the Oregon Legislature and decision making bodies of other jurisdictions;
 - the County PERS policy and working with other jurisdictions to develop and present legislative policy to Board for approval. Presenting County legislative policy to the Oregon Legislature and PERS Board;
 - the County Budget, working with County Departments to develop budgets that are aligned with priorities, guidelines and polices set by the Chair. The CFO works with the Chair and Board to get approval of the budget;
 - cash management and special projects with impact on the operations of the entire County. The CFO prepares the County's comprehensive annual financial report, deferred compensation program and other accounting programs.

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

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:

- ❖ 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:

- ❖ 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 involved.

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

Required Signatures:

Department/Agency Director: _____



Date: 05/26/04

Budget Analyst

By: _____

Date:

Dept/Countywide HR

By: _____

Date:

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Creating the Classification of County Chief Financial Officer

The Multnomah County Board of Commissioners Finds:

- a. On December 11, 2003, the Board adopted Ordinance No. 1022 requiring Board approval of the compensation plan by resolution prior to adoption of the annual County budget.
- b. The classification of County Financial Officer is required in order to perform the essential finance and tax administrative duties of the County.
- c. The Chief Financial Officer (CFO) is responsible for:
 - developing and administering County financial policy;
 - the overall tax administration for the County, including presenting recommendations to the Board of County Commissioners, the Oregon Legislature and decision making bodies of other jurisdictions;
 - implementing County PERS policy and working with other jurisdictions to develop and present legislative policy to Board for approval. Presenting County legislative policy to the Oregon Legislature and PERS Board;
 - developing the County Budget, working with County Departments to develop budgets that are aligned with priorities, guidelines and policies set by the Chair. The CFO works with the Chair and Board to get approval of the budget;
 - cash management and special projects with impact on the operations of the entire County. The CFO prepares the County's comprehensive annual financial report, deferred compensation program and other accounting programs.
- d. The addition of this classification will increase compensation plan costs.

The Multnomah County Board of Commissioners Resolves:

1. The addition of the attached classification of County Financial Officer is approved effective June 3, 2004.

ADOPTED this 3rd day of June 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Agnes Sowle, County Attorney



**Chief Financial
Officer**

Class Code:
9614

MULTNOMAH COUNTY

Revision Date: September 26, 2003

SALARY RANGE (approximate)

Annual Salary Range: \$81,743.00 - \$126,317.00

DEFINITION:

This is a single-position classification. The incumbent in this classification serves at the pleasure of the County Chair and acts as the Chief Financial Officer for the County. The incumbent in this position monitors the financial health of the entire county and set the County's financial policy. The position is responsible for Budget, General Ledger, Treasury, Income Tax, Property Tax, Excise Tax, Deferred Compensation. The incumbent interprets finance related laws, and determines the written factual material provided to legislative bodies. The position's decision affect the operations of the entire County and have an impact on the quality of services provided to the County's citizens.

EXAMPLES OF DUTIES:

ESSENTIAL FUNCTIONS (Essential functions, as defined under the Americans with Disabilities Act, may include the following duties and responsibilities, knowledge, skills and other characteristics. incumbent performs all of the following duties

SET COUNTY FINANCIAL POLICY

Develop financial guidelines and policies. Review with executive level staff, revise as needed, present to County Chair, Chief of Staff and Chief Operating Officer. Present final recommendations to County Board of County Commissioners.

OVERALL TAX ADMINISTRATION FOR THE COUNTY (Business Income Tax, Personal Income Tax, Excise Tax, and Property Tax) Develop and/or suggest tax alternatives/reforms to executive level staff and jurisdiction partners. Present recommendations to County Chair and CEO's of other jurisdictions, the general public, and the business community. Present final recommendations to Board of County Commissioners, the Oregon Legislature, and decision making bodies of other jurisdictions.

COUNTY PERS ADMINISTRATOR

Monitor the Public Employees Retirement System (PERS). Review all PERS Board actions. Work with partner jurisdictions to develop and present legislative policy to Board of County Commissioners for approval. Present County legislative policy to the Oregon Legislature and/or PERS Board. Communicate impact of actions taken to employees.

DEVELOP AND ADMINISTER COUNTY BUDGET

Work with Budget Manager and Chair's Office to establish priorities and guidelines and assure that policies are aligned with these priorities. Work with Departments to develop budgets that are aligned with priorities, guidelines, and policies. Present the budget in public hearings with the Chair and Board, and work with the Chair and Board to get approval of the budget.

FINANCIAL MANAGEMENT

Work with Treasury Manager to report on investments and debt to County Chair and Board of County Commissioners. Work with Accounting Manager to prepare Comprehensive Annual Financial Report and report to County Chair and Board of County Commissioners.

SPECIAL PROJECTS

Carry out special project with impact on the operations of the entire county and beyond.

SUPERVISION RECEIVED AND EXERCISED:

The position functions in a matrix type of organization structure. The Chief Financial Officer position is part of the Department of Business and Community Services organization but receives direct supervision from the Chief Operating Officer. The position has a reporting relationship with the County Chair and Chief of Staff. Reviews are typically advise and consent to assure integration of finance guidelines and policies with overall county goals and priorities.

Directly and through subordinate supervisors and/or lead workers, supervises management, professional, technical, and clerical staff.

KNOWLEDGE/SKILLS/ABILITIES REQUIRED:

The principles and practices of effective leadership, management and supervision.

Advanced knowledge of the principles and practices of accounting, purchasing and auditing, including governmental accounting and budgeting.

Executive level program and project management principles and practices.

Advanced knowledge of fiscal operations and Generally Accepted Accounting Principles (GAAP), IRS Rules, ORSs, OARs, GASB, SEC Guidelines, Social Security, County Charter, County Policy, and Ordinances.

Automated business computing systems, and ERP Software.

General office procedures.

Executive Level program development, implementation and evaluation.

Applying and adapting established accounting principles and procedures to a variety of County fiscal applications using ERP Software.

Conducting complex financial and statistical analyses.

Interpreting and applying accounting and fiscal-related laws, ordinances, rules, regulations, policies and procedures.

Analyzing data from various sources and drawing logical conclusions.

Managing, developing, motivating and evaluating professional and support staff.

Managing special projects, activities and programs.

Conducting research and preparing clear, concise and comprehensive reports.

Understanding and applying complex regulations, procedures and guidelines.

Working under pressure, handling significant problems and tasks that arise simultaneously and/or unexpectedly.

Communicating effectively both orally and in writing.

Establishing and maintaining effective working relationships with other department staff, other County employees vendors, contractors, elected officials and the public.

MINIMUM QUALIFICATIONS REQUIRED FOR ENTRY:

A Bachelor's degree in accounting, business, finance or a directly related field and seven (7) years of progressively responsible related professional experience, including four (4) years of experience supervising the work of others or an equivalent combination of education and experience.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 04-073

Creating the Classification of County Chief Financial Officer

The Multnomah County Board of Commissioners Finds:

- a. On December 11, 2003, the Board adopted Ordinance No. 1022 requiring Board approval of the compensation plan by resolution prior to adoption of the annual County budget.
- b. The classification of County Financial Officer is required in order to perform the essential finance and tax administrative duties of the County.
- c. The Chief Financial Officer (CFO) is responsible for:
 - developing and administering County financial policy;
 - the overall tax administration for the County, including presenting recommendations to the Board of County Commissioners, the Oregon Legislature and decision making bodies of other jurisdictions;
 - implementing County PERS policy and working with other jurisdictions to develop and present legislative policy to Board for approval. Presenting County legislative policy to the Oregon Legislature and PERS Board;
 - developing the County Budget, working with County Departments to develop budgets that are aligned with priorities, guidelines and policies set by the Chair. The CFO works with the Chair and Board to get approval of the budget;
 - cash management and special projects with impact on the operations of the entire County. The CFO prepares the County's comprehensive annual financial report, deferred compensation program and other accounting programs.
- d. The addition of this classification will increase compensation plan costs.

The Multnomah County Board of Commissioners Resolves:

1. The addition of the attached classification of County Financial Officer is approved effective June 3, 2004.

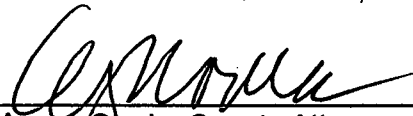
ADOPTED this 3rd day of June 2004.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Diane M. Linn, Chair

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Agnes Sowle, County Attorney



**Chief Financial
Officer**

Class Code:
9614

MULTNOMAH COUNTY
Revision Date: September 26, 2003

SALARY RANGE (approximate)

Annual Salary Range: \$81,743.00 - \$126,317.00

DEFINITION:

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EXAMPLES OF DUTIES:

ESSENTIAL FUNCTIONS (Essential functions, as defined under the Americans with Disabilities Act, may include the following duties and responsibilities, knowledge, skills and other characteristics. incumbent performs all of the following duties

SET COUNTY FINANCIAL POLICY

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SPECIAL PROJECTS

Carry out special project with impact on the operations of the entire county and beyond.

SUPERVISION RECEIVED AND EXERCISED:

The position functions in a matrix type of organization structure. The Chief Financial Officer position is part of the Department of Business and Community Services organization but receives direct supervision from the Chief Operating Officer. The position has a reporting relationship with the County Chair and Chief of Staff. Reviews are typically advise and consent to assure integration of finance guidelines and policies with overall county goals and priorities.

Directly and through subordinate supervisors and/or lead workers, supervises management, professional, technical, and clerical staff.

KNOWLEDGE/SKILLS/ABILITIES REQUIRED:

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Conducting research and preparing clear, concise and comprehensive reports.

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Establishing and maintaining effective working relationships with other department staff, other County employees vendors, contractors, elected officials and the public.

MINIMUM QUALIFICATIONS REQUIRED FOR ENTRY:

A Bachelor's degree in accounting, business, finance or a directly related field and seven (7) years of progressively responsible related professional experience, including four (4) years of experience supervising the work of others or an equivalent combination of education and experience.

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: June 3, 2004

Agenda Item #: R-2

Est. Start Time: 9:45 AM

Date Submitted: 05/26/04

Requested Date: June 3, 2004

Time Requested: 30min

Department: Non-Departmental

Division: Commissioner Roberts

Contact/s: Gary Walker

Phone: 503-988-5213

Ext.: 26234

I/O Address: 503/600

Presenters: Gary Walker, Agnes Sowle, and Carol Brown

Agenda Title: Establishing Approval Process for Management Service Benefits and Compensation Plan Changes

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?** Approval of the recommended changes regarding County Attorney and adopting the recommended resolution, Establishing Approval Process for Management Service Benefits and Compensation Plan Changes.
 2. **Please provide sufficient background information for the Board and the public to understand this issue.** Reporting on Resolution 03-171 (Delegation of Authority to Make Expenditures from the Risk Management Fund, Settle Claims Against the County, and Settle County Litigation), Reporting on Adopted Ordinance 1024 Amending Multnomah County Code Sections 7.101, 7.104, 7.201 (Relating to Board Authority Over Risk Management Fund and County Litigation), and The Board of County Commissioners will approve the compensation plan for County employees.
 3. **Explain the fiscal impact (current year and ongoing).** None

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:

- ❖ 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:

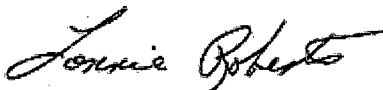
- ❖ Why was the expenditure not included in the annual budget process?
- ❖ What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?
- ❖ Why are no other department/agency fund sources available?
- ❖ Describe any new revenue this expenditure 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 involved. Resolution No. 03-171 and Ordinance No. 1024
5. Explain any citizen and/or other government participation that has or will take place.

Required Signatures:



Department/Agency Director: _____

Date: 05/26/04

Risk Management Workgroup

Final

May 28, 2004
Compiled by District 4

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Lonnie Roberts
Multnomah County Commissioner
District 4



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May 26, 2004

I would like to take the opportunity to thank those who participated in the work group regarding *Resolution 03-171*, Delegation of Authority to Make Expenditures from the Risk Fund, Settle Claims against the County, and Settle County Litigation, and *Ordinance 1024* which specifies sections, 1 7.101, 7.104, and 7.201, appertaining to the resolution (Appendixes A and B). I had the opportunity to work closely with representatives from the chair's office, each of the commissioner's offices, and various departments. Without this dedicated team, many questions would be left unanswered. I would especially like to recognize our County Attorney Agnes Sowle as well as Carol Brown from Human Resources. Their technical assistance and research was invaluable to our team. Thank you.

At the outset of the adoption of the Ordinance and Resolution there was some concern that the County's business would be greatly hampered. I want to assure you that this was not the case. We found that business went forward and people, especially elected officials, were more involved in decisions which have far reaching impact on fiscal and operational issues. This adoption also gave the Commissioners authority which the citizenry thought was already within their jurisdiction.

