



MULTNOMAH COUNTY OREGON

BOARD CLERK

OFFICE OF BEVERLY STEIN, COUNTY CHAIR
1120 SW FIFTH AVENUE, SUITE 1515
PORTLAND, OREGON 97204
TELEPHONE • (503) 248-3277
FAX • (503) 248-3013

BOARD OF COUNTY COMMISSIONERS

BEVERLY STEIN •	CHAIR	•248-3308
DAN SALTZMAN •	DISTRICT 1	• 248-5220
GARY HANSEN •	DISTRICT 2	•248-5219
TANYA COLLIER •	DISTRICT 3	•248-5217
SHARRON KELLEY •	DISTRICT 4	•248-5213

MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS

AGENDA

FOR THE WEEK OF

MAY 19, 1997 - MAY 23, 1997

Tuesday, May 20, 1997 - 9:30 AM - HD Budget Work Session.....Page 2

Wednesday, May 21, 1997 -6:30 PM - Budget Round-Table Discussion Page 2

Thursday, May 22, 1997 - 9:30 AM - Regular Meeting Page 2

Thursday, May 22, 1997 - 10:40 AM - Legislative Briefing Page 4

Tuesday and Thursday meetings this week will be cable-cast live and taped and can be seen by cable subscribers in Multnomah County on Channel 30 at the following times:

Tuesday, 9:30 AM live; playback Tuesday, 11:00 PM & Sunday, 10:30 AM, CityNet 30
Wednesday, playback Sunday 5:30 PM, Monday 11:30 AM & Wednesday, 5:00 PM, CityNet 30
Thursday, 9:30 AM live; playback Friday, 10:00 PM & Sunday, 1:00 PM, Channel 30

**Tuesday and Wednesday meetings produced through Portland Cable Access

**Thursday meetings produced through Multnomah Community Television

AN EQUAL OPPORTUNITY EMPLOYER

Tuesday, May 20, 1997 - 9:30 AM
Portland Building, Second Floor Auditorium
1120 SW Fifth Avenue, Portland

HD BUDGET WORK SESSION

WS-1 Health Department 1997-98 Budget Overview and Highlights. HD Citizen Budget Advisory Committee Presentation. Measure 47 and Other Issues. Board Questions and Answers. 2 HOURS REQUESTED.

Wednesday, May 21, 1997 - 6:30 PM
Mt. Tabor Middle School Cafeteria
5800 SE Ash, Portland

BUDGET ROUND-TABLE DISCUSSION

PH-1 The Multnomah County Board of Commissioners and Department Managers Will Meet in the Cafeteria at Mt. Tabor Middle School to Provide an Opportunity for Interested Persons to Participate in a Round-Table Discussion on the Proposed 1997-98 Multnomah County Budget, Proposed Reductions and Add-Backs, County Service Issues, and Significant Community Issues. 2 HOURS REQUESTED.

Thursday, May 22, 1997 - 9:30 AM
Portland Building, Second Floor Auditorium
1120 SW Fifth Avenue, Portland

REGULAR MEETING

CONSENT CALENDAR

NON-DEPARTMENTAL

C-1 ORDER in the Matter of Review of the Merit System Civil Service Council Decision in the Appeal of James Griffith

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES

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

- C-3 Intergovernmental Agreement 100308 with the City of Gresham, Providing \$399,000 in Supplemental Community Development Block Grant Funds to Fund Eight 1996 Flood Related Gresham Public Works Projects

DEPARTMENT OF ENVIRONMENTAL SERVICES

- C-4 FINAL ORDER for Land Use Planning Case CU 8-96/SEC 14-96 Amending the March 18, 1997 Hearings Officer Decision Denying a Conditional Use Permit and a Significant Environmental Concern Permit

SHERIFF'S OFFICE

- C-5 Intergovernmental Agreement 801047 with the U.S. Forest Service, Providing Sheriff's Office Enforcement of Federal and State Laws and Regulations in the National Forest, for the period May 22, 1997 through September 1, 1997

DISTRICT ATTORNEY'S OFFICE

- C-6 Renewal of Intergovernmental Agreement 500566 with the Oregon State Police for Reimbursement of Evening and Weekend Overtime Costs Associated with Multi-disciplinary Child Abuse Intervention Team Investigations on CAMI Cases
- C-7 Renewal of Intergovernmental Agreement 700035 with the Portland Police Bureau for Reimbursement of Evening and Weekend Overtime Costs Associated with Multi-disciplinary Child Abuse Intervention Team Investigations on CAMI Cases

REGULAR AGENDA

PUBLIC COMMENT

- R-1 Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to Three Minutes Per Person.

DISTRICT ATTORNEY'S OFFICE

- R-2 Budget Modification DA 7 Transferring \$40,000 in Criminal Justice Services Division, Violence Against Women Act Grant Funding, to the Family Justice Division Budget, Providing Funds to Enhance the District Attorney's Domestic Violence Unit
- R-3 Intergovernmental Agreement 500727 with the City of Portland, Allowing Neighborhood Based Prosecutors Use of Seized Motor Vehicles in the Scope of Their Work in the Community

NON-DEPARTMENTAL

- R-4 Request for Approval of Mt. Hood Cable Regulatory Commission Proposed Budget for Fiscal Year 1997-1998

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES

- R-5 Notice of Intent to Apply to the Federal Department of Substance Abuse and Mental Health Services Administration for a Grant of \$1,470,669 to Study the Impact of the Crisis Triage Center on Jail Diversion for Persons with Co-occurring Mental Illness and Substance Abuse Disorders
- R-6 Budget Modification CFSD 14 Transferring \$5,285 in Strategic Investment Program Funds to the Division of Community Action and Development Budget to Fund Half of a Budgeted 1.0 FTE Housing Development Specialist for May/June, 1997 to Implement the Strategic Investment Program Housing Initiative
- R-7 Review of Request for Proposals and Approval of a RESOLUTION Adopting Request for Proposal Materials of the Strategic Investment Program Housing Program

NON-DEPARTMENTAL

- R-8 First Reading of an ORDINANCE Relating to County Organization; Creating a Department of County Counsel

Thursday, May 22, 1997 - 10:40 AM
(OR IMMEDIATELY FOLLOWING REGULAR MEETING)
Portland Building, Second Floor Auditorium
1120 SW Fifth Avenue, Portland

BOARD BRIEFING

- B-2 Session Update on the 1997 Oregon Legislature. Presented by Sharon Timko and Gina Mattioda. 1 HOUR REQUESTED.

MEETING DATE: May 22, 1997
AGENDA #: C-1
ESTIMATED START TIME: 9:30 AM

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: May 6, 1997 Decision in the Merit System Civil Service Council Appeal

BOARD BRIEFING: DATE REQUESTED: _____
REQUESTED BY: _____
AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: Thursday, May 22, 1997
AMOUNT OF TIME NEEDED: 1 Minute

DEPARTMENT: Non-Departmental DIVISION: Chair Beverly Stein

CONTACT: City Atty. Anna Kanwit TELEPHONE #: 823-4047
BLDG/ROOM #: 131/315

PERSONS MAKING PRESENTATION: Consent Calendar

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

SUGGESTED AGENDA TITLE:

ORDER Memorializing May 6, 1997 Board Action
Overturning the Decision of the Merit System Civil Service Council
and Dismissing the Appeal of James Griffith.

5/22/97 certified true copy of ORDER 97-98 mailed to Garvin Reiter,
Steve Nemilow, Anna Kanwit, James Griffith & Susan Ayers

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____

Beverly Stein

(OR)

DEPARTMENT MANAGER: _____

BOARD OF
COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
97 MAY 16 PM 11:05

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions? Call the Board Clerk @ 248-3277

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Review of the Merit System Civil)
Service Council Decision in the)
Appeal of James Griffith)

ORDER
97-98

WHEREAS, this matter was heard by the Multnomah County Board of Commissioners, Commissioners Gary Hansen, Sharron Kelley and Dan Saltzman comprising a quorum (the "Board"), in regular session on the sixth day of May, 1997. The Multnomah County Sheriff's Office ("MCSO") appeared through Steve Nemirow, Assistant County Counsel. James Griffith ("Griffith") appeared through his attorney, Garvin Reiter; and

WHEREAS, the MCSO asserted that the Merit System Civil Service Council (the "Council") lacked jurisdiction to consider Griffith's appeal, on the grounds that the job Griffith applied for was not in the classified service, and the jurisdiction of the Council is limited to considering appeals of applicants for employment for classified service positions only. The MCSO also asserted that the Council erred in ordering the disclosure of the results of the background investigation of Griffith conducted by the MCSO in the processing of his application, on the grounds that Griffith had expressly waived his right to obtain those materials, and the Board having heard the argument of counsel for the MCSO and Griffith; now therefore

IT IS HEREBY ORDERED that the Board finds that the Council improperly heard Griffith's appeal. Multnomah County Code § 3.10.015 states that the purpose of this chapter is to designate those employees in classified service and to set forth the rights and privileges of those employees. It was undisputed that the position which Mr. Griffith sought was an unclassified position. § 3.10.305 provides only for appeals of classified employees and applicants for classified service. Because Mr. Griffith was applying for an unclassified position, the Council did not have jurisdiction to consider his appeal, and should not have done so; and

IT IS FURTHER ORDERED that having determined that the Council lacked jurisdiction to consider Griffith's appeal in the first instance, the Board did not reach the issue of the disclosure of the background investigation results; and

IT IS FURTHER ORDERED that the decision of the Merit System Civil Service Council is overturned, and the appeal of James Griffith is dismissed.

DATED this 22nd day of May, 1997.



REVIEWED:

By Anna Kanwit
Anna Kanwit, Counsel for the Board

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Gary Hansen
Gary Hansen, Vice-Chair

MEETING DATE: MAY 22 1997

AGENDA #: C-2

ESTIMATED START TIME: 9:30

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Director Custody Holds per ORS 426.215

BOARD BRIEFING: DATE REQUESTED: _____

REQUESTED BY: _____

AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: _____

AMOUNT OF TIME NEEDED: Consent Calendar

DEPARTMENT: Community & Family Services DIVISION: Behavioral Health Program

CONTACT: Cathy Horey TELEPHONE #: 248-5464, ext 4447

BLDG/ROOM #: 166/6th Floor

PERSON(S) MAKING PRESENTATION: Consent Calendar Item

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

SUGGESTED AGENDA TITLE:

Resolution Authorizing Designees of the Mental Health Program Director to Direct a Peace Officer to take an Allegedly Mentally Ill person into custody.

5/22/97 copies to Cathy Horey

SIGNATURES REQUIRED:

ELECTED
OFFICIAL: _____
(OR)
DEPARTMENT
MANAGER: *Lorenz Polae mms*

BOARD OF
COUNTY COMMISSIONERS
97 MAY 13 AM 11:21
MULTNOMAH COUNTY
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Authorizing Designees of the Mental)	
Health Program Director to Direct a)	ORDER
Peace Officer to Take an Allegedly)	97-99
Mentally Ill Person into Custody)	

WHEREAS, if authorized by a county governing body, a designee of a mental health program director may direct a peace officer to take into custody a person whom the designee has probable cause to believe is dangerous to self or others and whom the designee has probable cause to believe is in need of immediate care, custody, and treatment for mental illness; and

WHEREAS, there is a current need for specified designees of the Multnomah County Mental Health Program Director to have the authority to direct a peace officer to take an allegedly mentally ill person into custody; and

WHEREAS, all the designees listed below have been specifically recommended by the Mental Health Program Director and meets the standards established by the Mental Health Division; now therefore

IT IS HEREBY ORDERED that the individuals listed below are authorized as designees of the Mental Health Program Director for Multnomah County to direct any peace officer to take into custody a person whom the designee has probable cause to believe is dangerous to self or others and whom the designee has probable cause to believe is in need of immediate care, custody or treatment for mental illness:

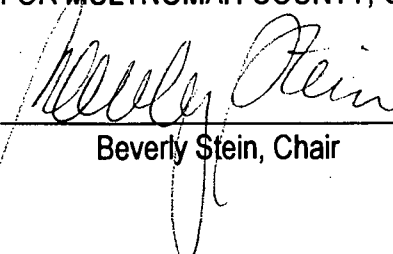
Added to the list of designees are:

Barbara Parks	(564-74-9950)
Joylynn C. Penaloza	(551-27-0085)
Cindy B. Barnett	(377-88-4486)
Margaret Wolszon	(469-58-6175)
Elizabeth Waltz	(364-80-7966)
Jill Jeppson	(528-39-9317)

DATED this 22nd day of May, 1997.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Beverly Stein, Chair

SANDRA N. DUFFY, ACTING COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

By 
Katie Gaetjens, Assistant County Counsel

MEETING DATE: MAY 22 1997

AGENDA NO: C-3

(Above space for Board Clerk's Use Only)

AGENDA PLACEMENT FORM

SUBJECT: Intergovernmental agreement with City of Gresham for 1996 flood-related public works projects.

BOARD BRIEFING

Date Requested: _____

REGULAR BRIEFING

Amount of Time Needed: _____

Date Requested: _____

Amount of Time Needed: Consent

DEPARTMENT: Community & Family Services

DIVISION: _____

CONTACT: Iris Bell/Cecile Pitts

TELEPHONE: 248-3999

BLDG/ROOM: B166/5th

PERSON(S) MAKING PRESENTATION: Iris Bell/Cecile Pitts

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

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

On October 4, 1996 Multnomah County received a grant for \$2,616,787 in Supplemental Community Development Block Grant (CDBG) funds. The County was made grantee on behalf of the CDBG jurisdictions of Gresham, Portland and the balance of Multnomah County, including the small cities of Fairview, Wood Village and Troutdale. The grant was part of an omnibus appropriations act Public Law 104-134 which included \$50 million in contingent supplemental appropriation to the CDBG program for use in recovery from the Presidentially declared flood disasters which occurred in February, 1996. Gresham will conduct eight projects to repair flood damaged property or areas.

5/22/97 ORIGINALS TO LYNN EVANS
SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____

OR

DEPARTMENT MANAGER: Lorenzo Poe mas

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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

BOARD OF
COUNTY COMMISSIONERS
97 MAY 12 PM 1:08
MULTNOMAH COUNTY
OREGON



MULTNOMAH COUNTY OREGON

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES
421 SW SIXTH AVENUE, SUITE 700
PORTLAND, OREGON 97204
PHONE (503) 248-3691
FAX (503) 248-3379
TDD (503) 248-3598

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

TO: Beverly Stein, Multnomah County Chair

FROM: Lorenzo T. Poe, Jr., Director *Lorenzo Poe Jr.*
Department of Community and Family Services

DATE: May 1, 1997

SUBJECT: Intergovernmental Agreement with City of Gresham

I. Recommendation/Action Requested: The Department of Community and Family Services recommends Board of County Commissioner approval of the attached contract with the City of Gresham, for the period May 1, 1997 through June 30, 1998.

II. Background/Analysis: The Department of Community and Family Services proposes with this contract to fund budgets and scope of work for eight 1996 flood-related projects involving slide repair and stream bank stabilization.

III. Financial Impact: This agreement provides \$399,000 in Supplemental Community Development Block Grant funds to the project.

IV. Legal Issues: none

V. Controversial Issues: none

VI. Link to Current County Policies: This public works project is consistent with the Multnomah County Benchmark on increasing government per capita spending in this area. The project is also consistent with funding policies developed through the Policy Advisory Board of the Community Development Program for FY 1996-97.

VII. Citizen Participation: There is no requirement for citizen participation.

VIII. Other Government Participation: Funds come from the federal government and will be contracted with the City of Gresham.

(See Administrative Procedures CON-1)

Amendment #0

CLASS I	CLASS II	CLASS III
<input type="checkbox"/> Professional Services under \$25,000	<input type="checkbox"/> Professional Services over \$25,000 (RFP, Exemption) <input type="checkbox"/> PCRB Contract <input type="checkbox"/> Maintenance Agreement <input type="checkbox"/> Licensing Agreement <input type="checkbox"/> Construction <input type="checkbox"/> Grant <input type="checkbox"/> Revenue	<input checked="" type="checkbox"/> Intergovernmental Agreement <input type="checkbox"/> Intergovernmental Revenue Agreement APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS AGENDA # <u>C-3</u> DATE <u>5/22/97</u> <u>DEB BOGSTAD</u> BOARD CLERK

RFP/BID #: Supplemental CDBG Application Date of RFP/BID: 2/97 Exemption Expiration Date: _____
 ORS/AR # _____ Contractor is ☐ MBE ☐ WBE ☐ JOBF

Contractor Name : City of Gresham		Remittance Address (if different) _____	
Mailing Address: 1333 NW Eastman Parkway			
Gresham, OR 97030			
Phone: .	(503) 618-2643	Payment Schedule	Terms
Employer ID# or SS#:	93-6002309	<input type="checkbox"/> Lump Sum \$ _____	<input type="checkbox"/> Due on Receipt
Effective Date:	May 1, 1997	<input checked="" type="checkbox"/> Monthly \$ <u>Per Invoice</u>	<input type="checkbox"/> Net 30
Termination Date:	June 30, 1998	<input type="checkbox"/> Other \$ _____	<input type="checkbox"/> Other
Original Contract Amount:	\$399,000	<input type="checkbox"/> Requirements contract - Requisition Required	
Total Amt of Previous Amendments:	\$	Purchase Order No. _____	
Amount of Amendment:	\$	<input type="checkbox"/> Requirements Not to Exceed \$ _____	
Total Amount of Agreement:	\$399,000	Encumber: Yes <input type="checkbox"/> No <input type="checkbox"/>	

(Class I, Class II Contracts Only)

[illegible]

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COMMUNITY AND FAMILY SERVICES DEPARTMENT
 CONTRACT APPROVAL FORM SUPPLEMENT
 Contractor : CITY OF GRESHAM-GRESHAM BUTTE

Page 1 of 1
 5/6/97

Vendor Code : 00039

Fiscal Year : 97/98

Amendment Number : 0

Contract Number : 100308

LINE	FUND	AGEN	ORG CODE	ACTIVY CODE	OBJECT CODE	REPORTING CATEGORY	LGFS DESCRIPTION	ORIGINAL AMOUNT	AMENDMET AMOUNT	FINAL AMOUNT	REQT'S ESTIMATE
01	156	010	1210	H52A	6060	9419F	CD HUD CDBG Flood CD NE 18th Court - Stream Flow Diversion	\$24,350.00		\$24,350.00	
02	156	010	1210	H52B	6060	9419F	CD HUD CDBG Flood CD NE 5th - Streambank Protection	\$83,786.00		\$83,786.00	
03	156	010	1210	H52C	6060	9419F	CD HUD CDBG Flood CD NW Burnside - Gabion Wall Construction	\$60,000.00		\$60,000.00	
04	156	010	1210	H52D	6060	9419F	CD HUD CDBG Flood CD NE Division - Streambank Stablization	\$18,000.00		\$18,000.00	
05	156	010	1210	H52E	6060	9419F	CD HUD CDBG Flood CD NE 16th/17th - Gabion Structure & Streambank	\$27,500.00		\$27,500.00	
06	156	010	1210	H52F	6060	9419F	CD HUD CDBG Flood CD SE Greenway - Streambank Stabilization	\$24,000.00		\$24,000.00	
07	156	010	1210	H52G	6060	9419F	CD HUD CDBG Flood CD Gresham/Butte - Soil Stabilization	\$152,650.00		\$152,650.00	
08	156	010	1210	H52H	6060	9419F	CD HUD CDBG Flood CD SE Linden-Streambank Retaining Wall	\$18,000.00		\$18,000.00	
TOTAL								\$408,286.00	\$0.00	\$408,286.00	\$0.00

PART A. INTERGOVERNMENTAL AGREEMENT

#100308

THIS CONTRACT is between MULTNOMAH COUNTY, acting by and through its Department of Community and Family Services, hereafter called COUNTY, and

City of Gresham
1333 NW Eastman Parkway
Gresham, OR 97030
(503) 618-2643

hereafter called CONTRACTOR.

THE PARTIES AGREE:

1. **DESCRIPTION OF SERVICES.** CONTRACTOR will provide the following services in accordance with the CONTRACTOR'S Supplemental CDBG Flood Relief Application dated 2/15/97 which was submitted to Multnomah County's CDBG Program.

Gresham will conduct eight projects to repair property or flood damaged areas: (1) Slide repair on Gresham Butte; (2) Stream bank stabilization at 2998 NE 18th Ct.; (3) Stream bank stabilization at 3355 NE 5th; (4) Stream bank stabilization at 1850-1870 NW Burnside; (5) Stream bank stabilization at 2775 NE Division; (6) Stream bank stabilization at NE 16th & 17th; (7) Stream bank stabilization at SE Greenway; and (8) Stream bank stabilization at 155 SE Linden. A detailed description of project activities are herein attached and incorporated by reference to this IGA.

2. **COMPENSATION.** COUNTY will pay CONTRACTOR up to \$399,000.00, as follows:

Per invoice submitted monthly, for expenditures for project as defined by documents referenced in #1, above.

3. **TERM.** The CONTRACTOR'S services will begin May 1, 1997 and terminate when completed but no later than June 30, 1998.

4. **CONTRACT DOCUMENTS.** This Contract consists of this document, Part A. Intergovernmental Agreement, Part B. Conditions of Contract, PART C. General Program Conditions: Community Development Program, PART D. Program Waivers Supplemental CDBG Funds, Exhibit A (workers compensation), and EXHIBIT B (Flood Relief Applications).

MULTNOMAH COUNTY, OREGON

CITY OF GRESHAM

BY Lorenzo Poe, Jr. 5/1/97
Lorenzo T. Poe, Jr., Director Date
Department of Community & Family Services

BY _____
TITLE Date

BY Beverly Stein 5/22/97
Beverly Stein, Date
Multnomah County Chair

BY _____
TITLE Date

REVIEWED:

SANDRA DUFFY, Acting County Counsel
for Multnomah County, Oregon

By Kate Duff 5/12/97
Assistant County Counsel Date

APPROVED AS TO FORM:

CONTRACTOR ATTORNEY (If Applicable)

By _____
Date

APPROVED MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-3 DATE 5/22/97
DEB BOGSTAD

MULTNOMAH COUNTY CONTRACT NO. #100308
PART B. CONDITIONS OF INTERGOVERNMENTAL AGREEMENT

The attached contract for services between Multnomah County, herein "COUNTY," and City of Gresham, herein "CONTRACTOR," is subject to the following:

1. **FUNDS AVAILABLE.** COUNTY certifies that sufficient funds are available and authorized to finance the costs of this agreement. In the event that funds cease to be available to COUNTY in the amounts anticipated, COUNTY may terminate or reduce contract funding accordingly. COUNTY will notify CONTRACTOR as soon as it receives notification from funding source.
2. **INDEPENDENT CONTRACTOR STATUS.** CONTRACTOR is an independent contractor, and neither CONTRACTOR, CONTRACTOR'S subcontractors nor employees are employees of the COUNTY. CONTRACTOR is responsible for all federal, state, and local taxes and fees applicable to payments for services under this agreement.
3. **SUBCONTRACTS AND ASSIGNMENT.** CONTRACTOR shall neither subcontract with others for any of the work prescribed herein, nor assign any of CONTRACTOR's rights acquired hereunder without the prior written consent of COUNTY. The COUNTY is not liable to any third person for payment of any compensation payable to CONTRACTOR as provided in this agreement.
4. **ACCESS TO RECORDS.** The COUNTY'S authorized representatives shall have access to the books, documents, papers, and records of CONTRACTOR which are directly pertinent to this contract for the purpose of making audit, examination, excerpts, and transcripts.
5. **WORKER'S COMPENSATION INSURANCE.** City of Gresham shall maintain worker's compensation insurance coverage for all non-exempt workers, employees, and subcontractors either as a carrier-insured employer or a self-insured employer as provided in Chapter 656 of Oregon Revised Statutes.
6. **INDEMNIFICATION.** To the extent permitted by the Oregon Tort Claim Act and the Oregon Constitution, the CONTRACTOR shall hold harmless, defend, and indemnify the COUNTY and the COUNTY'S officers, agents, and employees against all claims, demands, actions, and suits (including all attorney fees and costs) brought against any of them arising from the CONTRACTOR'S work or any subcontractor's work under this contract.
7. **ADHERENCE TO LAW.** The CONTRACTOR shall comply with all federal, state, and local laws and ordinances applicable to the work to be done under this contract.
8. **NONDISCRIMINATION.** CONTRACTOR shall not unlawfully discriminate against any individual with respect to hiring, compensation, terms, conditions, or privileges of employment, nor shall any person be excluded from participating in, be denied the benefits of, or be subjected to discrimination under any program or activity because of such individual's race, color, religion, sex, national origin, age, handicap, or sexual orientation. CONTRACTOR must comply with all applicable provisions of federal, state, and local laws, regulations, and policies concerning nondiscrimination.