The initial charge to the work group was to research the delegation of authority of other jurisdictions and make recommendations to the Board on possible additional delegation of authority concerning the risk fund and County litigation. Information regarding other jurisdictions came from Washington County, Clackamas County, City of Portland, and the City of Gresham. We felt that those jurisdictions were relevant in terms of geography, size, and responsibilities (Appendixes C, D, E and F). You may notice that Gresham has only two pages of material regarding these issues, while Washington County has eleven pages of material. The interesting thing is that all the jurisdictions are similar in authority delegated and authority retained by the elected officers. Multnomah County, with the adoption of the aforementioned ordinance and resolution, is now more in sync with the other jurisdictions than it was previously. Multnomah County is now more open in sharing information and decision making than prior to the enactment of the Ordinance and Resolution. It was the committee's findings that the adoption of the Ordinance and Resolution was a good piece of work for accountability regarding the Board of County Commissioners. The only change that was recommended to the Ordinance was the addition of the District Attorney in item no. 1 under resolves. The

reasoning was two fold; it has been, and continues to be, the policy of representing the District Attorney office through the County Attorney in matters which pertain to the County, and secondly, it has historical precedent of the District Attorney being recognized as part of the County family.

Additional requests from various Board members for clarification specifically regarding ordinance 1022, sections 9.160 and 9.170 (Appendix G) were taken into consideration by the committee as well. We spent five months hearing from various organizations within the County regarding the clarification of intent and more effectively managing time and resources as it pertained to the resolution. We heard from Sheriff Representatives, District Attorney Representatives, Finance and HR people. The purpose was to try and reach consensus on proposals that would best suit organizations without delegating away responsibility and accountability from the Board of Commissioners. Attached you will find a document dated December 3, 2003 from Sheriff Giusto regarding some of his concerns (Appendix H). Other organizations also voiced concerns, District Attorney, County Attorney, and Human Resources. I believe that the committee has recommendations that will address his concerns while being sensitive to the Boards needs.

First, the committee recommends the changes regarding County Attorney. This one clarification wraps all other concerns, except for some of the HR concerns, into one tidy memo of understanding. According to County Attorney, delegation of authority can be done by understanding rather than by resolution because of the vagueness of Ordinance 1022. This understanding, made public, allows County Counsel and HR to work across various elected officials, i.e., Sheriff and District Attorney, and in some cases, the departments, to provide operational assistance to their various organizations while respecting the independence of all the elected officials in the County. The authority is broken down into *non-monetary issues* (which affect both County Attorney and HR) and *specialized cases* (which affects only County Attorney) which the committee felt the Board of Commissioners would be comfortable in clarifying for the County. Attached is County Counsel's memo dated May 6, 2004 regarding the specifics. Here is an overview.

Non-Monetary Issues, they include;

- Removal of discipline from file or change of status (resignation vs termination)
- Accommodations
- Letters of Reference
- Retraining
- Transfers
- Apologies (those that may have impact for the County will be brought to the Board for information sharing)

Specialized cases:

These are cases which the County Attorney's office have initiated in the past and would like to continue. They are;

- Petitions for guardianship and conservatorship which are filed on behalf of the Public Guardian
- Appeals from sanction decisions of the Adult Care Home Program
- Tax litigation at the Department of Revenue and in Federal Tax Court (property tax appeals not personal income tax)
- Appeals in Circuit Court from denials and rejections of concealed handgun license applications
- Labor arbitrations and merit counsel matters
- A miscellaneous category, including brief appearances on behalf of county departments to quash subpoenas or to limit the testimony of county employees in suits where the county is not a named party
- Small Claims Court proceedings. All small claims matters are less than \$5,000.

Lastly I would like to address the HR concerns and possible solutions. The concern to the committee was to ensure the fiscal responsibility and accountability of the Board of Commissioners. It was brought to the committee's attention that certain elements within the Management Service Benefits and Compensation Plan could be revised and clarified for the purpose of effectively managing the HR department while maintaining the integrity of resolution 1022. It was also determined that this change would have no fiscal impact and would not burden the Board of Commissioners with daily operational concerns. A proposed resolution and proposed Benefit and Compensation grid is attached (Appendixes J and K). It outlines the recommended changes by the workgroup with explanatory dialogue in the grid. Carol Brown from HR drafted the proposal with approval from the workgroup. In general, the combined package shows that HR unit will continue to perform daily operational activities which are mandated by state and federal law without burdening the Board. It will continue to manage County programs which are currently in process, and will come to Board of Commissioners when an item has fiscal impact.

We hope this meets the needs of the County organizations and the Board of Commissioners.

Again, I would like to thank the Board of Commissioners for this opportunity and the members of the workgroup. We hope we have been of some assistance. It is our plan to report to the Board of Commissioners the first week of June.

Gary Walker
Chief of Staff
Office of Commissioner
Lonnie Roberts

Appendix A

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 03-171

Delegation of Authority to Make Expenditures from the Risk Management Fund, Settle Claims Against the County, and Settle County Litigation

The Multnomah County Board of Commissioners Finds:

- a. The County has a Risk Management Fund. The purpose of this fund is to account for expenditures and reserves for the protection of County assets, employees, programs and operations.
- b. The County Attorney provides legal services for the County, represents its officials and employees, and controls and supervises all civil actions and legal proceedings in which the County is a party or has a legal interest.
- c. MCC 7.101(B)(11) allows disbursements from the Risk Management Fund for litigation costs and expenses when authorized by the Board or delegated by Board resolution.
- d. MCC 7.104 states that authority over settlement of claims and litigation against the County or its employees rests with the Board or as delegated by Board resolution.
- e. MCC 7.201(H) provides that the County Attorney shall initiate, defend, appear or appeal any legal action when requested by the Board or delegated by Board resolution.
- f. The Chair has previously delegated authority to the County Attorney to settle claims and litigation.

The Multnomah County Board of Commissioners Resolves:

1. The County Attorney is delegated authority to defend or appear in any legal action, matter or proceeding in any court or tribunal when requested by the Board, Chair, Sheriff or Auditor.
2. The County Attorney is delegated authority to initiate or appeal any legal action, matter or proceeding in any court or tribunal when approved by the Board.
3. The County Attorney is delegated authority to approve disbursements from the Risk Management Fund within budget appropriations for the following purposes:
 - A. costs and expenses related to County tort litigation;

- B. costs and expenses related to County non-tort litigation;
 - C. outside legal counsel retained under MCC 7.201(M).
- 4. The County Attorney is delegated authority to settle claims and litigation against the County or its employees in amounts up to \$25,000 per case. The County Attorney must obtain Board approval for all settlements of over \$25,000.
 - 5. A work group is directed to research the delegation of authority of other jurisdictions and to make recommendations to the Board on possible additional delegation of authority concerning the risk fund and County litigation. The work group will be headed by a District Four representative and will include representatives from each elected official's office and the County Attorney's office. The work group will present its recommendations within six months of the effective date of this resolution.
 - 6. This resolution takes effect on January 18, 2004.

ADOPTED this 18th day of December, 2003

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Agnes Sowle, County Attorney

Appendix B

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 1024

Amending MCC Sections 7.101, 7.104 and 7.201 Relating to Board Authority
Over Risk Management Fund and County Litigation

(Stricken language is ~~noted~~; double underlined language is new.)

Multnomah County Ordains as follows:

Section 1. MCC Section 7.101 is amended as follows:

§ 7.101 Risk Management Fund.

(A) *General provisions.* The county has a risk management fund (fund) created by the ~~the~~ Board separate from the general fund. The fund was created to account for expenditures and reserves associated with the protection of the county's assets, employees, programs and operations. The fund will account for the financing administration of the workers' compensation, general liability, auto liability, property, employee medical/dental benefits, legal services, life insurance, long-term disability, retiree insurance, unemployment and insured and self-insured programs provided for in the county's budget.

(B) *Disbursements.* The following expenditures may be charged to the fund accounts:

- (1) Insurance premiums for county operations;
- (2) Costs and expenses related to administration, investigation, adjustment and litigation of all insured and uninsured claims, and loss arising from the county's operations;
- (3) All costs for repairing and replacing personal property, money, and improvements to real property owned or leased by the county to the extent the county has contractually assumed risk of loss, where such property losses are within the coverage and retention level of insurance coverage carried by the county.
- (4) Assessments, licenses, fees, and bonds related to programs funded under division (A) of this section, required by state law.

(5) Employee workers' compensation claim expenditures in accordance with applicable statutes.

(6) County risk management and legal services expenses.

(7) Loss prevention programs and projects may be funded by the fund if they:

(a) Are clearly targeted toward loss control;

(b) Reduce the costs of loss immediately;

(c) Reduce the administrative costs of the risk management program; or

(d) Are mandated by state or federal law and affect more than one department.

Capital projects are excluded unless specifically approved by the Board.

(8) County unemployment obligations and related administrative expenditures.

(9) Employee medical/dental health care claims and insurance claims, health promotion programs, and related administrative expenditures.

(10) Any other insurance or self-insurance related expenditures as deemed appropriate by the ~~Chair~~ Board within standard budgetary procedures.

(11) Cost and expenses related to any legal action, matter or proceeding in any court or tribunal when authorized by the ~~Chair, Board, Sheriff or Auditor~~ or delegated by Board resolution.

(C) *Fund reporting.* A report shall be provided annually to the Chair and Board on the financial status of the fund accounts.

(D) *Fund equity and cash balance.*

(1) The fund (equity and cash) balance shall be maintained at a level to pay all claims, premiums, disbursements, reserves and incurred but not reported (IBNR) claims. Amounts shall not be transferred from the fund unless a program defined by division (A) of this section is discontinued without further financial obligation or it is determined by a qualified independent actuary that the funding level may be adjusted.

(2) In order to obtain an exemption from the security deposit requirement under ORS 656.407, the worker's compensation reserves established by the

actuarial evaluation performed under division (E) of this section are dedicated for payments of compensation and amounts due the state Director of the Department of Insurance and Finance. The Director of the Department of Insurance shall have first lien and priority rights to the full amount of the worker's compensation funds required to pay the present discounted value of all present and future claims under ORS, Ch. 656.

(E) An actuarial evaluation shall be performed by a qualified independent actuary on the worker's compensation retiree insurance and liability sections of the insurance fund at least once every three years.

Section 2. MCC Section 7.104 is amended as follows:

§ 7.104 Authority.

Authority for settlement of general liability claims and litigation against the county or its employees shall rest with the ~~Chair or the Chair's designee, Board~~ and may be delegated by Board resolution, ~~except that claims arising out of the Sheriff's office shall be settled upon the authority of the Sheriff or the Sheriff's designee~~ except as limited by Sections 6.10 and 6.50 of the Multnomah County Charter.

Section 3. MCC 7.201 is amended as follows:

§ 7.201 Duties.

The County Attorney shall:

(A) Provide legal advice and counsel to the Board and its various advisory boards, commissions and committees;

(B) Provide legal advice and counsel to the Chair and all county departments and offices;

- (C) Provide legal advice and counsel to the Sheriff and Auditor;
- (D) Prepare ordinances and other legal documents when requested by a member of the Board, Chair, Sheriff, Auditor or department director;
- (E) Review and approve as to form all written contracts, ordinances, resolutions, Board orders, Chair executive rules, bonds and other legal documents;
- (F) Control and supervise all civil actions and legal proceedings in which the county is a party or has a legal interest;
- (G) Represent and defend the county and its elected officials, boards, commissions, committees, department directors and employees and other persons entitled to representation under the state Tort Claims Act in all appropriate legal matters, unless the county has an insurance policy or indemnification agreement which provides such representation and defense;
- (H) Initiate, defend, appear or appeal any legal action, matter or proceeding in any court or tribunal when requested by the Board, ~~Chair, Sheriff or Auditor~~ or as delegated by Board resolution except as limited by Sections 6.10 and 6.50 of the Multnomah County Charter;
- (I) Submit formal annual report to the Board concerning the status of all legal actions in which the county is a party, and at the request of any elected official report on the status of any legal matter;
- (J) Prepare formal written opinions deemed necessary by the County Attorney regarding significant interpretations of federal and state law, the Charter and ordinances and other documents. Formal opinions may be requested by any county elected official or department director. Formal opinions shall be official guidance to the county unless superseded by court or administrative decisions, or subsequent legislation or administrative rules;
- (K) Maintain custody of records including the office pleadings and other documents of all legal actions, and all County Attorney formal written opinions;
- (L) Codify county ordinances as provided by Chapter 1 of this code of ordinances; and
- (M) Employ outside legal counsel on behalf of the county when the County Attorney deems it necessary or appropriate to do so. A majority of the entire Board may also employ outside legal counsel for a specific county matter, and a majority of the entire Board may authorize a Board member, Sheriff, District Attorney or Auditor to retain outside legal counsel to advise the elected county official on a specific county matter. The Board shall specify the amount of the elected official's budget that may be

appropriated for this purpose. With these exceptions no county elected official, board, commission, committee, department director or employee shall employ or be represented by counsel other than the County Attorney.