9. **EARLY TERMINATION.**

A. This contract may be terminated by mutual consent of both parties or by either party upon thirty (30) days notice in writing and delivered by certified mail or in person.

B. The COUNTY, by written notice of default, may terminate this agreement if CONTRACTOR fails to provide any part of the services described herein within the time specified for completion of that part or any extension thereof.

C. Upon termination before completion of the services, payment of CONTRACTOR shall be prorated to and including the day of termination and shall be in full satisfaction of all claims by CONTRACTOR against COUNTY under this Agreement.

D. Termination under any provision of this paragraph shall not affect any right, obligation, or liability of CONTRACTOR or liability of CONTRACTOR or COUNTY which accrued prior to termination.

10. **FINAL PAYMENT.**

All final requests for payment must be received within thirty (30) calendar days following the end of this contract term. Final requests for payment documents not received within the specified time frame shall not be processed and the expense shall be the sole responsibility of the CONTRACTOR.

PART C. PROGRAM GENERAL CONDITIONS: COMMUNITY DEVELOPMENT SERVICES

1. Funds

CONTRACTOR shall use funds awarded under this contract in a manner consistent with the overall purpose of the Housing and Community Development Act of 1974, as amended, including the national objectives requirements of section 104 (b) (3) of such Act.

2. Client Eligibility

Activities under the contract can benefit low-, moderate- or median- income persons. Low-income is defined as 0-50% of median family income. Moderate income is defined as 51-80% of median family income. Portland area median income effective May 5, 1993 is \$40,700 for a family of four.

3. Environmental Review

COUNTY retains environmental review responsibility for purposes of fulfilling requirements of the National Environmental Policy Act as implemented by the federal Department of Housing & Urban Development Environmental Review Procedures (24 CFR Part 58). COUNTY may require CONTRACTOR to furnish data, information, and assistance for the COUNTY'S review and assessment in fulfillment of the COUNTY'S responsibilities under 24 CFR Part 58. Project execution under this contract by either COUNTY or CONTRACTOR shall not proceed until satisfaction of all applicable requirements of the National Environmental Policy Acts.

4. Fiscal Requirements

In addition to other fiscal requirements contained in this contract, for cost-reimbursement programs, any increases in line items must be balanced by like decreases in other line items. Changes in any line item budget expense of more than 10% shall require a written budget modification approved by the COUNTY prior to expenditures. The budget modification request must be accompanied by a justification stating reasons for the changes. Any costs incurred by CONTRACTOR over and above the agreed sum or rates shall be at the sole risk and expense of CONTRACTOR. All project monies shall be either obligated or expended within the contract period unless specifically authorized by COUNTY to extend into the next year.

5. Program Income

CONTRACTOR shall comply with the program income requirements set forth in 24 CFR 504(C). The receipt and expenditure of program income as defined in 24 CFR 570.500(a) shall be recorded as part of the financial transactions of the project(s) funded under this contract. Program income shall be reported with each payment request and substantially disbursed for the benefit of the project(s) funded by this contract in accordance with the principles of paragraph (b)(2)(I) and (ii) of 24 CFR 570.504. Program income which is not used to continue or benefit such project(s) shall revert back to COUNTY for reallocation. The COUNTY shall determine whether income is being used to continue or benefit project(s) authorized by this contract. Program income on hand when the contract expires or received after the contract's expirations shall be repaid to the COUNTY.

6. Project Operation

CONTRACTOR agrees to maintain and operate the project(s) under this contract for eligible activities pursuant to the Department of Housing & Urban Development regulations. In the event the CONTRACTOR fails to maintain and operate the project(s), the COUNTY may, at its option, take possession of the project(s) and operate and maintain the project(s) for any lawful purpose.

7. Property Interest

a. For agencies which are not municipal corporations, it may become necessary to grant the COUNTY a property interest where the project under contract calls for acquisition, construction, reconstruction, rehabilitation, or installation of publicly-owned facilities and improvements.

b. If acting on behalf of the COUNTY, private nonprofit entities using federal Community Development Block Grant funds for the purposes described in 24 CFR, Section 570.201, will be required to operate such facilities so as to be open for the use of the general public during all normal hours of operation.

PART D. PROGRAM WAIVERS SUPPLEMENTAL CDBG FUNDS

Contract conditions applicable to the federal Community Development Block Program (24 CFR 570) are applicable. General CDBG regulations governing this contract are detailed in Part C of this contract. However, many of these general contract conditions are waived under the CDBG Supplemental Appropriations under Public Law 104-134 for Recovery From Recent Presidentially Declared Flood Disasters. Waivers from 24 CFR 570 are detailed below:

1. Prohibitions on New Housing Construction

New housing can be constructed for individuals whose homes were damaged in the February, 1996 flood. Supplemental CDBG funds can be used when the Federal Emergency Management Agency (FEMA) has not paid for the project or has paid only partial costs. Supplemental CDBG funds can be used as match in projects, but cannot be used in place of FEMA funds.

2. Restrictions on Repair or Reconstruction of Government Buildings

Buildings used for the general conduct of government can be repaired and reconstructed with these funds, where costs are not covered by FEMA.

3. Homeownership Down payments

There are no down payment percentage limitations on the direct homeownership assistance for low or moderate income home buyers. CDBG funds typically limit down payment assistance to 50% of the amount.

4. Acquisition and Relocation Requirements (All Waived):

- One-for-one replace requirements at 42 U.S.C. 5034(d)(2) and 24 CFR 570.606(c)(1) for the CDBG entitlement communities, for low and moderate income dwelling units (1) damaged by the disaster, (2) for which CDBG funds are used for demolition, and (3) which are not suitable for rehabilitation.
- Relocation requirements at 42 U.S.C. 5304(d)(2)(iii) and (iv) and 24 CFR 570.606(c)(2) for entitlement grantees in order to permit a grantee to meet all or part of its obligations to provide relocation benefits to displaced persons under sections 204 and 205 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601 et. seq)(URA). The statutory requirements are also applicable to the administration of FEMA's assistance, and disparities in rental assistance payments for activities funds by HUD and that agency will thus be eliminated.
- Requirements of Sections 203, 204, 205 and 206 of the URA, 42 U.S.C. 5304(d)(2), 49 CFR Part 24, and 24 CFR 606(c)(3)(I), for CDBG entitlement communities, and 570.488(c)(3)(I), for the State CDBG program, to the extent that they require displaced tenant-occupants to be provided opportunities to rent comparable replacement housing, provided that such tenants are provided opportunities to rent suitable, decent, safe and sanitary replacement housing available at a rent and estimated cost for utilities that does not exceed 30 percent of household income.

- Requirements at 49 CFR 24.2(d)(8)(ii), 24.402(b)(2) and 24.404, to the extent that they require grantees to provide URA financial assistance sufficient to reduce the displaced person's post-displacement rent/utility cost to 30 percent of household income.
- Requirements of Sections 204 and 205 of the URA, and 49 CFR Part 24, to the extent necessary to permit a grantee to meet all or a portion of a grantee's replacement housing financial assistance to obligation to a displaced renter who elects to relocate to rental housing through a tenant-based rental assistance (TBRA) housing program subsidy (e.g., Section 8 rental voucher or certificate) provided that the renter is also provided referrals to suitable, available rental replacement dwellings where the owner is willing to participate in the TBRA program, the payment formula reduces required rent and estimated utility costs to 30 percent of household income, and the period of authorized assistance is at least 42 months.
- Requirements of Section 202(b) of the URA and 49 CFR 24.302, to the extent that they require a grantee to offer a person displaced from a dwelling unit the option to receive a "moving expense and dislocation allowance" based on the current schedule of allowances prepared by the Federal Highway Administration, provided that the grantee establishes and offers the person a moving expense and dislocation allowance under a schedule of allowances that are reasonable for the jurisdiction and take into account the number of rooms in the displacement dwelling, whether the person owns and must move the furniture, and, at a minimum, the kinds of expenses described in 40 CFR 24.303(a)(1).
- Requirements of Section 414 of the Stafford Disaster Relief and Emergency Assistance Act (42 USE 5181) so that Uniform Relocation Act provisions do not apply when a family displaced by the disaster is assisted.

MEETING DATE: May 22, 1997
AGENDA #: C-4
ESTIMATED START TIME: 9:30 AM

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: April 29, 1997 Decision Regarding Appeal of Land Use Case CU 8-96/SEC 14-96

BOARD BRIEFING: DATE REQUESTED: _____
REQUESTED BY: _____
AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: Thursday, May 22, 1997
AMOUNT OF TIME NEEDED: 1 Minute

DEPARTMENT: Environmental Services DIVISION: Land Use Planning

CONTACT: Lisa Estrin TELEPHONE #: 248-3043, ext. 22597
BLDG/ROOM #: 412/1st

PERSONS MAKING PRESENTATION: Consent Calendar

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

SUGGESTED AGENDA TITLE:

FINAL ORDER for Land Use Planning Case CU 8-96/SEC 14-96
Amending the March 18, 1997 Hearings Officer Decision Denying
a Conditional Use Permit and a Significant Environmental Concern Permit

5/22/97 copies to Land Use Planning

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____

Beverly Stein

(OR)

DEPARTMENT MANAGER: _____

BOARD OF
COUNTY COMMISSIONERS
97 MAY 16 PM 1:17
MULTNOMAH COUNTY
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions? Call the Board Clerk @ 248-3277



MULTNOMAH COUNTY

BOARD HEARING OF May 22, 1997

TIME 9:30am

CASE NAME: Erling Yontz Residence

NUMBER: CU 8-96, SEC 14-96

1. **Applicant Name/Address:** Erling Yontz
613 SE 32nd Avenue
Hillsboro, OR 97123
- Represented by:** William Cox
Attorney at Law
0244 SW California St.
Portland, OR 97219

2. Action Requested by Applicant

Action Requested of Board

- ☒ Affirm Hearings Officer Dec.
☐ Hearing/Rehearing
 Scope of Review
☐ On the record
 De Novo
 New information allowed

Staff is returning to you with the amended Hearings Officer decision and suggested Board Order regarding the De Novo hearing for this case held April 29, 1997.

3. Planning Staff Recommendation

Staff recommends the Board approve the amended Hearings Officer decision because the parcel does not meet the template test of Multnomah County. In addition, the staff found that the applicant failed to comply with OAR 660-06-027(4)(a).

4. Hearings Officer Decision

Denied the applicant's request and adopted the staff recommendation.

5. If recommendation and decision are different, why?

Not applicable.

ISSUES

(who raised them?)

6. **The following issues were raised:** The applicant argues that the County incorrectly applied an unacknowledged portion of the Multnomah County Zoning Ordinance by requiring there be 5 dwellings within the template instead of the less restrictive requirement from the State of 3 dwellings. The applicant filed a notice of appeal on March 31, 1997.
7. **Do any of these issues have policy implications? Explain:** Policy implications for this type of case were discussed at length with the Board of County Commissioners in the Evans Conditional Use Permit appeal process (CU 7-95). One implication associated with reversing the Hearings Officer decision could include the determination that local governments do not have the ability to make their own codes more restrictive than the state codes.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY

Land Use Planning Case CU 8-96)
SEC 14-96 Amending the March 18, 1997) FINAL ORDER
Hearings Officer Decision Denying a) 97-100
Conditional Use Permit and a Significant)
Environmental Concern Permit)

WHEREAS, this matter is before the Multnomah County Board of Commissioners as an appeal filed by Erling Yontz represented by William Cox of the Hearing Officer's decision in land use cases CU 8-96 and SEC 33-96; and

WHEREAS, after proper notice of a public hearing, the Board of County Commissioners accepted testimony and evidence presented at a de novo hearing on April 29, 1997, and the Board of County Commissioners being fully advised; now therefore

IT IS HEREBY ORDERED that the Hearing Officer's decision dated March 18, 1997 regarding CU 8-96 and SEC 14-97 is amended to include separate findings for the State and County criteria and additional findings relating to MCC 11.15.2052(A)(3) (see attached amended Hearings Officer decision dated May 14, 1997) and is AFFIRMED.