Section 4. This ordinance is effective January 18, 2004.

FIRST READING: December 4, 2003

SECOND READING: December 11, 2003

THIRD READING AND ADOPTION: December 18, 2003

BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON:

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY

FOR MULTNOMAH COUNTY, OREGON

By _____

Agnes Sowle, County Attorney

Appendix C

Clackamas County

RISK MANAGEMENT POLICY STATEMENT

It is the intention of Clackamas County to preserve and protect the assets of the County from accidental loss at the most economical cost, and to provide a safe, secure and healthful working environment for its employees. To accomplish this purpose, the Board of County Commissioners shall provide for a program of Risk Management within the financial ability of the County and consistent with all related legal requirements.

Clackamas County recognizes the need to manage public funds wisely is of the highest priority. The Board of County Commissioners supports the need to adopt the logical, sound management practices of risk management. The purpose of risk management shall be to preserve the assets of the organization against unforeseen or accidental losses that have a negative financial consequence, including those that are catastrophic in nature. This policy applies to all risks of accidental loss, such as fire, general liability, theft, malpractice and other risks of property and liability losses, both direct and indirect.

The Board of County Commissioners has designated a Risk Management Committee to provide oversight and develop rules and regulations for carrying out the Risk Management policy. The Committee is composed of the Director of Employee Services, the Risk Manager, the Benefits Manager, the Director of Finance and County Counsel or their designated representatives.

The Risk & Benefits Division within the Department of Employee Services shall be responsible to administer and direct all risk management, insurance and risk financing activities for the County as described in the Rules and Regulations of the Risk Management Program.

The Board of County Commissioners, the Risk Management Committee and the Risk & Benefits Division recognize that the identification of risk is an important function of department directors, managers, supervisors and employees of the County. Departments are directed to continually stress that the identification of risk is also their responsibility and not the sole responsibility of the Risk & Benefits Division. Risk & Benefits staff are not exposed to the daily operations in departments and must rely on department employees to communicate potential risks and respond to recommendations made by Risk & Benefits staff to eliminate or reduce risks.

The County has elected to retain exposure to loss primarily through self-insurance and only transfer exposure through purchased insurance when the premium cost has been determined to be cost-efficient compared to the exposure. To accomplish appropriate risk financing, the County has established the Risk Management Claims Fund for Liability/Casualty, Workers' Compensation and Unemployment. The fund is financed through assessments to departments to cover the costs of insurance, losses, claims management, administrative overhead and to create reserves for future losses.

This program shall include the establishment of adequate self-insurance reserves and the purchase of the type and amount of insurance necessary to:

- protect the County, its elected officials, appointed officers, agents and employees from

loss arising out of any claim, demand, suit or judgment by reason of an alleged act of negligence or other act resulting in injury to any person or property;

- insure or self-insure all real and personal property of the County; and,
- insure or self-insure employees for on-the-job injury or death.

Where the County chooses not to self administer claims, the Risk & Benefits Division will monitor their administration by an outside agency.

Clackamas County

RISK MANAGEMENT PROGRAM

RULES & REGULATIONS

1.0 Management and Control of the Risk Management Program

- 1.1 The Risk Management Committee shall have the authority to establish rules and procedures consistent with Board policy that ensure the safety and well-being of employees and the public while on or off County property. These rules shall be developed to assist in limiting the County's liability and related risk financing costs consistent with insurance requirements and the exposures insured. Committee decisions shall be made by majority vote.
- 1.2 The Risk Management Committee shall be comprised of the Director of Employee Services, the Risk Manager, the Benefits Manager, the Director of Finance and County Counsel or their designated representatives.
- 1.3 Management and control of the County's Risk Management Program shall be the function of the Risk & Benefits Division with oversight by the Risk Management Committee. The Risk & Benefits Division monitors the general operation of County government to reduce risk, limit exposure of liability through litigation and to promote settlement and compromise where liability exposure warrants. This responsibility includes:
 - 1.3.1 Identifying, analyzing and evaluating risks.
 - 1.3.2 Selecting the appropriate risk management techniques, such as avoidance, loss reduction, loss prevention, segregation of exposures and risk financing, such as current expenses, funded reserves, unfunded reserves or insurance.
 - 1.3.3 Monitoring and modifying the selected techniques to ensure they meet the County's goals and objectives.
 - 1.3.4 Purchase and maintenance of all insurance, including type of coverage, limits and retention.
 - 1.3.5 Allocation to County departments of risk management costs, including insurance premiums, self-insured retentions and administrative costs.

- 1.3.6 Coordination with other departments responsible for the County's accounting, legal and operating functions.
- 1.3.7 Administration of claims either through a third party administrator or self-administration.

2.0 Placement of Insurance

- 2.1 Clackamas County is self-insured for workers' compensation, self-insured for third party liability under the provisions of the Oregon Tort Claims Act, and maintains several specific policies.
- 2.2 The Risk & Benefits Division may appoint Consultant(s) and/or Broker(s) to assist and advise in the consideration of whether to purchase insurance and in the placement of that insurance, including fire, commercial general liability, automobile liability, physical damage, fidelity bonds, workers' compensation, property, boiler, and other such coverage as deemed necessary by the Division.
- 2.3 Each Consultant/Broker shall be experienced in those fields of insurance for which the Consultant/Broker is selected, and shall have had prior experience either in consulting or brokering insurance for public entities. The Consultant shall have adequate staff to assist in technical areas as may be required from time to time by the Risk & Benefits Division or the Committee.
- 2.4 The actual placement of the insurance policies shall be through the Consultant(s)/Broker(s) and shall be at the direction and control of the Risk Manager, subject to the evaluation and recommendation of the Consultant(s)/Broker(s).
- 2.5 Insurance purchased for the County shall be obtained through negotiations directed by the Consultant(s)/Broker(s) or through a competitive bidding process.

3.0 Transfer of Risk

- 3.1 When feasible, the County may transfer risk by contracting with other entities to provide County services and requiring them to have the necessary insurance. This transfer will include a hold harmless agreement on the contract and will require the independent contractor to name Clackamas County as an additional insured, and any other requirements needed to service the County.

4.0 Liability Claims Administration

- 4.1 "Liability claims" are claims or potential claims, directed at the county, its elected officials, appointed officers, agents or employees, which arise under the Oregon Tort Claims Act, 42 USC §1983, Title VII of the Civil Rights Act of 1964, The Age Discrimination in Employment Act, The Americans With Disabilities Act or any similar state or federal statute or administrative rule addressing civil rights or employment discrimination.
- 4.2 Liability claims shall be administered under the following guidelines and subject to the general direction of the Risk Manager and County Counsel. Liability claims shall be administered in accordance with the procedures set up and approved by the Risk Management Committee.

- 4.3 For the purpose of the County's Risk Management Policy, and these rules and regulations, claims against elected officials, appointed officers, agents and employees of the County shall be treated as claims against the County unless the right to be defended, held harmless or indemnified is terminated by the County under this section.
- 4.3.1 Elected officials, appointed officers, agents and employees of the County shall be entitled to be defended, held harmless and indemnified by the County for any claim arising out of an alleged act or omission occurring in the performance of County duties which does not result from malfeasance in office, or willful or wanton neglect of duty.
- 4.3.2 All elected officials, appointed officers, agents and employees of the County shall cooperate fully with the defense of claims. If the officer, employee or agent fails to cooperate or otherwise acts in prejudice of the defense of a claim, the County may at any time reject the defense of the claim and may refuse to hold harmless or indemnify.
- 4.3.3 The right to be defended, held harmless or indemnified may be terminated by the County under the provision of ORS 30.287.
- 4.4 The Risk & Benefits Division is responsible for investigating, evaluating and analyzing all liability claims filed against the County. The Risk Manager may authorize the services of a third party administrator to administer and manage claims.
- 4.5 Liability claims shall be investigated to determine the level of liability and to determine the economic cost of settlement versus litigation. If it is determined that it is in the County's interest to enter into a settlement, the payment will be the amount reasonably necessary to settle the claim. If it is determined that the County is not liable for a loss, or the claim cannot be settled for a reasonable amount, the County will deny and defend against the claim.
- 4.6 The County shall defend itself against all nuisance claims. However, if the Risk Manager and County Counsel agree that the cost to defend a disputed claim is greater than the settlement amount, it is within their discretion to settle that claim, subject to the limitations provided in 4.8 and 4.9.
- 4.7 County Counsel is responsible for defending the County on claims involving litigation. When litigation has been filed or is expected to be filed, County Counsel may authorize the employment of outside counsel.
- 4.8 The Risk Manager shall have authority to settle any claim in an amount not to exceed \$5,000 per cause of action.
- 4.9 The Risk Manager and County Counsel together shall have authority to settle claims in an amount not to exceed \$30,000 per cause of action. The County Administrator shall be consulted prior to any settlement which exceeds \$5,000.
- 4.10 All claims in excess of \$30,000 shall be referred to the Board of County Commissioners for approval prior to settlement.

5.0 Workers' Compensation Claims Administration

- 5.1 The County places high priority on the safety and well-being of its employees. When an employee is injured on the job, the County's primary objective is to assist the employee in obtaining workers' compensation benefits and in returning to work.
- 5.2 The County shall comply with the State of Oregon Workers' Compensation Laws, Orders and Rules and with County policies regarding the treatment of injured employees.
- 5.3 The Risk & Benefits Division shall work with injured employees to facilitate early return to work options when feasible, including temporary light duty or modified work positions.
- 5.4 The Risk & Benefits Division is responsible for investigating, evaluating and analyzing all workers' compensation claims. The Risk Manager may authorize the services of a third party administrator to investigate and/or manage claims and may employ the services of rehabilitation organizations to assist injured employees when necessary.
- 5.5 The Risk Manager, in consultation with County Counsel, may appoint outside legal counsel with an expertise in workers' compensation matters when necessary to defend the County on workers' compensation claims, claim denials and appeals involving litigation.

6.0 Unemployment Claims Administration

- 6.1 The Risk & Benefits Division is responsible for investigating, evaluating and analyzing all unemployment claims. The Risk Manager may authorize the services of a third party administrator to administer claims.
- 6.2 County Counsel will be responsible for defending the County on unemployment claims, claim denials and appeals involving litigation. When litigation has been filed or is expected to be filed, County Counsel may authorize the employment of outside counsel.

7.0 Litigation

- 7.1 Litigation includes liability claims that are filed in state or federal court, or which are proceeding through administrative hearings, arbitration or mediation.
- 7.2 Elected officials and department directors are responsible for consulting County Counsel or Risk & Benefits staff to assess the risk and impact of litigation upon the County.
- 7.3 When a notice of tort claim is delivered to any office of Clackamas County, the original shall be forwarded to the Risk & Benefits Division with a copy to County Counsel.
- 7.4 Following receipt of the notice of tort claim under the provisions of the Oregon Tort Claims Act an investigation will be conducted by the Risk & Benefits Division, the department and/or a third party administrator (as determined by Risk & Benefits Division).
- 7.5 If litigation is filed, the original complaint shall be forwarded to County Counsel with a copy to the Risk & Benefits Division.

- 7.6 The Risk & Benefits Division and/or County Counsel will consult with the affected department(s) considering the aspects of a settlement when practical.

8.0 Self Insurance Reserve Fund

- 8.1 The County shall maintain an account to be known as the Risk Management Claims Fund.
- 8.2 Annual contributions to the Risk Management Claims Fund shall be made by County departments to provide sufficient operating funds to administer the casualty, workers' compensation and unemployment portion(s) of the Risk Management Program and to establish and maintain actuarially sound reserves for unpaid claims and contingency.
- 8.3 Department contributions shall be made in accordance with a cost allocation formula approved by the Risk Management Committee. This formula may include such factors as type of business, exposure to loss and claims experience.
- 8.4 An actuarial study of the Risk Management Claims Fund will be conducted every three years or as deemed necessary by the Risk Management Committee or the Risk & Benefits Division, or as required by the Government Accounting Standards Board.
- 8.5 According to established County investment policy, the County Treasurer shall invest the principal sums within the Risk Management Claims Fund, and any interest earned shall be applied to the Self Insurance Reserve Fund.
- 8.6 Disbursement. The following classes of expenditures may be made from the Risk Management Claims Fund:
- 8.6.1 Amounts for payments for liability claims and potential claims including, but not limited to bodily injury, personal injury and property damage, workers' compensation claims involving injury to employees, unemployment compensation claims involving loss of earnings to employees as established by law.
 - 8.6.2 Premiums for liability and casualty insurance, excess workers' compensation insurance and unemployment insurance purchased by the County at the direction of the Risk Manager.
 - 8.6.3 Amounts for deductibles and amounts within retention levels.
 - 8.6.4 Costs and expenses related to the administration, prevention, investigation, adjustment and litigation of claims described in Section 8.6.1 and to the management of insurance related to Section 8.6.2.
 - 8.6.5 Amounts for uninsured losses.
 - 8.6.6 Amounts for payments arising out of damage to County property.
 - 8.6.7 Transfers between cost centers within the Fund with approval by the Board of County Commissioners.

Appendix D

City of Gresham

Section 2.76.060 Settlements.

Legal claims against the city, any official, employee or agent may be settled as follows:

- (1) The attorney may delegate the authority to settle claims for not more than \$1,000;
- (2) After appropriate consultation with the affected city department, the attorney may settle claims or legal actions for not more than \$5,000, or for the enforcement of any code requirement, including payment of any city fee, penalty or interest;
- (3) All claims and legal actions for more than \$5,000 shall be approved by the council prior to settlement by the attorney;
- (4) This section shall not apply to the resolution of workers' compensation claims. The city attorney shall have all authority to resolve such claims as may be necessary under the Workers' Compensation Act.

(Ord. No. 1561, Amended, 12/03/2002, Prior Text)

Minutes from December 2, 2003 Council Meeting:

2. FIRST READING OF COUNCIL BILL NO. 22-03 AMENDING GRESHAM REVISED CODE, CHAPTER 2, ADMINISTRATION, AS IT RELATES TO CITY ATTORNEY SETTLEMENT AUTHORITY

Ms. Bischoff gave the staff report.

Councilor McIntire said she doesn't feel the amount of settlement requests Council is asked to review is cumbersome and feels the \$5,000 settlement authority amount is adequate.

Ms. Bischoff said this is being brought to Council as a matter of efficiency.

Councilor McIntire asked if the change would affect all claims against the city?

Ms. Bischoff said yes. Staff would only bring to Council settlement requests over \$10,000 if the code amendment were approved. Currently, Council reviews all settlement requests over \$5,000.

Councilor Shields said he does not support the code amendment and feels it is important for the Council to be involved in settlement decisions, regardless of the amount.

Mayor Becker said the City Attorney does prepare confidential correspondence for the council to keep them advised of legal actions and feels the correspondence would suffice in keeping the Council informed.

Ms. Bischoff said staff notifies the Council of any claim filed against the City and this would not be a substitute for communication with the council.

Councilor Haverkamp said he concurred with Mayor Becker, and feels Council's time can be better spent not reviewing small settlement requests.

Motion was made by Councilor Haverkamp and seconded by Councilor Bemis
**TO APPROVE THE FIRST READING OF COUNCIL BILL NO. 22-03
AMENDING THE GRESHAM REVISED CODE AS IT RELATES TO CITY
ATTORNEY SETTLEMENT AUTHORITY.** The motion passed as follows:

BECKER YES	McINTIRE NO
SHIELDS NO	HANNA YES
HAVERKAMP YES	BEMIS YES
HORNER ABSENT	

Appendix E

City of Portland
3.15.080 Bureau of General Services.

(Amended by Ordinance Nos. 174509, 174904, 175372, 176003, and 176738, effective August 9, 2002.)

A. The Bureau of General Services shall be supervised by a Director who shall report to the CAO and shall include such other employees as the Council may provide. The Bureau shall coordinate and control the administrative, fiscal and technical activities relating to the internal services provided in risk management and in the areas of facilities, vehicle services, printing and distribution services and other services the Council or the CAO may assign. The Bureau shall be responsible for the financial planning and fund management for the Vehicle Services Operating Fund (PCC 5.04.180), the Facilities Services Operating Fund (PCC 5.04.185), the Printing and Distribution Services Operating Fund (PCC 5.04.200), the Insurance and Claims Operating Fund (PCC 5.04.230), and the Worker's Compensation Self Insurance Operating Fund (PCC 5.04.240).

B. Duties and Responsibilities

1. In order to provide Council authorized services, the Director shall have the specific authority to:

a. In cooperation with the Bureau of Purchases and the Office of Management and Finance, determine if equipment may be purchased or leased and determine the needs and methods of financing.

b. Provide any authorized service to any other governmental agency through contract or billing agreements.

2. The Bureau shall provide the following services:

a. Division of Risk Management.

(1) The Division of Risk Management shall be supervised by a Risk Manager who shall report to the Director of the Bureau of General Services and shall include such other employees as the Council may provide. The Division shall coordinate and control the administrative and technical activities relating to commercial and self-insurance, including property, workers' compensation, liability and subrogation. The Division shall have the authority to monitor and coordinate a citywide loss prevention and control program, as necessary to minimize potential property, liability, fidelity and personnel losses. In addition, the Division shall maintain records relating to commercial and self-insurance losses by the City or claims filed against the City and shall execute any claim or proof of loss for damage to City property.

(2) The Risk Manager is hereby delegated authority to evaluate, approve or disapprove on such form as the Risk Manager finds necessary, on behalf of the City, all applications for self-insurance programs in lieu of commercial insurance requirements of contracts, permits, or any other legal documents of the City. Upon approval of a self-insurance program, the contract, permit or other legal document that is the subject of an application is automatically amended, subject to the approved form being filed with the City Auditor or such other bureau as may be charged with keeping the records, to substitute such approved self-insurance program for the commercial insurance requirements of the contract, permit, or other legal document, without further action by the Council.

(3) Workers' compensation claim administration procedures within the City generally shall be based on the guidelines of the Oregon Workers' Compensation Board and the rules and regulations embodied in ORS Chapter 656. These procedures include the authority to settle a "bona fide disputed claim" subsequent to an appeal of the employee's claim

against the City in accordance with ORS 656.283 or 656.289. The settlement procedure shall be as follows. The Risk Manager shall make the initial recommendation to settle a bona fide disputed claim when appropriate to the administration of that claim. The Risk Manager will forward the recommendation to the Commissioner In Charge (or designated delegate) of the Bureau in which the claimant was employed at the date of injury. The Commissioner In Charge may approve or disapprove the recommendation. The Risk Manager also shall give notice to the Commissioner In Charge of the Bureau of General Services that a recommendation to settle a bona fide disputed claim has been made. The City Attorney shall approve all offers of settlement as to form.

(4) The Risk Manager is authorized to act on behalf of the City on all matters related to workers' compensation not specifically delineated in City Code Section 3.15.080 B.2.a.(3). This authorization includes, but is not limited to:

(a) The authority to accept, deny or defer claims;

(b) The authority to authorize all payments in amounts required by law relating to a worker's compensation claim;

(c) The authority to engage legal counsel to appeal any adverse decisions regarding a workers' compensation claim; and

(d) Subject to the provisions of City Charter Section 1-106 governing settlements, the Risk Manager, with the concurrence of the Human Resources Director, is authorized to act on behalf of the City of Portland in the settlement of tort claims and court actions alleging employment discrimination and violations of civil rights.

(5) The Risk Manager or his or her designee is authorized to investigate complaints of discrimination filed with the Civil Rights Division of the Oregon Bureau of Labor and Industries, or the Equal Employment Opportunity Commission. Prior to initiation of tort claims and court proceedings, the Risk Manager or designee is authorized to settle such complaints subject to the following provisions. During the investigation of complaints filed, the Risk Manager or designee shall be an agent of the Office of the City Attorney for purposes of representing the City.

(a) The Risk Manager may, subject to the terms and conditions of City Code Section 3.15.050.B.4.c. and d., make settlements to such complaints in an amount not exceeding \$5,000. The Risk Manager will file a report with the Council two weeks after the end of each month with respect to the settlements entered into pursuant to this subsection.

(b) Where a settlement agreement provides for payment of a claim in an amount in excess of \$5,000, the settlement shall not be authorized or enforceable unless approved by the City Council by ordinance.

(6) The Risk Manager is authorized to investigate and enter into settlements on fair and moral claims which are not covered by insurance, for which the Committee on Claims, under Chapter 3.72, has established guidelines for recommendations and potential reimbursement. However, in the event the guidelines are insufficient for the Risk Manager to determine whether to accept or deny the claim, or to determine the amount of reasonable reimbursement, the Risk Manager shall forward such claims to the Committee on Claims.

(7) The Risk Management Division shall obtain a public liability insurance policy or provide the necessary funding through a self-insurance program protecting the City, its officers, agents and employees with limits of not less than the maximum statutory limits of liability imposed on municipalities of the State of Oregon.

b. Division of Facilities Services. The Division shall manage City facilities. It shall:

- (1) Provide property management services for the inventory, rental and in cooperation with the Bureau of Purchases, the purchase, sale and replacement of city-owned real property.
- (2) Provide facilities maintenance services to City facilities, including but not limited to maintenance and repair of City buildings and their related equipment; and the administration of janitorial, maintenance and security contracts.
- (3) Provide architectural services including but not limited to architectural design, facilities planning, space planning, and project management of City capital projects.

c. Division of Vehicle Services. The Division shall manage all City vehicles. It shall:

- (1) Have in its inventory all city-owned, leased, or rented motorized vehicles, licensed trailers, and wheel-mounted equipment. This does not include fire fighting apparatus, engines fixed in buildings, motorized tools, or boats. The Bureau shall operate the City's maintenance and repair facilities now existing or in the future established for maintenance or repair of the above described fleet equipment.
- (2) Provide an efficient and effective fleet operation to enable City bureaus to carry out their respective missions. This responsibility includes, but is not limited to:
 - (a) Managing the City fleet; including all vehicles, owned, leased or rented by the City;
 - (b) Assisting with equipment needs identification;
 - (c) Managing the assignment of fleet equipment;
 - (d) Assisting in the development of fuel and resource conservation plans;
 - (e) In cooperation with the Bureau of Purchases, the purchase, lease or rental of all City vehicles as defined above.

d. Division of Printing and Distribution Services. The Division shall manage all reproduction, mail, distribution and copy services used by the City. The Bureau shall also be responsible for the equipment needed to provide these services. It shall:

(1) Provide rapid, convenient reproduction, distribution and mail services, and provide advice and consultation on these services.

(2) In cooperation with the Bureau of Purchases, review and approve requests for the lease or purchase of office copy machines.

(3) Process U.S. mail and pick up and deliver interoffice mail, packages and equipment.

C. Property Rental or Lease Agreements - Authority. The Chief Administrative Officer, or designee, is authorized to execute on behalf of the City agreements to rent or lease City-owned property that is being held for future City use; agreements to rent or lease City-owned commercial, industrial or residential property; agreements to lease or rent non-City-owned property for use by the City; renewal of leases or rental agreements; or amendments to leases or rental agreements. The Commissioner in Charge of the Office of Management and Finance is authorized to request the City Attorney to proceed in court as necessary to enforce the provisions of any property rental agreement authorized by this section.

D. Advance Payment of Rentals. In cases where building space has been or shall be rented by the City on lease or on a month to month basis and the owner requires advance payment of rentals or a security deposit, the Auditor hereby is authorized to audit and allow such advance payment of rentals or security deposit, and the Mayor and Auditor are hereby authorized to sign and deliver checks in payment thereof, provided that advance payments of rentals shall be for a period of not to exceed 31 days.

E. Exclusions from City Parking Garages.

1. Definitions. As used in this Section, unless the context requires otherwise, the following definitions apply:

a. "Bureau" means the Bureau of General Services of the City of Portland.

b. "Commissioner" means the Commissioner in Charge of the Bureau. Wherever this section grants authority to or places responsibility on the Commissioner, that authority or responsibility may be exercised by any person designated by the Commissioner.

c. "Director" means the Director of the Bureau. Wherever this Section grants authority to or places responsibility on the Director, that authority or responsibility may be exercised by any person designated by the Director.

d. "City Parking Garage" means any publicly or privately owned real property, and the buildings, structures and facilities thereon, placed under the jurisdiction of the Bureau for parking garage purposes, and includes all land granted to the City for such purposes, including but not limited to those City Parking Garages listed below:

- (1) 1st & Jefferson Garage located at 123 SW Jefferson Street;
- (2) 3rd & Alder Garage located at 621 SW 3rd Avenue;
- (3) 4th & Yamhill Garage located at 818 SW 4th Avenue;
- (4) 10th & Yamhill Garage located at 730 SW 10th Avenue;
- (5) O'Bryant Square Garage located at 808 SW Stark Street;
- (6) Naito & Davis Garage located at 33 NW Davis Street;
- (7) The Portland Building Garage, located at 1120 SW 5th Avenue.

e. "Parking Garage Officer" means the person in charge pursuant to ORS 164.205(5), including but not limited to any of the following while acting in the scope of employment, agency, or duty:

- (1) Any peace officer as defined by Oregon law and any reserve officer of the Portland Police Bureau;
- (2) Any person providing security services in any City Parking Garage pursuant to any contract with the City or with any person, firm, or corporation managing City Parking Garages on the City's behalf; and/or
- (3) Any person specifically designated in writing as a Parking Garage Officer by the Commissioner or by the Director.