DATED this 22nd day of May, 1997, nunc pro tunc April 29, 1997.

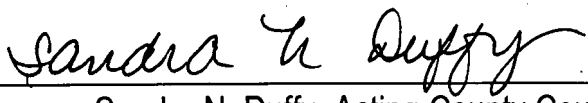


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Beverly Stein, Chair

REVIEWED:

SANDRA N. DUFFY, ACTING COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON


Sandra N. Duffy, Acting County Counsel

AMENDED HEARINGS OFFICER DECISION

BEFORE THE LAND USE HEARINGS OFFICER OF MULTNOMAH COUNTY, OREGON

Regarding an application for a Conditional use and)
Significant Environmental Concern review and)
approval for development of a single family) Case No. CU 8-96 and
dwelling on Tax Lot 23, Section 10 T2N R2W) SEC 14-96
in unincorporated Multnomah County, Oregon)

I. SUMMARY OF THE REQUEST

The applicant requests a Conditional Use Permit for a "template dwelling" and a Significant Environmental Concern Permit on Tax Lot 23, Section 10 T2N R2W which is in the Commercial Forest District and has a Significant Environmental Concern (wildlife habitat) overlay zone. The subject property contains 4.68 acres and is located ½ mile south of Skyline Blvd. on N.W. Moreland Road.

The subject property fronts on the west side of N.W. Moreland Road, along a horizontal curve in the roadway. The site is generally triangular in shape. The site slopes northwesterly down from N.W. Moreland Road. Elevations range from approximately 1160 to 1240 feet. A seasonal drainage way (draw) crosses the north central portion of the site flowing in a generally east to west direction. The slopes range from 5% in the southern portion near N.W. Moreland Road to over 40% in the central western portion of the site adjacent to the draw. The site is moderately forested with deciduous and coniferous trees and underbrush. A Bonneville Power Administration (BPA) Transmission Line right-of-way crosses the southwest corner of the property. The easement for this transmission line extends 75 feet on either side of the line. Additionally, a Portland General Electric (PGE) easement roadway crosses the southwestern portion of the site approximately 150 feet north of the BPA centerline extending to the west generally parallel to the BPA transmission line. The PGE easement roadway is gated at its access point on N.W. Moreland Road. The property is largely covered with deciduous trees and understory vegetation.

The applicant proposes to establish a 55 foot by 75 foot home site on the subject property. The proposed home site location is 200 feet east of the west property line, 295 feet south of the north property line and 78 feet northwest of the centerline of N.W. Moreland Road.

The area surrounding the property has been logged in recent years and is replanted with young Douglas fir seedlings. Properties in the surrounding area range in size from less than one to nearly sixty acres. Some of the smaller lots are developed with rural residences, while the larger parcels are used for forestry practices.

II. PUBLIC HEARING

A. Hearing

Hearings Officer Deniece Won held duly noticed public hearings regarding the application on February 19, 1997 and March 5, 1997.

B. Summary of Testimony and Evidence Presented

1. Lisa Estrin, County planner, showed a video of the site taken on February 18, 1997 and summarized the staff report. The driveway that was partially cleared is not a significant alteration of the parcel. The video showed an uninhabitable structure on Tax Lot 17. Ms. Estrin testified the 160-acre template shows three possible dwellings. One is the uninhabitable structure. The second is across the street. The third did not exist on January 1, 1993; the building permit was not issued until March 3, 1993. She testified that there are no other dwellings in the template. The County Code requires there be five (5) dwellings in the template. She said the application meets neither the State nor the County template requirements. Concerning the location of the driveway and the requirement that its length be minimized, she said different locations need to be analyzed. Working with the roadway department, the staff was able to get the access down to 225 feet. As proposed the driveway was 550 feet. The third issue is the lot of record provision. She said that staff has researched this issue. She testified that the lot seems to have met all the regulations that Multnomah County applied at the time it was created. There is some question about whether a variance was necessary under the lot of record provision. The staff never interpreted the Code to require a variance. The lot of record provision was interpreted to say that if a County road bisected a parcel an owner could record a deed. That is what appears to have occurred with this lot.

2. William Cox, attorney for the applicant, Erling W. Yontz. Mr. Cox said that he did not receive the staff report until the February 19, 1997 hearing. He said that it was returned to the County with the wrong address. He said there have been several modifications to the application that affect the criteria and the staff report. Because some of the concerns arose late and because the County staff is willing to entertain an alternative driveway location he wants a continuance of the hearing. This site was previously approved for a residence and the partially cleared driveway proposed to be the access was part of the lapsed prior approval. The applicant thought that was were the County again wanted the driveway because that location would minimize the impact on the property. The applicant would move the access, but new information needs to be provided to demonstrate compliance with the Code criteria.

Mr. Cox said that the template test is the only real issue. The issue has been before the County in a previous case, *Evans v. Multnomah County*, LUBA No. 96-198, in which he was the applicant's attorney. State law requires only 3 homes within the template and they do not have to be within the template but can be on any of the parcels that make up the template. The County reversed the Hearings Officer's decision in *Evans*, interpreting that the County's template dwelling test controls. That question is now before LUBA. Mr. Cox believes that the County is wrong. He believes the intent of the legislature, and LCDC in writing the administrative rule, was as the Hearings Officer held in *Evans*. He argued that its difficult to meet all the setback, road length, road grade and topography standards. He believes that if the template test is met, those other standards can not be the basis for a denial. He argued that if the applicant meets the

State's template test and the application is denied based on County standards the County has taken the property.

3. Gary Shepherd, attorney for the applicant, submitted a document showing the location of the homes on the template. He said there are dwellings on Tax Lots 13 and 12, Section 10 2N2W, Tax Lot 3, Sec. 15 2N2W; and there are two homes on Tax Lot 20 Section 10 2N2W. The dwellings on Tax Lots 3 and 20 are not within the 160 acre template but are on the parcels that are within the 160 acre template. He argued that the state test provides an alternative method of meeting the template test which involves a rectangle one (1) mile long and a quarter mile wide, Exhibit G3. There are more than enough dwellings to meet the State template test. He argued that the purpose of the State test is to make sure that the dwellings are along the roadway, to limit the amount of dwellings that are set back from the roadway and to concentrate development. He testified that there are at least 11 other lots or parcels and more than 3 dwellings that existed on January 1, 1993 with the 160-acre rectangle. Exhibit G2.

4. Hearings Officer Won asked about the alternative template rectangle. That law says a county "may," on what basis does Mr. Cox argue that the County "shall" approve a dwelling under that provision? Mr. Cox responded that the option belongs to the applicant.

5. Chris Foster, 15400 N.W. McNamee Road, submitted Exhibit G4 in which he argued that the lot was not a lawfully created parcel. The parent parcel from which Tax Lot 23 was created was Tax Lot 13 which originally consisted of approximately 20 acres. The staff said that the former MUF zone created the lot because there was a road division. The Code section on Lot of Record grants grandfather rights to pre-1980 lots. It says that when the Comprehensive Plan was first adopted this area had been zoned for two (2) acres. He argued the Code grandfathered all the previously created lots and gave them development rights. The staff has interpreted this as a tool to create still more lots. He thinks the staff has misread the Code. Code section .2182(c) says:

"Except as otherwise provided by MCC .2180, .2184 and .7720(A), no sale or conveyance of any portion of a lot, other than for a public purpose, shall leave a structure on the remainder of the lot with less than the minimum lot or yard requirements or result in a lot with less than the area or width requirements of this district."

Mr. Foster testified that in 1986 Tax Lot 13 already had a dwelling on it. Therefore, a substandard lot was created in 1988 when Tax Lot 23 was created by recording a deed. The Code section that supposedly authorizes the lot, Code section .2182(B)(2) says that "Separate Lots of Record shall be deemed created when a County maintained road... intersects a parcel...". Mr. Foster contended however, that subsection .2182(B)(2) is a subset of an aggregation requirement. He argued the lot of record is a premier issue and precedes the question of which template dwelling test to apply.

6. Arnold Rochlin, PO Box 83645 Portland, Oregon, testified that the Staff Report has been available since February 12, 1997. There is no requirement in the Code or the Statute that it be mailed to anyone. Its only required that it be available.

Mr. Rochlin submitted a Copy of the MUF zone provisions that were applicable between 1980 and 1990 when the subject tax lot was created, Exhibit G5. Mr. Rochlin submitted written testimony, Exhibit G1. On page 3 he wrote that former Code section .2182(C) is not relevant.

He is corrected by Mr. Foster and retracts that statement. The two lots contain approximately 5 acres and 15 acres respectively. The MUF zone from 1980 to present required a minimum lot size of 19 acres. The staff believes that the lot met all the requirements when it was created. The 5 acre Tax Lot 23 did not meet the minimum lot size standard.

Concerning the template issue, Mr. Rochlin relies on written testimony already in the record. He responded to the applicant's testimony about the rectangle template. The applicant argues that because the statute does not say that a county may prohibit the use of such a template there's an implication that it's allowed. The basic thrust of the forest provisions at ORS 215.705 through 215.750 is that it is permissive. These State provisions allow the County to allow dwellings that meet certain minimum State standards. He argued that as in *Dilworth v. Clackamas County* these State standards do not prohibit the County from applying stricter standards. He said there may be some argument about how and when the County may express its stricter standards but there is not argument that the County has the authority to adopt stricter standards. On the question of whether the County's standards adopted before the State statute and Administrative Rules, *Blondeau v. Clackamas County* which is further defined by *DeBates v. Clackamas County*, qualifies the permissiveness of the County regulations, holding that when a County relies on farm use regulations implementing ORS 215.283 and specifically protecting farm lands, a county can not rely on local regulations enacted before the State statutes and OARs. At the very least they have to re-enact those regulations. This qualification relates only to the farm lot of record provisions. Mr. Rochlin says that the permissive intent of ORS 215.283 to 215.705 is shown by contrasting the language in those sections with the language in ORS 215.283(1). The latter section says "the following uses may be established in any area zoned for exclusive farm use." The Supreme Court held in *Brentmar* that the ORS 215.283(1) language is ambiguous because of the use of the passive voice "uses may be established." That language contrasts with the language in ORS 215.705(1) which says "the governing body of the County or its designate may allow the establishment of a single family dwelling." He argued that the language difference can't be a coincidence, it's as though the legislature expressly removed the ambiguity in ORS 215.283 and 215.213. He contended the legislature changed the language from the passive voice to make it clear that the authority to allow is granted to the County and not to the owners of property.

Mr. Rochlin testified that ORS 215.750(4) says "a proposed dwelling is not allowed (a) if it is prohibited by or will not comply with the requirements of an acknowledged comprehensive plan or acknowledged land use regulations or other provisions of law." The County's regulations for templates are acknowledged. The County's regulations require that the template be a square, it does not authorize it to be a rectangle. They require that the template be oriented along section lines, they do not allow it to be rotated. They require that the qualifying existing dwellings be within the template not merely on parcels part of which are within the template. They make no mention of any requirement of existence in 1993. He argued that the implication of this is that the County may not require 5 dwellings in existence in 1993 because the County's regulation doesn't require it and State standards require only 3 dwellings in 1993. The template standards of the State and County must both be applied. He agrees with the applicant that ORS 215.646 requires the direct application of State standards when the County has failed to implement it, but argued that nothing in that statute says anything about nullifying County regulations. He said that if you try to implement the statute the way the applicant suggests you would fall into an administrative morass because there would be no way to determine which County regulations the legislature intended to nullify and which ones it did not.

7. Jeff Buck, 23802 N.W. Moreland Road, owner of Tax Lot 13. He doesn't think that the application meets either the State or the County template test. He thinks there are only two (2) dwellings within the template. The "dwelling" on Tax Lot 17 is not a dwelling. According to the tax records it is worth only \$200.00, Exhibit G8. He submitted photos of the structure, Exhibits G6 & G7. He said there is a dwelling on Tax Lot 19, but he doesn't think it should count because it was put in March, 1993, it did not exist on January 1, 1993. He testified that there are two dwellings within the 160-acre template, his dwelling on Tax Lot 13 and his neighbor's dwelling on Tax Lot 12. He submitted tax records for Tax Lot 19, Exhibit G9. He feels that both the State and County rules should apply. He agrees that the State statute requires that local regulations also apply.