2. Rules of Conduct.

a. The Bureau has the authority to develop Rules of Conduct and procedures and to enforce the Rules of Conduct. All persons within a City Parking Garage shall obey the Rules of Conduct.

b. Any person who refuses to obey any reasonable direction of a Parking Garage Officer or Rules of Conduct for City Parking Garages may be excluded as provided in PCC 3.15.080 C.3.

3. City Parking Garage Exclusions. In addition to other measures provided for violation of the Code, or any of the laws of the State of Oregon, any Parking Garage Officer may exclude any person who violates any Rule of Conduct, while in or upon any City Parking Garage, from all City Parking Garages for a period of 180 days.

a. Written notice shall be given to any person excluded from City Parking Garages. The notice of exclusion shall specify the dates and places of exclusion. It shall be signed by the Parking Garage Officer who issued the notice of exclusion. Warning of consequences for failure to comply with the notice of exclusion shall be prominently displayed on the notice of exclusion.

b. Any person who receives a notice of exclusion shall comply with the notice of exclusion. Failure to comply may result in prosecution for criminal trespass under ORS 164.245.

c. A person receiving a notice of exclusion may appeal, in writing, to the Code Hearings Officer in accordance with the provisions of Title 22 of the Code to have the notice of exclusion rescinded. Notwithstanding the provisions of Title 22, the appeal to the Code Hearings Officer shall be filed within 5 days of issuance of the notice of exclusion, unless extended by the Code Hearings Officer for good cause shown. The sworn statement of the Parking Garage Officer who issued the notice of exclusion shall be used as evidence on appeal, unless the appellant requests, in writing, the presence of the Parking Garage Officer at the appeal hearing.

Appendix F

This document was re-typed from the Original Resolution and Order No. 87-64.

IN THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

In the Matter of Establishing a Risk Management Program for Washington County)
RESOLUTION AND ORDER
NO. 87-64

The above-entitled matter came before the Board at its regular meeting of March 24, 1987; and

It appearing to the Board that effective September 1, 1986, Washington County has chosen to be self insured in the area of general tort liability; and

It appearing to the Board that it is in the best interest of the County to provide a Risk Management Program, in the area of general tort liability, to assure risks and legal liabilities of the County are properly identified and appropriately administered; and

It appearing to the Board that in providing for such a Risk Management Program it is necessary to do the following:

- 1) Establish a manner of funding the Risk Management Program including costs of the program and funds necessary to assure sufficient money is available to compensate all legitimate and enforceable claims against the County;
- 2) Establish a line of authority and responsibility to assure all claims presented against the County are handled in a timely and competent fashion;
- 3) Provide for the necessary expertise to assure all risks and liabilities of the County are properly addressed and where appropriate risks are assigned to other parties or appropriate insurance coverage is purchased;
- 4) Establish a program within the County that identifies risks and liabilities and provides loss control to minimize risk exposure; and
- 5) Provide a program within the County responsible for the establishment and administration of sharing the costs and expenses of the Risk Management Program among the several departments and agencies contributing to the risks and potential liabilities of the County;

now, therefore, it is

RESOLVED AND ORDERED that in order to meet the needs identified above there is hereby established a Risk Management Program (exclusive of workers' compensation and employee benefits) and said Program is charged with the duties and responsibilities set forth below; and it is further

RESOLVED AND ORDERED that the County shall appoint a Risk Manager whose duties, among other things, shall include those responsibilities as defined herein. In addition, a committee to be known as the Risk Management Committee shall be established and whose members should be the County Risk Manager, County Counsel or designee, Director of Support Services or designee, County Administrator or designee, and a representative of the County's retained insurance agent of record. The Risk Management Committee shall meet, as necessary, to review, consider and advise on issues and programs of the Risk Management Program; and it is further

RESOLVED AND ORDERED that the County shall, by ordinance, establish a fund account to self-insure general liability tort and civil rights claims (filed pursuant to 42 USC Sec. 1983) losses and costs to the County as deemed appropriate. In this regard the County shall do the following:

- 1) Establish and maintain an account to be known as the casualty fund. Each year a determination shall be made of the allocation to the casualty fund from the various departments and offices in the County. The allocation will be in consideration of a formula established annually by the Risk Manager;
- 2) It shall be the goal to maintain, after a period of time, a reserve in the casualty fund in an amount that adequately protects the County for all actual and pending claims and all costs and expenses associated with investigating, managing, adjusting, and defending such claims. The goal of the casualty fund will be based upon an actuarial review. The principal of the fund shall be invested in accordance with standard County practice and any accrued interest shall be solely for the benefit of the casualty fund;
- 3) The casualty fund monies shall only be expended for the following purposes:
 - a) Purchase of appropriate insurance;
 - b) Payment of necessary costs and expenses incurred in maintaining the fund;
 - c) Payment of costs incurred in investigating, managing, adjusting and litigating tort and civil rights claims against the county, including such costs incurred on behalf of any county official, employee and agent and pursuant to ORS 30.285(1);
 - d) Payment of appropriate and meritorious tort and civil rights claims against the County and its officers, employees, and agents acting in performance of their duty and as provided by ORS 30.285(1);
 - e) Payment for damage to County property. Payment for damage to county property, as provided herein, may be based upon an allocation of said costs between the casualty fund and the effected County department or office;

and it is further

RESOLVED AND ORDERED that the Risk Management Committee shall have review and advisory responsibility for the Risk Management Program. Specific areas of authority are as described below:

- 1) Risk Identification and Purchase of Insurance. The Risk Manager shall be responsible for the identification of risk and the placement of appropriate insurance. The Risk Manager may consult, in this regard with the County's agent of record and/or the County Counsel;
- 2) Loss Control. The Risk Manager shall be responsible for the establishment and administration of a loss control program. The intent of such a program is to minimize or mitigate liability exposure of the County. The Risk Manager may consult, in this regard, with the County's agent of record and/or the County Counsel. All County departments and offices shall cooperate with the Risk Manager in the imposition and administration of any loss control program.
- 3) Management of Casualty Fund. The Risk Manager shall be responsible for the management and administration of the casualty fund.
- 4) Damage to County Property. The Risk Manager shall be responsible for the management and administration of all claims of damage to County property. In cases where damage is the result of the intentional or negligent acts of third parties the Risk Manager shall attempt to recover any damage to the County from such parties. In the event the Risk Manager is unsuccessful in his attempts to recover any damages the Risk Manager shall request the assistance of County Counsel, who may initiate legal proceedings to recover the damage to the County.
- 5) Tort Claims Administration. A tort and civil rights claim administration process shall be established to assure prompt and appropriate response to tort and civil rights claims filed against the County.
 - a) Management of Claims – The Office of County Counsel shall be responsible for the administration and management of tort and civil rights claims filed against the County. An independent adjustment service may be retained to provide claim adjustment services to the County.
 - b) Establishment of Reserves – For all claims presented to the County, a reserve amount shall be identified as potential expenses and costs to the County and be shown against the casualty fund as a potential cost to that fund. The amount of any reserve shall be as determined by County Counsel and upon recommendation of the County's private claims adjuster and/or Risk Manager. Any disagreement between County Counsel and the County's Risk Manager involving reserve amounts, potentially in excess of \$25,000, shall be reviewed and determined by the Risk Management Committee.

- c) Settlement of Claim – In addition to any other requirements of law, settlement of any claim in excess of \$15,000 must first be reviewed and approved by the Board of Commissioners; settlement of claims in excess of \$5,000 must first be reviewed and approved by the Risk Management Committee; and claims less than \$5,000 may be settled upon authority of County Counsel. The County Counsel may further delegate to the retained claims adjuster the authority to settle certain types of claims within the amount of County Counsel's authority.
- 6) Management Reports. The Risk Manager shall prepare all management reports pertaining to the Risk Management Program. A private reporting service may be retained to assist in preparing reports. The reports shall be presented to the Risk Management Committee and any other appropriate County officials.

DATED this 24th day of March, 1987.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

/s/ Bonnie L. Hayes
Chairman

/s/ Stella K. Manabe
Recording Secretary

This document was re-typed from the Original Ordinance No. 330.

IN THE BOARD OF COUNTY COMMISSIONERS

FOR THE COUNTY OF WASHINGTON

ORDINANCE NO. 330

(An Ordinance Establishing a Fund
(Account to Insure County General
(Liability for Tort and Civil
(Rights Claims, Losses and Costs
(to the Extent Deemed Appropriate

The Board of County Commissioners for Washington County, Oregon,
ordains:

SECTION 1. PURPOSE

Effective September 1, 1986, Washington County became self-insured for purposes of general liability for tort and civil rights claims. Pursuant to Board Resolution and Order 87 – 69, dated November 24, 1987, the Board established a risk management program for Washington County. Among other matters, Resolution and Order 87-64 directed that there be established, by ordinance, a fund account to self-insure against such claims.

SECTION 2. CASUALTY FUND

There is hereby established a fund account to insure Washington County for general liability in tort and civil rights claims (filed pursuant to USC Sec. 1983), losses and costs, as deemed appropriate. Further such account shall be established and maintained in the following manner:

- A) Each year a determination shall be made of the allocation to the casualty fund from the various departments and offices in the County. The allocation will be in consideration of a formula established annually by the Risk Manager and shall be considered in the normal budget course;
- B) The casualty fund shall be maintained in an amount that adequately protects the County for all actual and pending claims and all costs and expenses associated with investigating, managing, adjusting, and defending such claims. The reserve of the casualty fund will be based upon an actuarial review. The principal of the fund shall be invested in accordance with standard County practice and any accrued interest shall be solely for the benefit of the casualty fund;
- C) The casualty fund monies shall only be expended for the following purposes:

- 1) Purchase of appropriate insurance;
- 2) Payment of necessary costs and expenses incurred in maintaining the fund;
- 3) Payment of costs incurred in investigating, managing, adjusting and litigating tort and civil rights claims against the county, including such costs incurred on behalf of any county official, employee and agent and pursuant to ORS 30.285(1);
- 4) Payment of appropriate and meritorious tort and civil rights claims against the County and its officers, employees and agents acting in performance of their duty and as provided by ORS 30.285(1);
- 5) Payment for damage to county property, as provided herein, may be based upon an allocation of said costs between the casualty fund and the effected County department or office;

SECTION 3 CASUALTY FUND POLICY

The County Risk Manager shall prepare a policy stating the coverage and limits for liability subject to the Casualty Fund. The Casualty Fund Policy shall be reviewed by the County Risk Management Committee and may be adopted, by Resolution and Order of the Board.

ENACTED this 23rd day of February 1988, being the third reading and first public hearing before the Board of County Commissioners of Washington County, Oregon.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

/s/ Bonnie L. Hays
CHAIRMAN

/s/ Pam Rychart
RECORDING SECRETARY

Appendix G

RECOMMENDED APPROVAL FOR MANAGEMENT SERVICE BENEFITS AND COMPENSATION CHANGES

Type of Benefit	Current Approval Process -Non-Represented	Recommended Approval Process - Delegated Authority	Recommended Approval Process - Consent Calendar	Recommended Approval Process - Board Resolution
Paid holidays	Personnel Rules	Changes with no fiscal impact, such as use of holidays, saved holidays, etc . approved by Chair		Current MCPR 4-30-030 lists paid holidays for non-represented employees, and also requires BCC approval for any additional holidays.
Paid leaves – Vacation Leave	Personnel Rules	Changes with no fiscal impact, such as use of leave, sequencing of leave, etc. approved by Chair		Changes affecting accrual amounts or limits, or payoff amounts would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution (County Attorney reviews Personnel Rules for consistency with Board Resolutions prior to approval by the Chair).
Paid Leaves – Sick Leave	Personnel Rules	Changes with no fiscal impact, such as use of leave, sequencing of leave, etc. approved by Chair		Changes affecting accrual amounts or limits, or adding any payment provisions would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Paid Leaves – Recognition Leave	Personnel Rules	Changes affecting basis for leave, eligibility, approval authority -.approved by Chair		Changes affecting amounts of leave would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Paid Leaves – Other (Judicial, Military, Bereavement, Leave for Exams, Training Leave)	Personnel Rules	Changes affecting basis for leave, eligibility, approval authority -.approved by Chair		Changes affecting amounts of leave would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Leaves of absence without pay	Personnel Rules	No fiscal impact – approved by Chair.		

Type of Benefit	Current Approval Process -Non-Represented	Recommended Approval Process - Delegated Authority	Recommended Approval Process - Consent Calendar	Recommended Approval Process - Board Resolution
Leave-sharing programs – Catastrophic Leave	Personnel Rules	Administrative changes in operation of the program that do not affect eligibility for benefits or level of benefits approved by Chair		Changes affecting level of benefits or adding new programs would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Leave-sharing programs – Military Leave Donation	Personnel Rules	Administrative changes in operation of the program that do not affect eligibility for benefits or level of benefits.- approved by Chair		Changes affecting level of benefits or adding new programs would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Health and welfare benefits – changes in plan design, such as options, plan offerings, copays, employee premium sharing	Employee Benefits Board recommendation to BCC in March of each year			<u>NO CHANGE</u> -Board approval already required; process in place.

Type of Benefit	Current Approval Process -Non-Represented	Recommended Approval Process - Delegated Authority	Recommended Approval Process - Consent Calendar	Recommended Approval Process - Board Resolution
Health and welfare benefits – Mandated changes in plan coverage for drugs	Plan Documents	FDA approval of new prescription drugs requires coverage by plan if the drug is used to treat a covered condition. Removal from coverage of a prescription drug that has been approved by the FDA for OTC is automatic under Kaiser plan, and fiscally prudent under ODS. Approved by Central HR/LR Director		
Health and welfare benefits – Changes in plan coverage-provider types and/or medical procedures	Plan Documents	Typically mandated by state or federal agencies—examples include mental health coverage requirements, additional treatment options or services, or alternative providers.- Approved by Central HR/LR Director		
Educational assistance programs	Personnel Rules	Administrative changes in operation of the program that do not affect eligibility for benefits or level of benefits. – approved by Chair		Changes affecting level of benefits or adding new programs would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.

Type of Benefit	Current Approval Process -Non-Represented	Recommended Approval Process - Delegated Authority	Recommended Approval Process - Consent Calendar	Recommended Approval Process - Board Resolution
Deferred compensation programs	Plan documents	No fiscal impact to the County – employee funded, County costs are administrative only – mandated and administrative changes approved by Chief Financial Officer.		<u>NO CHANGE TO CURRENT PROCESS</u> -Changes that materially impact the deferred compensation plan require Board approval.
Bus Pass Program	Personnel Rules	Changes in administration of the program		Changes in benefit level – e.g., reduction in County contribution (currently 100%).
Flexible spending accounts	Plan documents	No fiscal impact to the County – employee funded, County costs are administrative only. - administrative changes approved by Central HR/LR Director.		
Pension programs	Personnel Rules	Mandated Changes – approved by Central HR/LR Director or Chief Financial Officer, as appropriate		<u>NO CHANGE TO CURRENT PROCESS</u> -Changes affecting participation in PERS, other retiree benefits, County contributions, establishment of separate accounts, etc. (already subject to Board approval)
Workers' compensation and supplemental benefits	State law and Personnel Rules	Basic requirements are mandated – administrative changes approved by Central HR/LR Director.		

Type of Benefit	Current Approval Process -Non-Represented	Recommended Approval Process - Delegated Authority	Recommended Approval Process - Consent Calendar	Recommended Approval Process - Board Resolution
Compensation – Special Pay Provisions	Personnel Rules	Changes affecting basis for payment, eligibility, approval authority - approved by Chair		Changes affecting amounts of payment in existing rules or adding additional special pay provisions or incentives would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Class/Comp Plan Changes – Abolishing Classes	Personnel Rules	No fiscal impact- changes approved by Central HR/LR Director		
Class/Comp Plan Changes – Changing salary ranges or establishing new classes.	Personnel Rules			Changes which directly impact current fiscal year budgets (already required by current personnel rules) and changes which increase budgets for later fiscal years require Board approval.

Appendix H



MULTNOMAH COUNTY SHERIFF'S OFFICE
501 SE HAWTHORNE BLVD., SUITE 350 • PORTLAND, OR

Exemplary service for a safe, livable community

BERNIE GIUSTO
SHERIFF

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

MEMORANDUM

TO: Board of County Commissioners
CC: County Attorney Sowle
FROM: Sheriff Giusto
DATE: December 3, 2003
RE: December 4, 2003 Board Agenda Item R-6 and Request for
Change in Ordinance Language

I would like to address the decisions in front of you concerning **MCC Sections 7.101, 7.104** *Relating to Board Authority Over Risk Management Fund and County Litigation*. First, I must note that the efforts of this Board to raise your knowledge and focus on accountability of tax dollars should be commended. As the issues in front of you greatly impact the Sheriff's Office, and the relationship between each Board Member and the Sheriff's Office, I would like to be engaged in this discussion.

Although there are many parts of this ordinance that impact the Sheriff, I would like to formally address one issue concerning County Litigation. Since becoming Sheriff I have learned two things. First, our County Attorney's Office provides excellent service and is a valuable member of the Sheriff's Office team. Second, I have learned, although I thought not possible, there is another public safety function that gets sued more than police work -- corrections. The Sheriff's Office must be assured, for now and for future Sheriff's an easy, simple, timely and effective partnership with the County Attorney's Office. For that reason I ask that one change be made to the Ordinance presented in R-6 of the December 4, 2003 Board Agenda. The change is as follows:

§ 7.201 (H) Initiate, defend, appear or appeal any legal action, matter or proceeding in any court or tribunal when requested by the Board, Sheriff or as delegated by Board resolution.

Our proposed ordinance language retains the Sheriff in **§ 7.201 (H)**. While I understand that through resolution the Board can delegate such authority to the Sheriff, it is important that the ability of the County Attorney's Office to "initiate,

defend, appear, or appeal" matters as they relate to the Sheriff's Office to be possible, without first initiating a request or authority from the Board.

Compounding the need for such change, as is outlined by § 7.201 (M), only the County Attorney, or the majority of the entire Board, can authorize the Sheriff to hire outside counsel. The Sheriff and the management team must be able to access legal representation without barriers and without delay. For this reason I ask that "Sheriff" be reinstated in § 7.201 (H).

I understand that this can be addressed in a resolution. However, the language currently provided in the proposed resolution only addresses half of the issue. In the *Delegation of Authority to Make Expenditure from the Risk Management Fund, Settle Claims, Against the County, and Settle County Litigation*, under the **Resolves: (1)** the authority is delegated to the County Attorney to "defend or appear in any legal action". . . when requested by the . . . Sheriff. But **(2)** does not allow the County Attorney the authority to "initiate or appeal any legal action, matter or proceeding" when requested by the Sheriff.

I understand the need for the County governing body to be engaged when there is the potential for further settlements that will impact the Risk Fund. However, the elected Sheriff must retain the independent authority to set the standard for ethics, expectations, and professionalism of the organization which necessarily includes decisions over how claims and subsequent appeals against the agency are handled.

During the Board Hearing and subsequent revisions of the resolution, I look forward to discussing with you the needs of the Sheriff's Office, the language, and policy implementation.

Appendix I



OFFICE OF MULTNOMAH COUNTY ATTORNEY

AGNES SOWLE
County Attorney

SCOTT ERIK ASPHAUG
Chief Assistant

501 S.E. HAWTHORNE, SUITE 500
PORTLAND, OREGON 97214

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MATTHEW O. RYAN
KATHRYN A. SHORT
JOHN S. THOMAS
JACQUELINE A. WEBER
Assistants

TO: Risk Management Ordinance Workgroup

FROM: Agnes Sowle
County Attorney

DATE: May 26, 2004

RE: Delegation of specialized cases and issues

As I reported yesterday, there are a number of specialized cases and issues which the Chair previously delegated to the County Attorney's office, and in some cases, the departments. I recommend that the following cases and issues continue to be delegated. Such delegation need not be by resolution.

Non-monitory issues in settlement:

There are often small issues which come up in the settlement of cases which have no fiscal impact. Examples include

- Removal of discipline from file or change of status (resignation vs. termination)
- Accommodations
- Letters of Reference
- Retraining
- Transfers
- Apologies

I suggest that the County Attorney and HR be delegated authority to negotiate these matters as it has in the past, and to use our judgment as to which situations would be of interest or concern to the Board.

Specialized cases:

There are a number of types of litigation which the County Attorney's office, or in some cases, the departments, have initiated in the past. Examples include:

- Petitions for guardianship and conservatorship are filed on behalf of the Public Guardian;

- Appeals from sanction decisions of the Adult Care Home Program;
- Tax litigation at the Department of Revenue and in Federal Tax Court (this relates to property tax appeals, not personal income tax);
- Appeals in Circuit Court from denials and rejections of concealed handgun license applications;
- Labor arbitrations and merit counsel matters;
- A miscellaneous category, including brief appearances on behalf of county departments to quash subpoenas or to limit the testimony of county employees in suits where the county is not a named party; and
- Small Claims Court proceedings. We represent the County in attempting to recover money for damage to county vehicles or other equitable claims for damages. All small claims matters are, by definition, less than \$5,000.

I suggest that the County Attorney be delegated authority to continue to represent the County in these matters as it has in the past, and to use our judgment as to which situations would be of interest or concern to the Board.

Appendix J

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Establishing Approval Process for Management Service Benefits and Compensation
Plan Changes

The Multnomah County Board of Commissioners Finds:

- a. On December 11, 2003, the Board adopted Ordinance No. 1022 requiring Board approval of the compensation plan by resolution prior to adoption of the annual County budget.
- b. A staff committee was asked to review the approval process and make recommendations for establishing an efficient approval process.
- c. The committee has completed its review and makes the following recommendations as more fully described in the attached Table:
 - delegating approval authority for certain changes, such as those mandated by federal or state laws or regulations, and those with minimal fiscal impact to the Chair, such as:
 - the basis for or use of paid leaves;
 - administrative changes to leave-sharing, health plan drug coverage, educational assistance, deferred comp, bus pass and flexible spending programs; or
 - mandated changes to health and welfare plans, pension programs, and workers' compensation;
 - setting guidelines for Board approval of other compensation plan changes

The Multnomah County Board of Commissioners Resolves:

1. The Board establishes the approval process contained in the attached Table dated March 4, 2004.

ADOPTED this ____ day of _____, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Agnes Sowle, County Attorney

Appendix K

RECOMMENDED APPROVAL FOR MANAGEMENT SERVICE BENEFITS AND COMPENSATION CHANGES

Type of Benefit	Current Approval Process -Non-Represented	Recommended Approval Process - Delegated Authority	Recommended Approval Process - Consent Calendar	Recommended Approval Process - Board Resolution
Paid holidays	Personnel Rules	Changes with no fiscal impact, such as use of holidays, saved holidays, etc. approved by Chair		Current MCPR 4-30-030 lists paid holidays for non-represented employees, and also requires BCC approval for any additional holidays.
Paid leaves – Vacation Leave	Personnel Rules	Changes with no fiscal impact, such as use of leave, sequencing of leave, etc. approved by Chair		Changes affecting accrual amounts or limits, or payoff amounts would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution (County Attorney reviews Personnel Rules for consistency with Board Resolutions prior to approval by the Chair).
Paid Leaves – Sick Leave	Personnel Rules	Changes with no fiscal impact, such as use of leave, sequencing of leave, etc. approved by Chair		Changes affecting accrual amounts or limits, or adding any payment provisions would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Paid Leaves – Recognition Leave	Personnel Rules	Changes affecting basis for leave, eligibility, approval authority - approved by Chair		Changes affecting amounts of leave would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Paid Leaves – Other (Judicial, Military, Bereavement, Leave for Exams, Training Leave)	Personnel Rules	Changes affecting basis for leave, eligibility, approval authority - approved by Chair		Changes affecting amounts of leave would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Leaves of absence without pay	Personnel Rules	No fiscal impact – approved by Chair		

Type of Benefit	Current Approval Process -Non-Represented	Recommended Approval Process - Delegated Authority	Recommended Approval Process - Consent Calendar	Recommended Approval Process - Board Resolution
Leave-sharing programs – Catastrophic Leave	Personnel Rules	Administrative changes in operation of the program that do not affect eligibility for benefits or level of benefits approved by Chair		Changes affecting level of benefits or adding new programs would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Leave-sharing programs – Military Leave Donation	Personnel Rules	Administrative changes in operation of the program that do not affect eligibility for benefits or level of benefits approved by Chair		Changes affecting level of benefits or adding new programs would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Health and welfare benefits – changes in plan design, such as options, plan offerings, copays, employee premium sharing	Employee Benefits Board recommendation to BCC in March of each year			<u>NO CHANGE</u> Board approval already required; process in place.
Health and welfare benefits – Mandated changes in plan coverage for drugs	Plan Documents	FDA approval of new prescription drugs requires coverage by plan if the drug is used to treat a covered condition. Removal from coverage of a prescription drug that has been approved by the FDA for OTC is automatic under Kaiser plan, and fiscally prudent under ODS. Approved by Central HR/LR Director		