8. Michael Hubbard, a neighbor, believes that the template needs to be parallel to section lines. He understands that the dwelling will force changes or significantly affect surrounding farm and forest practices. He thinks that it is common sense that the ability to conduct those activities will be affected without an adequate buffer and he argued that a 5-acre tract can not create an adequate buffer.

9. A letter from Gordon Larsen, owner of Tax Lots 12 and 25, was read into the record, Exhibit F1. He believes that the number of existing dwellings in the template test is not satisfied and he is concerned about the effect on wildlife habitat.

10. Mr. Cox desires a continuance to respond to the new information on the lot of record question, to submit additional evidence on the driveway and access length, and to submit the plaintiff's brief in *Evans*. Mr. Cox agreed to extend the 120 days for the period of the continuance which the Hearings Officer set for two (2) weeks. According to the County staff this room will be available at 4:00 on March 5. The hearing was continued for information on the issues of whether the lot is a lot of record, what template dwelling test(s) apply, the driveway access point and length, and impact of the proposed use on forest practices in the surrounding areas.

III. STANDARDS AND CRITERIA, FINDINGS OF FACT AND EVALUATION OF REQUEST

A. Conditional Use Permit Request for Template Dwelling

1. Under the County Code a "template dwelling" may be approved as a conditional use permit in a Commercial Forest zone when it is found to satisfy the standards of the Multnomah County Code, MCC 11.15.2050(B). The standards are in subsections .2052 and .2074. Section 11.15.2052 contains the siting criteria and 11.15.2074 contains development standards.

At issue is whether the County code or the State standards in ORS 215 and OAR 660-06-027 apply to siting template dwellings. OAR 660 Division 6 was first adopted by LCDC in 1990 and was amended in 1990 and 1992. In December, 1991 Multnomah County amended its commercial Forest Use (CFU) zone to fully comply with State standards. The 1993 legislature amended ORS 215 to incorporate template dwelling provisions, effective November 1993. Following that amendment the County began to apply the County CFU standards. In 1995 LCDC amended OAR 660 Division 6. This application was filed on July 5, 1996. The Hearings Officer, in this order, will first address all the criteria that are alleged to apply to the conditional

use permit and conclude in subsection B with a discussion about which criteria are found by the Hearings Officer to apply.

1. OREGON REVISED STATUTES

ORS 215.750: Alternative forestland dwellings

- (1) In western Oregon, a governing body of a county or its designate may allow the establishment of a single-family dwelling on a lot or parcel located within a forest zone if the lot or parcel is predominantly composed of soils that are:
- (c) Capable of producing more than 85 cubic feet per acre per year of wood fiber if:
- (A) All or part of at least 11 other lots or parcels that existed on January 1, 1993, are within a 160 acre square centered on the center of the subject tract; and
- (B) At least three dwellings existed on January 1, 1993, on the other lots or parcels.

Finding. It is undisputed that the parcel is composed of soils that are capable of producing more than 85 cubic feet per acre per year of wood fiber. It is also undisputed that eleven parcels existed on January 1, 1993 within a 160-acre template. There were four dwellings that existed on parcels within the 160-acre template, two were within the template and two were outside of the template. These criteria are met.

- (4) A proposed dwelling under this section is not allowed:
- (a) If it is prohibited by or will not comply with the requirements of an acknowledged comprehensive plan or acknowledged land use regulations or other provisions of law.
- (b) Unless it complies with the requirements of ORS 215.730
- (c) Unless no dwellings are allowed on other lots or parcels that make up the tract and deed restrictions established under ORS 215.740(3) for other lots or parcels that make up the tract are met.
- (d) If the tract on which the dwelling will be sited includes a dwelling.

Finding. The proposal complies with all requirements of the Multnomah County comprehensive plan and land use regulations except for the requirements of the County's template dwelling test which is more restrictive than the State's. OAR 660-06-027(5) defines "tract" as one or more contiguous property. No dwellings presently exist on the subject lot.

2. OREGON ADMINISTRATIVE RULES

Revisions to OAR 660-06 in 1995 have not to date been adopted by the county. Consequently, any requirements of the OAR that are not included in the county code, as well as any OAR requirements that are more restrictive than county code criteria, must also be applied to this proposal. The following OAR requirements are applicable:

OAR 660-06-027 (1)(d): In western Oregon, a governing body of a county or its designate may allow the establishment of a single-family dwelling on a lot or parcel located within a forest zone if the lot or parcel is predominantly composed of soils that are: (C) Capable of producing more than 85 cubic feet per acre per year of wood fiber if: (i.) All or part of at least 11 other lots or parcels that existed on January 1, 1993, are

within a 160 acre square centered on the center of the subject tract; and (ii) At least three dwellings existed on January 1, 1993 on the other lots or parcels.

Finding. The OAR is the same as ORS 215.750. This OAR provision specifically allows a governing body of a county to establish in its zoning code provisions for approving the establishment of a single family dwelling. A county may or may not establish this provision. Multnomah county has adopted template dwelling provisions that are more restrictive than the State's. The proposal complies with the State's less restrictive standards.

The following parcels were verified by staff as sufficient to qualify both the template tests of the County and State:

Parcels Existing on January 1, 1993
within 160-Acre Square

<u>Tax Map</u>	<u>Tax Lot</u>
2N2W-10	19
2N2W-10	08
2N2W-15	02
2N2W-10	16
2N2W-10	17
2N2W-10	04
2N2W-10	14
2N2W-10	13
2N2W-10	12 (Now TL '25')
2N2W-10	20
2N2W-15	03

Parcels with dwellings (on January 1, 1993)
within 160-Acre Square

<u>Tax Map</u>	<u>Tax Lot</u>	<u>Year Built</u>
2N2W-10	13	1986
2N2W-10	12 (Now TL '25')	1962

The undisputed testimony of the applicant was that there are two dwellings that existed on January 1, 1993 on Tax Lot 20 which is within the template but the dwellings are outside of the template. Tax Lot 19, 2N2W-10 contains a structure within the 160-acre template. The City of Portland Bureau of Building records show that the building permit for the mobile home on Tax Lot 19 was applied for on January 4, 1993 (Exhibit E4) and the building permit was not issued until March 3, 1993 (Exhibit E5). This dwelling was not located on the parcel on January 1, 1993. Tax Lot '17' is identified in the tax records as containing a dwelling built in 1968 (Exhibit E6). The assessed value for all improvements on the site is \$200.00. The structure is not habitable and it is questionable that the structure was ever a dwelling as it has only 400 square feet. Three dwellings did not exist on January 1, 1993 within the template on the other lots. However, there were at least three dwellings on January 1, 1993 on lots partially within the 160 acre template. According to the applicant there were two dwellings on Tax Lot 20, Section 10 2N2W. These criteria are met.

OAR 660-06-027(3): If the tract under section (1)(d) or (e) of this rule abuts a road that existed on January 1, 1993, the measurement may be made by creating a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract and that is to the maximum extent possible, aligned with the road."

Finding. The following lots meet the 11 parcel requirement within the 160-acre rectangular template (Exhibit G2):

Parcels Existing on January 1, 1993
within 160-Acre Rectangle

<u>Section</u>	<u>Tax Lot</u>
2N2W 9	(T.L. # Not in Record)
2N2W 16	(T.L. # Not in Record)
2N2W 10	4
	8
	9
	12
	13
	14
	16
	17
	19
	20
	22

Regarding this criterion, the following dwellings met the 3 existing dwellings on January 1, 1993 requirement within the rectangular template:

Parcels with dwellings (on January 1, 1993)
within 160-Acre Rectangle

<u>Section</u>	<u>Tax Lot</u>
2N2W 10	9
	12
	13
	20 (2 dwellings)
	22
2N2W 15	16

OAR 660-06-027 (4): A proposed dwelling under this rule is not allowed :

- (a) If it is prohibited by or will not comply with the requirements of an acknowledged comprehensive plan or acknowledged land use regulations or other provisions of law;**

Finding. The proposed template dwelling is prohibited by County Template dwelling standards that are more restrictive than the State's Template dwelling provisions.

(b) Unless it complies with the requirements of OAR 660-06-029 and 660-06-035;

Finding. The proposed access as modified minimizes the driveway length as required by OAR 660-06-029(C). This criterion is met.

(c) Unless no dwellings are allowed on other lots or parcels that make up the tract and deed restrictions established under section (6) of this rule for other lots or parcels that make up the tract are met;

Finding. The subject tract consists of one 4.68 acre tax lot. The applicant is only proposing to establish one dwelling on the subject tax lot. This criterion does not apply.

(d) If the tract on which the dwelling will be sited includes a dwelling.

Finding. The subject tract is currently vacant with no existing dwellings. This criterion is met.

OAR 660-06-029: The following siting criteria or their equivalent shall apply to all new dwellings and structures in forest and agriculture/forest zones. These criteria are designed to make such uses compatible with forest operations and agriculture, to minimize wildfire hazards and risks and to conserve values found on forest lands. A governing body shall consider the criteria in this rule together with the requirements OAR 660-06-035 to identify the building site:

(1) Dwellings and structures shall be sited on the parcel so that:

(a) They have the least impact on nearby or adjoining forest and agricultural lands;

Finding. Please refer to the finding for MCC 11.15.2074(A)(1) for this OAR criteria.

(a) The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized;

Finding. Please refer to the finding for MCC 11.15.2074(A)(2) for this OAR criteria.

(a) The amount of forest lands used to site the access roads, service corridors, the dwelling and structures is minimized; and

Finding. Please refer to the finding for MCC 11.15.2074(A)(3) for this OAR criteria.

(a) The risks associated with wildfire are minimized.

Finding. Please refer to the finding for MCC 11.15.2074(A)(5) for this OAR criteria.

- (2) Siting criteria satisfying section (1) of this rule may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads and siting on that portion of the parcel least suited for growing trees.**

Finding. The dwelling is proposed to be located 78 feet from the centerline of N.W. Moreland road at its closest point, 200 feet from the west property line and 295 feet from the north property line within the minimum setback standards of the County Code. If the County Code applies to this application, it's requirements are met.

If the Commercial Forest Use zoning district template dwelling standards of the MCC are determined to be invalid there would be no siting criteria or setback standards for this type of dwelling. If the OAR's are determined to be the only applicable criteria, there would not be any building setback standards applicable to this application.

- (3) The applicant shall provide evidence to the governing body that the domestic water supply is from a source authorized in accordance with the Water Resources Department's administrative rules for the appropriation of ground water or surface water and not from a Class II stream as defined in the Forest Practices rules (OAR Chapter 629). For purposes of this section, evidence of a domestic water supply means:**
- (a) Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water; or**
 - (b) A water use permit issued by the Water Resources Department for the use described in the application; or**
 - (c) Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the county upon completion of the well.**

Finding. The water supply will come from a well approximately 725 feet in depth 50 to 100 feet from the home site. No water lines across neighboring properties are necessary. No surface water is involved. This criterion is met.

- (4) As a condition of approval, if road access to the dwelling is by a road owned and maintained by a private party or by the Oregon Department of Forestry, the U.S. Bureau of Land Management, or the U.S. Forest Service, then the applicant shall provide proof of a long-term road access use permit or agreement. The road use permit may require the applicant to accept responsibility for road maintenance.**

Finding. Road access is from a County Maintained Road. This criteria does not apply.

- (4) Approval of a dwelling shall be subject to the following requirements:**
- (a) Approval of a dwelling requires the owner of the tract to plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in Department of Forestry administrative rules;**

Finding. The applicant has not submitted a stocking plan. This requirement can be met at the time of review of the building permit.

OAR 660-06-035: Fire Siting Standards for Dwellings and Structures: The following fire siting standards or their equivalent shall apply to new dwelling or structures in a forest or agriculture/forest zone:

- (1) The dwelling shall be located upon a parcel within a rural fire protection district or shall be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant shall provide evidence that the applicant has asked to be included within the nearest such district. If the governing body determines that inclusion within a fire protection district or contracting for residential fire protection is impracticable, the governing body may provide an alternative means for protecting the dwelling from fire hazards. The means selected may include a fire sprinkling system, onsite equipment and water storage or other methods that are reasonable, given the site conditions. If a water supply is required for fire protection, it shall be a swimming pool, pond, lake, or similar body of water that at all times contains at least 4,000 gallons or a stream that has a continuous year round flow of at least one cubic foot per second. The applicant shall provide verification from the Water Resources Department that any permits or registrations required for water diversion or storage have been obtained or that permits or registrations are not required for the use. Road access shall be provided to within 15 feet of the water's edge for firefighting pumping units. The road access shall accommodate the turnaround of firefighting equipment during the fire season. Permanent signs shall be posted along the access route to indicate the location of the emergency water source.

Finding. The site is located within the Tualatin Valley Fire and Rescue District. Risks associated with wildfire are minimized as discussed under MCC Section .2074(A)(5), below. The applicant has received conditional approval from Tualatin Valley Fire and Rescue District. This criterion is met.

- (2) Road access to the dwelling shall meet road design standards described in OAR 660-06-040.

660-06-040: Fire Safety Design Standards for Roads: The governing body shall establish road design standards, except for private roads and bridges accessing only commercial forest uses, which ensure that public roads, bridges, private roads and driveways are constructed so as to provide adequate access for fire fighting equipment. Such standards shall address maximum grade, road width, turning radius, road surface, bridge design, culverts, and road access taking into consideration seasonal weather conditions. The governing body shall consult with the appropriate Rural Fire Protection District and Forest Protection District in establishing these standards.

Finding. Multnomah County has established road design standards, which are contained under MCC Section .2074(D). Findings within this order, under MCC Section .2074(D), demonstrate compliance with the road design standards established by Multnomah County.

- (3) The owners of the dwellings and structures shall maintain a primary fuel-free break area surrounding all structures and clear and maintain a secondary fuel-free break area in accordance with the provisions in "Recommended Fire Siting Standards and Fire Safety Design Standards for Road" dated March 1, 1991 and published by the Oregon Department of Forestry.**

Finding. Multnomah County has established primary and secondary fuel-free fire break standards, in compliance with "Recommended Fire Siting Standards for Dwellings and Structures and Fire Safety design standards for Roads." Multnomah county verifies compliance with this standard at the building permit stage when the clearing has been completed. Refer to the finding for MCC 11.1.5.2074(A)(5) below. This criterion can be met.

- (4) The dwelling shall have a fire retardant roof.**

Finding. The applicant has not submitted building plans. Compliance with this criteria could be determined when the building permit is applied for. This criterion can be met.

- (5) The dwelling shall not be sited on a slope of greater than 40 percent.**

Finding. The proposed dwelling will be sited, in accordance with this requirement, on a slope less than 40%. The applicant submitted topographic contours on exhibit H4, showing the slopes on the dwelling site at 20% to 35%. This criterion is met.

- (6) If the dwelling has a chimney or chimneys, each chimney shall have a spark arrested.**

Finding. The applicant stated that any chimneys in the proposed dwelling will have spark arresters. The applicant has not submitted building plans. Compliance with this criteria could be determined when the building permit is applied for. This criterion can be met.

3. Multnomah County Code

MCC 11.15.2052 (A): A dwelling not related to forest management may be allowed subject to the following:

- (1): The lot shall meet the lot of record standards of MCC .2062 (A) and (B) and have been lawfully created prior to January 25, 1990.**

Finding. Tax Lot '23' was created in 1983. The zoning at that time was MUF-19. Under the MUF Lot of Record provisions, separate Lots of Record were deemed created when a County maintained road bisected a parcel. Code section .2182(C) said:

- (B) A lot of Record which has less than the area or front lot line minimums required may be occupied by any permitted or approved use when in compliance with the other requirements of the district.**

- (2) Separate Lots of Record shall be deemed created when a County maintained road or zoning district boundary intersects a parcel of land.**

I conclude that the County authorized the creation of the substandard parcel by the recordation of a deed. The lot of record provision was an exemption from the minimum lot size for the MUF zone. The "lot of record" concept allows owners of lots which were not created by governmental subdivision or partition approval to qualify for development and allows owners of property that does not meet current lot size requirements of the County code to develop their property.

The County adopted the first land division ordinance (Ord. 174) which began regulating some partitions in 1978. State law required major partitions (where a road is created) to be regulated but left it up to the local governments whether or not to regulate minor partitions. The minor partitions that Multnomah County regulated were designated "type 3 land divisions." (MCC 11.145.100; 1983 version). Type 3 partitions included partitions that had unusual characteristics such as flag lot, street widening or unusual shapes and size characteristics such as flag lot, street widening or unusual shapes and size characteristics. A minor partition which did not fit any of the type 3 characteristics were deemed "Minor Partitions Exempted." Minor partitions not listed in the Type 3 category were exempted from the provisions of this ordinance until at least 1989. The exemption did not exempt the creation of the lot from meeting the requirements of the code. The Code exempted lots bisected by a road from meeting the Code's dimensional requirements.

The partition that created the subject tax lot was, at the time of creation characterized by the County as a "minor partition exempted." In 1983 the owner of the property went to Multnomah County seeking a partition. It was the County's interpretation at that time, when a County road bisected a parcel, that the only thing a property owner needed to do to "legalize" the lot was record a new legal description of the property. The prior owner of Tax Lot 23 followed the procedure outlined by the County to create a legal lot of record by recording a new legal description. The reasoning of LUBA in *McKay Creek Valley Assoc. v. Washington Co.*, 24 Or LUBA 187 (1992), affirmed by the Court of Appeals on other grounds, is instructive here. LUBA said:

"...under a local standard requiring that a lot or parcel shown to have been legally or properly created, it must be established that, at the time the lot or parcel was created, any local government approvals required at that time were given. *** such a standard does not require a complete reexamination of compliance with every approval standard that may have applied at the time the lot or parcel was created." (Emphasis in original.)

Property owners who came to the County seeking a partition due to the Lot of Record definition in the Multiple Use Forest zone, were told by the County staff that the only action necessary was for them to go to the County Recorder and record a new legal description for the parcel. Tax Lot 23 was created by recording a new legal description at the request of a previous property owner. Staff has reviewed the partition and it appears that it was classified as a "Minor Partitions Exempted". The prior property owner of Tax Lot 23 followed the procedure outlined by the County to create a legal lot of record by recording a new legal description. The subject property was thus lawfully partitioned.

A warranty deed dated 10/30/95 describing the site was recorded with the Multnomah County Recording Section on 10/30/95. (Exhibit 1). A memorandum of contract of sale describing the subject property dated 1988 was submitted. (Exhibit 2). The subject parcel is

approximately 4.5 acres in size, and satisfied applicable laws when created. The parcel is currently less than 80 acres in size and, thereby, does not meet the current minimum lot size in the CFU zone. The applicant does not own contiguous property, either in CFU or EFU zoning. These findings demonstrate that the subject parcel satisfies the lot of record standards of MCC .2062(A) and (B), and was lawfully created prior to January 25, 1990.

- (2) **The lot shall be of sufficient size to accommodate siting the dwelling in accordance with MCC.2074 with minimum yards of 60 feet to the centerline of any adjacent County Maintained road and 200 feet to all other property lines. Variances to this standard shall be pursuant to MCC .8505 through .8525, as applicable;**

Finding. The application complies with the siting standards of MCC .2074 as discussed below.

- (3) **The lot shall meet the following standards:**

- (C) **The lot shall be composed primarily of soils which are capable of producing above 85 cf/ac/yr of Douglas Fir timber; and**
(i) **The lot and at least all or part of 11 other lots exist within a 160-acre square when centered on the center of the subject lot parallel and perpendicular to section lines; and**
(ii) **Five dwellings exist within the 160 acre square.**

Finding. According to the Multnomah County Soil Survey the soils on the subject property are Cascade Silt Loam (&C, 7D, and 7E). The soils have a Site Index of 157, which translates into a yield of approximately 153 cubic feet per acre per year. (Exhibit 4). The applicant demonstrated the existence of 12 other lots within a 160 acre square centered on the center of the subject lot parallel and perpendicular to section lines. (Exhibit 5). The applicant has not demonstrated that five dwellings exist within a 160-acre square centered on the center of the subject lot parallel and perpendicular to section lines. The evidence shows that three dwellings, not five, exist within the template: Tax Lots 12, 13 and 19, Section 10 2N2W. Thus, the County's Template dwelling requirements, which are more restrictive than the State's are not met.

- (d) **Lots and dwellings within urban growth boundaries shall not be counted to satisfy (a) through (c) above.**

Finding. No lots within the urban growth boundary were counted to satisfy the existing lots or dwellings in the template.

- (e) **The lot is not capable of producing 5,000 cubic feet of wood fiber per year from commercial tree species recognized by the Forest Practices Rules.**

Finding. The lot is not capable of producing 5,000 cubic feet of wood fiber per year from commercial tree species recognized by the Forest Practices Act. According to the Multnomah County Soil Survey the soils on the subject property are Cascade Silt Loam (7C, 7D, 7E). The soils have a Site Index of 157, which translates into a yield of approximately 153 cubic feet per acre per year. Applicant's property consists of only 4.68 acres.

- (4) **The dwelling will not force a significant change in, significantly increase the costs of, or impede accepted forestry or farming practices on surrounding forest or agricultural lands.**

Finding. The Moreland Road area's predominate land use and zoning is Commercial Forest. There are numerous large parcels which are dedicated to forest practices. Within the 160 acre square template, only 3 dwellings exist. Seven of the template parcels are in forest practices with Tax Lots '8', '2', '16', '17', and '14' Section 10 2N2W being held by lumber companies. The approval of a dwelling on this lot will be the first dwelling on the west side of Moreland Road within the immediate vicinity.

Uses on the site will include normal residential activities and forest practices. The majority of the applicant's property is adjacent to and borders a County road. A Bonneville Power Administration (BPA) Transmission right-of-way crosses the southwest corner of the property and serves as a buffer, shielding applicant's property from the surrounding properties. It has not been shown that the construction of the dwelling will significantly impede or increase the costs of farm or forest operation on other parcels.

- (5) **The dwelling will be located outside a big game winter habitat area as defined by the Oregon Department of Fish and Wildlife, or that agency has certified that the impacts of the additional dwelling, considered with approvals of other dwellings in the area since acknowledgment of the Comprehensive plan in 1980, will be acceptable.**

Finding. According to the Comprehensive Plan findings on wildlife habitat, the Oregon Department of Fish and Wildlife maps do not list this area among sensitive areas important to the survival of big game. This criterion does not apply.

- (6) **The proposed dwelling will be located on a lot within a rural fire protection district, or the proposed resident has contracted for residential fire protection.**

Finding. The property is within the boundary of the Tualatin Valley Fire and Rescue District (formerly under Multnomah County Rural Fire District #20 until merger with Tualatin Valley). Applicant has received conditional approval from Jerry Renfro at Tualatin Valley Fire & Rescue Fire Prevention. This criterion can be met.

- (7) **Proof of a long-term road access use permit or agreement shall be provided if road access to the dwelling is by a road owned and maintained by a private party or by the Oregon Department of forestry, the Bureau of Land Management or the United States Forest Service. The road use permit may require the applicant to agree to accept responsibility for road maintenance.**

Finding. The parcel is served by access from NW Moreland Road, a public roadway. This criterion is met.

- (8) **The parcel on which the dwelling will be located has been disqualified from receiving a farm or forest deferral.**

The following OAR requirement supersedes the above requirement to disqualify the property from farm or forest deferral. If the property is planted to Department of Forestry standards then the property can be retained or added onto tax deferral programs.

[OAR 660-06-029(5) and Senate Bill 245 (1995 session): Approval of a dwelling shall be subject to the following requirements:

- (a) Approval of a dwelling on a lot, parcel, or tract 10 acres or more shall require the owner of the tract to plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in Department of Forestry administrative rules.**
- (b) The planning department shall notify the county assessor of the above condition at the time the dwelling is approved.**
- (c) The property owner shall submit a stocking survey report to the county assessor and the assessor shall verify that the minimum stocking requirements have been met by the time required by Department of Forestry Rules. The assessor shall inform the Department of Forestry in cases where the property owner has not submitted a stocking survey report or where the survey report indicates that minimum stocking requirements have not been met.**
- (d) Upon notification by the assessor the Department of Forestry shall determine whether the tract meets minimum stocking requirements of the Forest Practices Act. If the department determines that the tract does not meet those requirements, the department shall notify the owner and the assessor that the land is not being managed as forest land. The assessor shall then remove the forest land designation pursuant to ORS 321.359 and impose the additional tax pursuant to ORS 321.372.]**

Finding. According to the Multnomah County Assessment records, the parcel is not receiving farm or forest deferral. Upon approval of this proposal by Multnomah County, the applicant stated he will comply with the stocking requirements established by OAR 660-06029(5). This criterion can be met.