March 4, 2004

Type of Benefit	Current Approval Process -Non-Represented	Recommended Approval Process - Delegated Authority	Recommended Approval Process - Consent Calendar	Recommended Approval Process - Board Resolution
Health and welfare benefits – Changes in plan coverage-provider types and/or medical procedures	Plan Documents	Typically mandated by state or federal agencies – examples include mental health coverage requirements, additional treatment options or services, or alternative providers. Approved by Central HR/LR Director		
Educational assistance programs	Personnel Rules	Administrative changes in operation of the program that do not affect eligibility for benefits or level of benefits. Approved by Chair		Changes affecting level of benefits or adding new programs would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Deferred compensation programs	Plan documents	No fiscal impact to the County – employee funded, County costs are administrative only – mandated and administrative changes approved by Chief Financial Officer.		<u>NO CHANGE TO CURRENT PROCESS</u> Changes that materially impact the deferred compensation plan require Board approval.
Bus Pass Program	Personnel Rules	Changes in administration of the program		Changes in benefit level – e.g., reduction in County contribution (currently 100%).
Flexible spending accounts	Plan documents	No fiscal impact to the County – employee funded, County costs are administrative only. Administrative changes approved by Central HR/LR Director		
Pension programs	Personnel Rules	Mandated Changes – approved by Central HR/LR Director or Chief Financial Officer, as appropriate		<u>NO CHANGE TO CURRENT PROCESS</u> Changes affecting participation in PERS, other retiree benefits, County contributions, establishment of separate accounts, etc. (already subject to Board approval)

March 4, 2004

Type of Benefit	Current Approval Process -Non-Represented	Recommended Approval Process - Delegated Authority	Recommended Approval Process - Consent Calendar	Recommended Approval Process - Board Resolution
Workers' compensation and supplemental benefits	State law and Personnel Rules	Basic requirements are mandated – administrative changes approved by Central HR/LR Director		
Compensation – Special Pay Provisions	Personnel Rules	Changes affecting basis for payment, eligibility, approval authority - approved by Chair		Changes affecting amounts of payment in existing rules or adding additional special pay provisions or incentives would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Class/Comp Plan Changes – Abolishing Classes	Personnel Rules	No fiscal impact- changes approved by Central HR/LR Director		
Class/Comp Plan Changes – Changing salary ranges or establishing new classes.	Personnel Rules			Changes which directly impact current fiscal year budgets (already required by current personnel rules) and changes which increase budgets for later fiscal years require Board approval.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Establishing Approval Process for Management Service Benefits and Compensation Plan Changes

The Multnomah County Board of Commissioners Finds:

- a. On December 11, 2003, the Board adopted Ordinance No. 1022 requiring Board approval of the compensation plan by resolution prior to adoption of the annual County budget.
- b. A staff committee was asked to review the approval process and make recommendations for establishing an efficient approval process.
- c. The committee has completed its review and makes the following recommendations as more fully described in the attached Table:
 - delegating approval authority for certain changes, such as those mandated by federal or state laws or regulations, and those with minimal fiscal impact to the Chair, such as:
 - the basis for or use of paid leaves;
 - administrative changes to leave-sharing, health plan drug coverage, educational assistance, deferred comp, bus pass and flexible spending programs; or
 - mandated changes to health and welfare plans, pension programs, and workers' compensation;
 - setting guidelines for Board approval of other compensation plan changes

The Multnomah County Board of Commissioners Resolves:

1. The Board establishes the approval process contained in the attached Table dated March 4, 2004.

ADOPTED this 3rd day of June, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Agnes Sowle, County Attorney

RECOMMENDED APPROVAL FOR MANAGEMENT SERVICE BENEFITS AND COMPENSATION CHANGES

Type of Benefit	Current Approval Process -Non-Represented	Recommended Approval Process - Delegated Authority	Recommended Approval Process - Consent Calendar	Recommended Approval Process - Board Resolution
Paid holidays	Personnel Rules	Changes with no fiscal impact, such as use of holidays, saved holidays, etc. approved by Chair		Current MCPR 4-30-030 lists paid holidays for non-represented employees, and also requires BCC approval for any additional holidays.
Paid leaves – Vacation Leave	Personnel Rules	Changes with no fiscal impact, such as use of leave, sequencing of leave, etc. approved by Chair		Changes affecting accrual amounts or limits, or payoff amounts would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution (County Attorney reviews Personnel Rules for consistency with Board Resolutions prior to approval by the Chair).
Paid Leaves – Sick Leave	Personnel Rules	Changes with no fiscal impact, such as use of leave, sequencing of leave, etc. approved by Chair		Changes affecting accrual amounts or limits, or adding any payment provisions would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Paid Leaves – Recognition Leave	Personnel Rules	Changes affecting basis for leave, eligibility, approval authority - approved by Chair		Changes affecting amounts of leave would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Paid Leaves – Other (Judicial, Military, Bereavement, Leave for Exams, Training Leave)	Personnel Rules	Changes affecting basis for leave, eligibility, approval authority - approved by Chair		Changes affecting amounts of leave would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Leaves of absence without pay	Personnel Rules	No fiscal impact – approved by Chair		

March 4, 2004

Type of Benefit	Current Approval Process -Non-Represented	Recommended Approval Process - Delegated Authority	Recommended Approval Process - Consent Calendar	Recommended Approval Process - Board Resolution
Leave-sharing programs – Catastrophic Leave	Personnel Rules	Administrative changes in operation of the program that do not affect eligibility for benefits or level of benefits approved by Chair		Changes affecting level of benefits or adding new programs would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Leave-sharing programs – Military Leave Donation	Personnel Rules	Administrative changes in operation of the program that do not affect eligibility for benefits or level of benefits approved by Chair		Changes affecting level of benefits or adding new programs would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Health and welfare benefits – changes in plan design, such as options, plan offerings, copays, employee premium sharing	Employee Benefits Board recommendation to BCC in March of each year			<u>NO CHANGE</u> Board approval already required; process in place.
Health and welfare benefits – Mandated changes in plan coverage for drugs	Plan Documents	FDA approval of new prescription drugs requires coverage by plan if the drug is used to treat a covered condition. Removal from coverage of a prescription drug that has been approved by the FDA for OTC is automatic under Kaiser plan, and fiscally prudent under ODS. Approved by Central HR/LR Director		

Type of Benefit	Current Approval Process -Non-Represented	Recommended Approval Process - Delegated Authority	Recommended Approval Process - Consent Calendar	Recommended Approval Process - Board Resolution
Health and welfare benefits – Changes in plan coverage-provider types and/or medical procedures	Plan Documents	Typically mandated by state or federal agencies – examples include mental health coverage requirements, additional treatment options or services, or alternative providers. Approved by Central HR/LR Director		
Educational assistance programs	Personnel Rules	Administrative changes in operation of the program that do not affect eligibility for benefits or level of benefits. Approved by Chair		Changes affecting level of benefits or adding new programs would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Deferred compensation programs	Plan documents	No fiscal impact to the County – employee funded, County costs are administrative only – mandated and administrative changes approved by Chief Financial Officer.		<u>NO CHANGE TO CURRENT PROCESS</u> Changes that materially impact the deferred compensation plan require Board approval.
Bus Pass Program	Personnel Rules	Changes in administration of the program		Changes in benefit level – e.g., reduction in County contribution (currently 100%).
Flexible spending accounts	Plan documents	No fiscal impact to the County – employee funded, County costs are administrative only. Administrative changes approved by Central HR/LR Director		
Pension programs	Personnel Rules	Mandated Changes – approved by Central HR/LR Director or Chief Financial Officer, as appropriate		<u>NO CHANGE TO CURRENT PROCESS</u> Changes affecting participation in PERS, other retiree benefits, County contributions, establishment of separate accounts, etc. (already subject to Board approval)

March 4, 2004

Type of Benefit	Current Approval Process -Non-Represented	Recommended Approval Process - Delegated Authority	Recommended Approval Process - Consent Calendar	Recommended Approval Process - Board Resolution
Workers' compensation and supplemental benefits	State law and Personnel Rules	Basic requirements are mandated – administrative changes approved by Central HR/LR Director		
Compensation – Special Pay Provisions	Personnel Rules	Changes affecting basis for payment, eligibility, approval authority - approved by Chair		Changes affecting amounts of payment in existing rules or adding additional special pay provisions or incentives would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Class/Comp Plan Changes – Abolishing Classes	Personnel Rules	No fiscal impact- changes approved by Central HR/LR Director		
Class/Comp Plan Changes – Changing salary ranges or establishing new classes.	Personnel Rules			Changes which directly impact current fiscal year budgets (already required by current personnel rules) and changes which increase budgets for later fiscal years require Board approval.



OFFICE OF MULTNOMAH COUNTY ATTORNEY

AGNES SOWLE
County Attorney

SCOTT ERIK ASPHAUG
Chief Assistant

501 S.E. HAWTHORNE, SUITE 500
PORTLAND, OREGON 97214

FAX 503.988.3377
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MICHELLE A. BELLIA
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PATRICK HENRY
KATIE A. LANE
JENNY M. MORF
MATTHEW O. RYAN
KATHRYN A. SHORT
JOHN S. THOMAS
JACQUELINE A. WEBER
Assistants

TO: Risk Management Ordinance Workgroup

FROM: Agnes Sowle
County Attorney

DATE: May 26, 2004

RE: Delegation of specialized cases and issues

As I reported yesterday, there are a number of specialized cases and issues which the Chair previously delegated to the County Attorney's office, and in some cases, the departments. I recommend that the following cases and issues continue to be delegated. Such delegation need not be by resolution.

Non-monitory issues in settlement:

There are often small issues which come up in the settlement of cases which have no fiscal impact. Examples include

- Removal of discipline from file or change of status (resignation vs. termination)
- Accommodations
- Letters of Reference
- Retraining
- Transfers
- Apologies

I suggest that the County Attorney and HR be delegated authority to negotiate these matters as it has in the past, and to use our judgment as to which situations would be of interest or concern to the Board.

Specialized cases:

There are a number of types of litigation which the County Attorney's office, or in some cases, the departments, have initiated in the past. Examples include:

- Petitions for guardianship and conservatorship are filed on behalf of the Public Guardian;

- Appeals from sanction decisions of the Adult Care Home Program;
- Tax litigation at the Department of Revenue and in Federal Tax Court (this relates to property tax appeals, not personal income tax);
- Appeals in Circuit Court from denials and rejections of concealed handgun license applications;
- Labor arbitrations and merit counsel matters;
- A miscellaneous category, including brief appearances on behalf of county departments to quash subpoenas or to limit the testimony of county employees in suits where the county is not a named party; and
- Small Claims Court proceedings. We represent the County in attempting to recover money for damage to county vehicles or other equitable claims for damages. All small claims matters are, by definition, less than \$5,000.

I suggest that the County Attorney be delegated authority to continue to represent the County in these matters as it has in the past, and to use our judgment as to which situations would be of interest or concern to the Board.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Establishing Approval Process for Management Service Benefits and Compensation
Plan Changes

The Multnomah County Board of Commissioners Finds:

- a. On December 11, 2003, the Board adopted Ordinance No. 1022 requiring Board approval of the compensation plan by resolution prior to adoption of the annual County budget.
- b. A staff committee was asked to review the approval process and make recommendations for establishing an efficient approval process.
- c. The committee has completed its review and makes the following recommendations as more fully described in the attached Table:
 - delegating approval authority for certain changes, such as those mandated by federal or state laws or regulations, and those with minimal fiscal impact to the Chair, such as:
 - the basis for or use of paid leaves;
 - administrative changes to leave-sharing, health plan drug coverage, educational assistance, deferred comp, bus pass and flexible spending programs; or
 - mandated changes to health and welfare plans, pension programs, and workers' compensation;
 - setting guidelines for Board approval of other compensation plan changes

The Multnomah County Board of Commissioners Resolves:

1. The Board establishes the approval process contained in the attached Table dated March 4, 2004.

ADOPTED this ____ day of _____, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Agnes Sowle, County Attorney

RECOMMENDED APPROVAL FOR MANAGEMENT SERVICE BENEFITS AND COMPENSATION CHANGES
--

Type of Benefit	Current Approval Process -Non-Represented	Recommended Approval Process - Delegated Authority	Recommended Approval Process - Consent Calendar	Recommended Approval Process - Board Resolution
Paid holidays	Personnel Rules	Changes with no fiscal impact, such as use of holidays, saved holidays, etc. approved by Chair		Current MCPR 4-30-030 lists paid holidays for non-represented employees, and also requires BCC approval for any additional holidays.
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Paid Leaves – Other (Judicial, Military, Bereavement, Leave for Exams, Training Leave)	Personnel Rules	Changes affecting basis for leave, eligibility, approval authority - approved by Chair		Changes affecting amounts of leave would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Leaves of absence without pay	Personnel Rules	No fiscal impact – approved by Chair		