- (9) The dwelling meets the applicable development standards of MCC.2074; (as follows:)**

Finding. The applicant has demonstrated that the project, as revised, meets the standards of MCC .2074.

MCC .2074 - Development Standards for Dwellings and Structures: Except as provided for the replacement or restoration of dwellings under MCC .2048 (E) and .2049 (B), all dwellings and structures located in the CFU district after January 7, 1993, shall comply with the following:

- (A) The dwelling or structure shall be located such that:**
 - (1) It has the least impact on nearby or adjoining forest or agricultural lands and satisfies the minimum yard and setback requirements of .2058 (C) through (G);**

Finding. The proposed location of the dwelling meets the minimum setbacks of 200 feet from the rear and side lot lines and 60 feet from the centerline of a County maintained road. The Moreland Road area's predominate land use and zoning is Commercial Forest. There are numerous large parcels which are dedicated to forest practices. Within the 160 acre square template, only three dwellings exist. These three dwellings are located on the east side of N.W. Moreland Road. Seven of the template parcels are in forest practices with Tax Lots, '2', '8', '14', '16', and '17' being held by lumber companies.

Some of the surrounding smaller lots are developed with farm and forest dwellings, while the larger parcels in the area are utilized for forestry purposes. Forest practices include road building prior to harvest, timber harvest stock piling, and burning of slash subsequent to harvest, replanting, spraying of herbicides and pesticides, and periodic thinning requiring the use of heavy equipment such as bulldozers, skidders, yarders, loaders and trucks. Chain saws are also used in harvesting and thinning operations. Replanting is accomplished by using hand labor, as is trimming and some early thinning of the stand. Spraying in areas with moderate residential density on nearby lands is normally accomplished from the ground. Effects from these activities include noise from heavy equipment and chain saws during harvest and thinning operation, smoke from slash fires, limited spray drift from herbicide applications subsequent to harvest and replanting and periodic appearances by persons involved in ongoing stand management.

The majority of the applicant's property is adjacent to and borders a county road. A Bonneville Power Administration (BPA) Transmission right-of-way crosses the southwest corner of the property and serves as a buffer, shielding applicant's property from the properties to the west.

The applicant selected a site relatively close to N.W. Moreland Road which concentrates any impacts of the dwelling towards an area where impacts are already occurring and away from the wooded portions of applicant's property and forest lands to the west and north.

The location of the proposed dwelling will have the least impact on nearby or adjoining forest and agricultural lands.

(2) Forest operations and accepted farming practices will not be curtailed or impeded.

Finding. Sections MCC 11.15.2074 (A)(1) and (2) contain language similar to that found in Section MCC 11.15.2052 (A)(4). The standards are both intended to ensure dwellings not related to forest practices will not significantly conflict with nearby or adjoining farm/forest practices. Subsection (A)(1) requires that the dwelling site has the least impact on the adjoining farm or forest lands while this subsection requires that farm and forest practices will not be curtailed or impeded.

To the extent that the secondary fire safety zone is not contained within the parcel, there is some potential effect on forest practices on Tax Lot 13. The roads accessing the surrounding properties used for timber production are in place. So, it is likely no further road construction will take place in the surrounding area. To the east is N.W. Moreland Road which is available for hauling logs and forest products from the surrounding area. The location of the dwelling will not affect these activities on N.W. Moreland Road. There is no evidence in the record that this development will impact, curtail or impede farm/forest lands, operations or accepted practices.

(3) The amount of land used to site the dwelling or other structures, access roads, and service corridor is minimized.

Finding. Within the CFU District, required setbacks for structures consist of 60 feet from the centerline of a County Maintained road and 200 feet from all other property lines. The revised site analysis map, Exhibit H4, locates the proposed building site within the small triangular area in the southeast portion of the site where the required setbacks can be met. Within the buildable area slopes range from 20% to 35%. The dwelling is proposed to be sited on the flattest area. This site is 78 feet from N.W. Moreland Road, 200 feet east of the west property line and 295 feet south of the north property line. The amount of land used for the residence could be further minimized by moving the home site south, but that would result in further reducing the site's ability to contain primary and secondary fire safety zones.

The applicant has relocated the driveway to the home site to the southern portion of the property. The proposed driveway extends west from N.W. Moreland Road at a point approximately 105 feet, then curves northeast toward the home site for an estimated 90 feet where it terminates in a hammerhead turnaround. The total length of the driveway is an estimated 240 feet. The driveway has an overall grade of 4.56%, with the maximum grade being 8.85% for a 26.5 foot long segment. The driveway is designed and located to meet the County and Fire District standards for grade limitations, turnarounds, turn/curve radius travel surface width, clearance, etc. as well as to minimize the amount of land used for the roadway.

The applicant originally proposed to access the proposed home site by means of a driveway that is already partially cut and cleared from the northeast corner of the site. The applicant changed the proposed access closer to the proposed dwelling reducing the length of the access required and eliminating the need for a 48 foot minimum curve turnaround. The alternate access location minimizes the amount of land devoted to the dwelling, access roads, and service corridor.

(4) Any access road or service corridor in excess of 500 feet in length is demonstrated by the applicant to be necessary due to physical limitations unique to the property and is the minimum length required; and

Finding. The proposed revised access to the home site is approximately 240 feet, less than 500 feet in length. This criterion does not apply.

(5) The risks associated with wildfire are minimized. Provisions for reducing such risk shall include:

- (a) Access for a pumping fire truck to within 15 feet of any perennial water source on the lot. The access shall meet driveway standards of MCC .2074 (D) with permanent signs posted along the access route to indicate the location of the emergency water source;**
- (b) Maintenance of a primary and secondary fire safety zone;**
 - (i) A primary safety zone is a fire break extending a minimum of 30 feet in all directions around a dwelling or structure**
 - (ii) On lands with 10 percent or greater slope the primary fire safety zone shall be extended down the slope from a dwelling or structure as follows:**

Percent Slope	Distance in Feet
Less than 10	Not Required
Less than 20	50
Less than 30	75
Less than 40	100

- (iii) A secondary fire safety zone is a fire break extending a minimum of 100 feet in all directions around the primary safety zone...
- (iv) No requirement in (i), (ii), or (iii) above may restrict or contradict a forest management plan approved by the state of Oregon Department of Forestry pursuant to the state Forest Practices Rules; and

(c) The building site must have a slope less than 40 percent.

Finding. When fully cleared and graded the driveway can meet all applicable Multnomah County and Fire District standards. The applicant intends to maintain a supply of water to the site through a well. The applicant also intends to have on site a water storage facility with hoses and operable gas driven pump to aid in the case of a fire emergency. The applicant submitted a revised site analysis map, Exhibit H4, showing 35% slope in the steepest area around the home site. This site plan shows 75 feet of primary and 100 feet of secondary fire safety zones. The 75 foot primary safety zone is not provided totally within the site, but extends into N.W. Moreland Road. The 100 foot secondary fire safety zone impinges on forestry practices on Tax Lot 13, across N.W. Moreland Road. The applicant indicates his intention in his answer to MCC 11.1.5.2074(A)(3) "... to leave the firs standing". Where or what trees the applicant intends to leave are not illustrated on the revised site plan (Exhibit H4) or any other exhibit. The applicant has not demonstrated that the spacing of these trees will meet the spacing requirement contained in MCC 11.15.2074(A)(5)(b)(i).

Vegetation on the site will buffer the residence from farm and forestry activities on surrounding land, except to the southeast where the primary safety zone requires clearing. The BPA high voltage utility lines and easement are located between the proposed dwelling and farm and forest uses to the west providing a further buffer. These utility lines cross the subject property would prevent any spraying by air.

(B) The dwelling shall:

- (1) Comply with the standards of the Uniform Building Code or as prescribed in ORS 446.002 through 446.200 relating to mobile homes;
- (2) Be attached to a foundation for which a building permit has been obtained; and
- (3) Have a minimum floor area of 600 square feet.

Finding. No building plans have been submitted to verify that the dwelling will comply with the above requirements. The site plan shows a 75 x 55 foot area which contains 4,125 square feet. Under the provisions of MCC 11.15.7820 this application will be required to go through the Design Review process. The applicant has not submitted the detailed plans required to make a statement regarding the color and lighting specifics of this application. This can be addressed at the Design Review stage. These criteria can be met.

- (C) The applicant shall provide evidence that the domestic water supply is from a source authorized in accordance with the Department of Water Resources Oregon Administrative Rules for the appropriation of groundwater (OAR 690, Division 10) or surface water (OAR 690, Division 20) and not from a class II stream as defined in the Forest Practices Rules. If the water supply is unavailable from a public source, or sources located entirely on the property, the applicant shall provide evidence that a legal easement has been obtained permitting domestic water lines to cross the properties of affected owners.**

Finding. Applicant has submitted a letter from A.M. Jannsen Well Drilling Company (Exhibit A9). The water supply will come from a well approximately 725 feet in depth 50 to 100 feet from the homesite. No water lines across neighboring properties are necessary. No surface water is involved. OAR 690, Division 10 deals with critical groundwater areas; this is not a critical groundwater area and the rules do not apply. OAR 690, Division 20 deals with surface water and does not apply.

- (D) A private road (including all easements) accessing two or more dwellings, or a driveway accessing a single dwelling, shall be designed, built, and maintained to:**
- (1) Support a minimum gross vehicle weight (GVW) of 52,000 lbs. Written verification of compliance with the 52,000 lb. GVW standard from an Oregon Professional Engineer shall be provided for all bridges or culverts;**
 - (2) Provide an all-weather surface of at least 20 feet in width for a private road and 12 feet in width for a driveway;**
 - (3) Provide minimum curve radii of 48 feet or greater;**
 - (4) Provide an unobstructed vertical clearance of at least 13 feet 6 inches;**
 - (5) Provide grades not exceeding 8 percent, with a maximum of 12 percent on short segments, except as provided below;**
 - (a) Rural Fire Protection District No. 14 requires approval from the Fire Chief for grades exceeding 6 percent;**
 - (b) The maximum grade may be exceeded upon written approval from the fire protection service provider having responsibility;**
 - (6) Provide a turnaround with a radius of 48 feet or greater at the end of any access exceeding 150 feet in length;**
 - (7) Provide for the safe and convenient passage of vehicles by the placement of:**
 - (a) Additional turnarounds at a maximum spacing of 500 feet along a private road; or**
 - (b) Turnouts measuring 20 feet by 40 feet along a driveway in excess of 200 feet in length at a maximum spacing of ½ the driveway length or 400 feet whichever is less.**

Finding. Access to the proposed home site will be by means of a driveway that must meet all applicable Multnomah County and Fire District standards. The applicant stated the driveway will be improved and maintained to support a minimum gross vehicle weight of 52,000 pounds; no bridges or culverts will be constructed; the driveway will have an all-weather surface at a minimum of 12 feet wide; all curves will have a minimum curve radii of 48 feet; the driveway will have an unobstructed vertical clearance of 13 feet 6 inches or greater. According to the applicant's revised site plan analysis, one 26.5 foot segment of the road has a

8.95% grade. Review of compliance with these criteria can be finalized at the building permit stage to assure compliance with the criteria. These criteria can be met.

- (10) **A statement has been recorded with the Division of Records that the owner and the successor in interest acknowledge the rights of owners of nearby property to conduct forest operations consistent with Forest Practices Act and Rules, and to conduct accepted farming practices.**

Finding. No evidence has been submitted that a statement complying with MCC 11.15.2052(A)(10) has been recorded. Recordation of the required statement could be a condition of approval and assured at the building permit stage. This criterion can be met.

B. At issue are differences between ORS 215, effective in November 1993, OAR 660-06-027(1)(d)(C), effective on March 1, 1994 and MCC 11.15.2052(A)(3)(c), effective in 1992. The question is whether the County Code's template dwelling provisions, which were adopted before the legislative and OAR 660, Division 6 template dwelling provisions were adopted, apply as well as state law or whether only the legislative enactment as interpreted by the administrative rule apply. The applicant does not dispute that the County regulations are not met. The applicant only contends that the County regulations do not apply.

- a. The primary directives for determining applicable standards are ORS 197.175(2)(d), ORS 215.416(4) and (8) and ORS 197.646(1) and (3).

(1) **ORS 197.175. Cities' and Counties' planning responsibilities; rules on incorporations; compliance with goals.**

(2) **Pursuant to ORS chapters 195, 196 and 197, each city and county in this state shall:**

(d) **If its comprehensive plan and land use regulations have been acknowledged by the commission, make land use decisions and limited land use decisions in compliance with the acknowledged plan and land use regulations;...**

(2) **ORS 215.416. Application for permits;...**

(4) **The application shall not be approved if the proposed use of land is found to be in conflict with the comprehensive plan of the county and other applicable land use regulation or ordinance provisions...**

(8) **Approval or denial of a permit application shall be based on standards and criteria which shall be set forth in the zoning ordinance or other appropriate ordinance or regulation of the county...**

(3) **197.646. Implementation of new or amended goals, rules or statutes.**

(1) **A local government shall amend the comprehensive plan and land use regulations to implement new or amended statewide planning**

goals, commission administrative rules and land use statutes when such goals, rules or statutes become applicable to the jurisdiction. Any amendment to incorporate goal, rule or statute change shall be submitted to the department as set forth in ORS 197.610 to 197.625. [post acknowledgment procedures]

- (3) When a local government does not adopt comprehensive plan or land use regulation amendments as required by subsection (1) of this section, the new or amended goal, rule or statute shall be directly applicable to the local government's land use decisions....**

b. The applicant argues that ORS 197.646(3) says a new state law or rule applies directly until the County adopts that new standard into the County Code. The County had not adopted the State standards when this application was filed. The applicant argued that only the State law applies directly to this application, as petitioner argued in *Evans* and that the previously enacted County Code does not apply..

The applicant's attorney argued in *Evans* that after state laws are amended, local governments are required to amend their regulations. The applicant contends that ORS 197.646 states that when a local government does not adopt land use regulations to implement amended state administrative rules when those rules become applicable the amended rules shall be directly applicable to the local government's land use decision, and further contends that only the state rules are applicable.

The applicant disputes the County's claim that the County regulations that are stricter than the state law and administrative rules are also applicable, arguing that the County tried to add an exception to the statute that both apply. The applicant argues that the plain language of the statute must be construed to mean what it says; if the legislature had wanted the statute to read, as the County contends it does, the legislature would have included terms such as "more restrictive" or "less restrictive" in ORS 197.646(1). Rather than ending with "when such goals, rules, or statutes become applicable to the jurisdiction," the statute would need to read "when such goals, rules, or statutes are more restrictive than local regulations."

The applicant argues that *Dilworth v. Clackamas County* does not apply because the decision was not related to ORS 197.646. In *Dilworth*, Clackamas County denied a forest template dwelling application because the applicant did not meet Clackamas County requirements that the dwellings exist at the time of the application. LUBA considered ORS 215.750 because it does not require that the other dwellings exist on the date of application but only on January 1, 1993. LUBA held that a county is not precluded from regulating the establishment of dwellings more stringently than is required under ORS 215.750.

Dilworth did not challenge the County's authority to set standards more stringent than those in the statute, nor did *Dilworth* address the issue of whether preexisting more restrictive County regulations apply after state law addressing similar subject matter is amended.

The applicant argued that the hearings officer should consider *Blondeau* for the proposition that the legislature intended that the state template dwelling criteria should be the only applicable criteria. At the time of Blondeau's application for a farm dwelling, "lot of record" farm dwellings had been authorized by ORS 215.705, but not by County regulations which had not been updated

after the enactment of the statute. The County denied the farm dwelling application because it did not comply with previously adopted county standards adopted to satisfy a previous statutory prohibition against non-farm dwellings on prime farm lands.

LUBA held that the County could not deny the dwelling because it hadn't updated its code to comply with the new law. LUBA interpreted ORS 215.705(5) as allowing the county to deny the non-farm dwelling only by enacting or reenacting local legislation. Addressing the statutory context, LUBA found that ORS 215.705(1)(c) does not prohibit the application of stricter local land use regulations, but that ORS 215.705(5) allows a county to adopt stricter ordinance standards than ORS 215.705. LUBA found that for both sections to have meaning, subsection .705(5) implies a requirement of subsequent enactment for the county regulation to be effective. Addressing the legislative intent, LUBA found that the legislature intended to allow counties to approve lot of record dwellings under ORS 215.705 without first requiring amendments to their plans and regulations. This legislative intent would be impossible to achieve if ORS 215.705(1)(c) requires lot of record dwellings to comply with plan and regulation provisions previously adopted to protect agricultural soils. LUBA held that ORS 215.705(1)(c) does not allow a county to deny a lot of record dwelling because it fails to comply with more restrictive code provisions previously adopted to implement ORS 215.283(3) (1991) or with comprehensive plan provisions generally requiring protection of agricultural land.

The applicant agrees that *Blondeau* isn't on point in forest zones because it concerned farm zones. In the state farm zone lots of record provisions there is a specific prohibition that says that a County has to re-adopt their ordinances if the County wants to apply additional criteria to lots of record. There isn't a similar provision in the forest-land provisions. But, the applicant argued that the Hearings Officer should take the idea from *Blondeau* and consider legislative intent. The argument is that the legislature intended counties to use the State's forest-land dwelling provisions as provided in the State statute. No other forest land dwellings are allowed.

The applicant argues that ORS 197.646 was an attempt by the legislature to promote uniformity in the regulation of land use activities and to prevent inconsistencies among County codes from interfering with the State's attempt to regulate forest land uses. Essentially the applicant argued that when the legislature addresses a subject it preempts local governments from adopting different more restrictive regulations on that subject. The applicant cites no authority for this proposition.

C. Mr. Rochlin said that ORS 215.705 and 215.750 begin by saying that "counties may allow the following uses." He argued that the provisions of ORS 215.705 and 215.704 are contrasted with ORS 215.283 or 215.213 which start out using the passive voice saying "uses may be allowed" which led the Supreme Court to rule that under that language the uses that may be allowed must be allowed by the county. *Brentmar v. Jackson County*, 321 Or 481 P2d 1030 (1995). Mr. Rochlin argued that the language applicable here is completely distinguished removing the ambiguity.

He argued that there are other provisions, for example ORS 215.750(4), that provide that dwellings can't be allowed if they conflict with the County's plan or land use regulations. He discussed *Blondeau* arguing that in *DeBates v. Clackamas County*, ORLUBA, (LUBA No. 96-100 01/03/97) the court held that the application of *Blondeau* is very limited to requiring that counties reenact any legislation if they want to prohibit nonfarm lot of record dwellings. He said that if a County's lot of record regulations had been adopted only to enforce ORS 215.283

intended specifically to preserve farm land then they would have to reenact those provisions to make the more restrictive regulations effective. Mr. Rochlin said that the court in *DeBates* very carefully pointed out that *Blondeau* is limited to just the lot of record farm regulation. He said the reason for that is that ORS 215.705, which addresses farm dwellings, has two provisions, one of which can be interpreted to require re-enactment of regulations. He said that ORS 215.750 doesn't have a comparable provision; 215.750 simply has the general statement that dwellings may not be allowed if they conflict with county regulations.

The Multnomah County Board of Commissioners, in *Evans v. Multnomah County*, has considered its interpretation of ORS 197.646(3). The Board of County Commissioners rejected Evan's argument that only the OAR applies and concluded that both the County regulations and the OAR apply.

The County argues that the context of ORS 197.646(3) includes 197.175(2) and 215.416(8) which require a local government to make land use decisions in compliance with the local government's acknowledged regulations and comprehensive plan. The County's plan and regulations are acknowledged. The County argues that the applicant tries to add a provision to ORS 197.646(3) that would extinguish County regulations, but that ORS 197.646(3) only requires that the relevant statutes and OAR be applied directly.

The County argues that reliance on only the state law and rules would be impossible to administer and that if the OAR is the only applicable criteria this application would not comply with the rule's requirement of compliance with an acknowledged comprehensive plan or land use regulations because there would be no local provision allowing a template dwelling. Addressing the argument that new state law extinguishes preexisting local regulations, the County says that it would be impossible to determine which local law remains applicable and which is extinguished. The problem of knowing which county regulations are extinguished by state law is avoided by applying both local and state requirements whenever county regulations have not been updated to reflect amended state requirements. Even if this results in applying standards unnecessarily by mistake, the method does not lead to erroneous determinations of compliance, because state law will alter the result only when the county regulation does not satisfy state law. The mandate of the statute is achieved, while preserving the meaning of ORS 197.175(2)(d) and (e) and 215.416(8) by applying the relevant state rules in addition to the relevant county regulations, setting aside a county rule only if it is inconsistent with a state rule.

The County argued that LUBA agreed in *Dilworth* that a local government can implement a non-forest dwelling regulation stricter than those found in the OAR and state statute. The option of stricter local regulation is the express intent of the legislature. ORS 215.750(4)(a) provides that the template dwellings allowed by the section may be prohibited by provisions in local regulations. The County did not introduce *Dilworth* to define ORS 197.646 but rather to argue that local governments can implement local regulations stricter than state requirements.

The County argued that the only authority for the interpretation that the State's not the County's template test applies is *Blondeau*. The County argues that *Blondeau* does not apply here because (1) that case concerned lot of record provisions for non-farm dwellings for agricultural lands (ORS 215.705) whereas this case concerns template dwelling provisions for forest lands (ORS 215.750), (2) while in *Blondeau* Clackamas County had not addressed lot of record provisions Multnomah County has addressed template dwellings in its regulations, and (3)

in *Blondeau* LUBA relied on ORS 215.705(5) for its decision that a local government cannot rely on previously acknowledged code provisions when a statute is subsequently amended whereas ORS 21 5.750 does not contain similar language. The County therefore concludes that *Blondeau* does not prevent the County from relying on both its already acknowledged standards as well as subsequently amended statutes and administrative rules.

The County argued, and the applicant agrees, that *Blondeau* concerns only farm zone dwellings and ORS 215.705, and not forest zone dwellings or ORS 21 5.750 which applies to this case. ORS 215.750(4)(a) like ORS 215.705(1)(c) disallows a dwelling prohibited by, or not complying with, local regulations. ORS 215.705(5) has no counterpart in 215.750. Therefore there is nothing in ORS 215.750 that requires local reenactment of template dwelling provisions for a County to deny a non-forest dwelling for failure to comply with county regulations.

The County further argues that the statute and the administrative rule allow for a local government to apply its own standards. ORS 215.750 says that a County "may" allow a dwelling in a forest zone under the standards that follow in the statute. The statute does not say a County "must" use those standards. This, combined with no wording having been inserted into ORS 197.646(3) negating the effect of a previously adopted and acknowledged county code allows a county to apply its stricter standards.

Finally, the County has an April 30, 1996 letter from the Department of Land Conservation and Development in which the DLCD staff disagrees with the argument that the county may not apply its more stringent standards in addition to the applicable state laws.

D. Conclusion. Thus, in applying both template tests, the stricter standards of the County test are that five, not three, dwellings must exist within the 160 acre square, not somewhere on the lot, and the square is aligned with the section lines as opposed to any orientation. The State standards provides only two stricter standards, the dwellings and the other eleven lots must have existed on January 1, 1993.

Nothing in ORS 197.646(3) says that the County's ordinance does not also apply and its language does not imply that the County's ordinance does not apply unless local regulations are inconsistent with the state rule required to be directly applied. In *Evans*, the County Board of Commissioners applied the stricter features of each test. The County staff, in this application, applied the stricter features of both the County Code and the OAR. The Hearings Officer agrees with the County that both State law and County code criteria are applicable. The issue is whether the County can have more restrictive regulations. It was established that the County can have more restrictive template dwelling regulations by *Dilworth v. Clackamas County*, 30 Or LUBA 319 (1996).

4. Criteria for Approval of SEC Permit:

MCC 11.15.6404 (A): All uses permitted under the provision of the underlying district are permitted on lands designated SEC; provided, however, that the location and design of any use, or change or alteration of a use, except as provided in MCC. 6406, shall be subject to an SEC permit.

Finding. A single family dwelling in the CFU zoning district requires review and approval of a conditional use permit. Provided the