March 4, 2004

Type of Benefit	Current Approval Process -Non-Represented	Recommended Approval Process - Delegated Authority	Recommended Approval Process - Consent Calendar	Recommended Approval Process - Board Resolution
Leave-sharing programs – Catastrophic Leave	Personnel Rules	Administrative changes in operation of the program that do not affect eligibility for benefits or level of benefits approved by Chair		Changes affecting level of benefits or adding new programs would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
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Type of Benefit	Current Approval Process -Non-Represented	Recommended Approval Process - Delegated Authority	Recommended Approval Process - Consent Calendar	Recommended Approval Process - Board Resolution
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Educational assistance programs	Personnel Rules	Administrative changes in operation of the program that do not affect eligibility for benefits or level of benefits. Approved by Chair		Changes affecting level of benefits or adding new programs would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Deferred compensation programs	Plan documents	No fiscal impact to the County – employee funded, County costs are administrative only – mandated and administrative changes approved by Chief Financial Officer.		<u>NO CHANGE TO CURRENT PROCESS</u> Changes that materially impact the deferred compensation plan require Board approval.
Bus Pass Program	Personnel Rules	Changes in administration of the program		Changes in benefit level – e.g., reduction in County contribution (currently 100%).
Flexible spending accounts	Plan documents	No fiscal impact to the County – employee funded, County costs are administrative only. Administrative changes approved by Central HR/LR Director		
Pension programs	Personnel Rules	Mandated Changes – approved by Central HR/LR Director or Chief Financial Officer, as appropriate		<u>NO CHANGE TO CURRENT PROCESS</u> Changes affecting participation in PERS, other retiree benefits, County contributions, establishment of separate accounts, etc. (already subject to Board approval)

March 4, 2004

Type of Benefit	Current Approval Process -Non-Represented	Recommended Approval Process - Delegated Authority	Recommended Approval Process - Consent Calendar	Recommended Approval Process - Board Resolution
Workers' compensation and supplemental benefits	State law and Personnel Rules	Basic requirements are mandated – administrative changes approved by Central HR/LR Director		
Compensation – Special Pay Provisions	Personnel Rules	Changes affecting basis for payment, eligibility, approval authority - approved by Chair		Changes affecting amounts of payment in existing rules or adding additional special pay provisions or incentives would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Class/Comp Plan Changes – Abolishing Classes	Personnel Rules	No fiscal impact- changes approved by Central HR/LR Director		
Class/Comp Plan Changes – Changing salary ranges or establishing new classes.	Personnel Rules			Changes which directly impact current fiscal year budgets (already required by current personnel rules) and changes which increase budgets for later fiscal years require Board approval.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Amending MCC §§ 7.104 and 7.201 Relating to Sheriff and District Attorney Authority

(Language stricken is deleted; underlined language is new.)

Multnomah County Ordains as follows:

Section 1. MCC 7.104 and 7.201 are amended as follows:

§ 7.104 Authority.

Authority for settlement of general liability claims and litigation against the county or its employees shall rest with the Board and may be delegated by Board resolution except as ~~limited by Sections 6.10 and 6.50 of the Multnomah County Charter~~ to those specific matters over which the Sheriff and the District Attorney have authority pursuant to statute or charter. As to those matters, the Sheriff and the District Attorney have respective authority for settlement.

Section 2. MCC 7.201 is amended as follows:

§ 7.201 Duties.

The County Attorney shall:

- (A) Provide legal advice and counsel to the Board and its various advisory boards, commissions and committees;
- (B) Provide legal advice and counsel to the Chair and all county departments and offices;
- (C) Provide legal advice and counsel to the Sheriff and Auditor;
- (D) Prepare ordinances and other legal documents when requested by a member of the Board, Chair, Sheriff, Auditor or department director;
- (E) Review and approve as to form all written contracts, ordinances, resolutions, Board orders, Chair executive rules, bonds and other legal documents;
- (F) Control and supervise all civil actions and legal proceedings in which the county is a party or has a legal interest;
- (G) Represent and defend the county and its elected officials, boards, commissions, committees, department directors and employees and other persons entitled to representation under the state Tort Claims Act in all appropriate legal matters, unless the county has an insurance policy or indemnification agreement which provides such representation and defense;
- (H) Initiate, defend, appear or appeal any legal action, matter or proceeding in any court or tribunal when requested by the Board or as delegated by Board resolution ~~except as limited by Sections~~

6.10 and 6.50 of the Multnomah County Charter or by the Sheriff and District Attorney as to those specific matters over which they have authority pursuant to statute or charter;

(I) Submit formal annual report to the Board concerning the status of all legal actions in which the county is a party, and at the request of any elected official report on the status of any legal matter;

(J) Prepare formal written opinions deemed necessary by the County Attorney regarding significant interpretations of federal and state law, the Charter and ordinances and other documents. Formal opinions may be requested by any county elected official or department director. Formal opinions shall be official guidance to the county unless superseded by court or administrative decisions, or subsequent legislation or administrative rules;

(K) Maintain custody of records including the office pleadings and other documents of all legal actions, and all County Attorney formal written opinions;

(L) Codify county ordinances as provided by Chapter 1 of this code of ordinances; and

(M) Employ outside legal counsel on behalf of the county when the County Attorney deems it necessary or appropriate to do so. A majority of the entire Board may also employ outside legal counsel for a specific county matter, and a majority of the entire Board may authorize a Board member, Sheriff, District Attorney or Auditor to retain outside legal counsel to advise the elected county official on a specific county matter. The Board shall specify the amount of the elected official's budget that may be appropriated for this purpose. With these exceptions no county elected official, board, commission, committee, department director or employee shall employ or be represented by counsel other than the County Attorney.

FIRST READING:

_____ (type in date)

SECOND READING AND ADOPTION:

_____ (type in date)

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Agnes Sowle, County Attorney

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 04-074

Establishing Approval Process for Management Service Benefits and Compensation Plan Changes

The Multnomah County Board of Commissioners Finds:

- a. On December 11, 2003, the Board adopted Ordinance No. 1022 requiring Board approval of the compensation plan by resolution prior to adoption of the annual County budget.
- b. A staff committee was asked to review the approval process and make recommendations for establishing an efficient approval process.
- c. The committee has completed its review and makes the following recommendations as more fully described in the attached Table:
 - delegating approval authority for certain changes, such as those mandated by federal or state laws or regulations, and those with minimal fiscal impact to the Chair, such as:
 - the basis for or use of paid leaves;
 - administrative changes to leave-sharing, health plan drug coverage, educational assistance, deferred comp, bus pass and flexible spending programs; or
 - mandated changes to health and welfare plans, pension programs, and workers' compensation;
 - setting guidelines for Board approval of other compensation plan changes

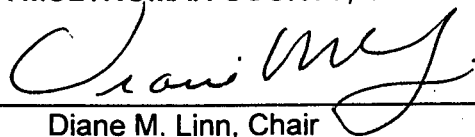
The Multnomah County Board of Commissioners Resolves:

1. The Board establishes the approval process contained in the attached Table dated March 4, 2004.

ADOPTED this 3rd day of June, 2004.




BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Agnes Sowle, County Attorney

RECOMMENDED APPROVAL FOR MANAGEMENT SERVICE BENEFITS AND COMPENSATION CHANGES

Type of Benefit	Current Approval Process -Non-Represented	Recommended Approval Process - Delegated Authority	Recommended Approval Process - Consent Calendar	Recommended Approval Process - Board Resolution
Paid holidays	Personnel Rules	Changes with no fiscal impact, such as use of holidays, saved holidays, etc. approved by Chair		Current MCPR 4-30-030 lists paid holidays for non-represented employees, and also requires BCC approval for any additional holidays.
Paid leaves – Vacation Leave	Personnel Rules	Changes with no fiscal impact, such as use of leave, sequencing of leave, etc. approved by Chair		Changes affecting accrual amounts or limits, or payoff amounts would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution (County Attorney reviews Personnel Rules for consistency with Board Resolutions prior to approval by the Chair).
Paid Leaves – Sick Leave	Personnel Rules	Changes with no fiscal impact, such as use of leave, sequencing of leave, etc. approved by Chair		Changes affecting accrual amounts or limits, or adding any payment provisions would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Paid Leaves – Recognition Leave	Personnel Rules	Changes affecting basis for leave, eligibility, approval authority - approved by Chair		Changes affecting amounts of leave would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Paid Leaves – Other (Judicial, Military, Bereavement, Leave for Exams, Training Leave)	Personnel Rules	Changes affecting basis for leave, eligibility, approval authority - approved by Chair		Changes affecting amounts of leave would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Leaves of absence without pay	Personnel Rules	No fiscal impact – approved by Chair		

March 4, 2004

Type of Benefit	Current Approval Process -Non-Represented	Recommended Approval Process - Delegated Authority	Recommended Approval Process - Consent Calendar	Recommended Approval Process - Board Resolution
Leave-sharing programs – Catastrophic Leave	Personnel Rules	Administrative changes in operation of the program that do not affect eligibility for benefits or level of benefits approved by Chair		Changes affecting level of benefits or adding new programs would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Leave-sharing programs – Military Leave Donation	Personnel Rules	Administrative changes in operation of the program that do not affect eligibility for benefits or level of benefits approved by Chair		Changes affecting level of benefits or adding new programs would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Health and welfare benefits – changes in plan design, such as options, plan offerings, copays, employee premium sharing	Employee Benefits Board recommendation to BCC in March of each year			<u>NO CHANGE</u> Board approval already required; process in place.
Health and welfare benefits – Mandated changes in plan coverage for drugs	Plan Documents	FDA approval of new prescription drugs requires coverage by plan if the drug is used to treat a covered condition. Removal from coverage of a prescription drug that has been approved by the FDA for OTC is automatic under Kaiser plan, and fiscally prudent under ODS. Approved by Central HR/LR Director		

March 4, 2004

Type of Benefit	Current Approval Process -Non-Represented	Recommended Approval Process - Delegated Authority	Recommended Approval Process - Consent Calendar	Recommended Approval Process - Board Resolution
Health and welfare benefits – Changes in plan coverage-provider types and/or medical procedures	Plan Documents	Typically mandated by state or federal agencies – examples include mental health coverage requirements, additional treatment options or services, or alternative providers. Approved by Central HR/LR Director		
Educational assistance programs	Personnel Rules	Administrative changes in operation of the program that do not affect eligibility for benefits or level of benefits. Approved by Chair		Changes affecting level of benefits or adding new programs would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Deferred compensation programs	Plan documents	No fiscal impact to the County – employee funded, County costs are administrative only – mandated and administrative changes approved by Chief Financial Officer.		<u>NO CHANGE TO CURRENT PROCESS</u> Changes that materially impact the deferred compensation plan require Board approval.
Bus Pass Program	Personnel Rules	Changes in administration of the program		Changes in benefit level – e.g., reduction in County contribution (currently 100%).
Flexible spending accounts	Plan documents	No fiscal impact to the County – employee funded, County costs are administrative only. Administrative changes approved by Central HR/LR Director		
Pension programs	Personnel Rules	Mandated Changes – approved by Central HR/LR Director or Chief Financial Officer, as appropriate		<u>NO CHANGE TO CURRENT PROCESS</u> Changes affecting participation in PERS, other retiree benefits, County contributions, establishment of separate accounts, etc. (already subject to Board approval)

Type of Benefit	Current Approval Process -Non-Represented	Recommended Approval Process - Delegated Authority	Recommended Approval Process - Consent Calendar	Recommended Approval Process - Board Resolution
Workers' compensation and supplemental benefits	State law and Personnel Rules	Basic requirements are mandated – administrative changes approved by Central HR/LR Director		
Compensation – Special Pay Provisions	Personnel Rules	Changes affecting basis for payment, eligibility, approval authority - approved by Chair		Changes affecting amounts of payment in existing rules or adding additional special pay provisions or incentives would require Board Resolution to direct changes. Chair would approve personnel rules to implement Board Resolution.
Class/Comp Plan Changes – Abolishing Classes	Personnel Rules	No fiscal impact- changes approved by Central HR/LR Director		
Class/Comp Plan Changes – Changing salary ranges or establishing new classes.	Personnel Rules			Changes which directly impact current fiscal year budgets (already required by current personnel rules) and changes which increase budgets for later fiscal years require Board approval.

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: June 3, 2004

Agenda Item #: E-1

Est. Start Time: 10:15 AM

Date Submitted: 05/24/04

Requested Date: June 3, 2004

Time Requested: 30 mins

Department: Non-Departmental

Division: County Attorney

Contact/s: Agnes Sowle

Phone: 503 988-3138

Ext.: 83138

I/O Address: 503/500

Presenters: County Attorney Agnes Sowle

Agenda Title: The Multnomah County Board of Commissioners Will Meet in Executive Session Pursuant to ORS 192.660(1)(h). 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.

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?**

No action, informational only.

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

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

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:

- ❖ 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:

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

Required Signatures:

Department/Agency Director: _____

Date: 05/24/04

Budget Analyst

By: _____

Date:

Dept/Countywide HR

By: _____

Date: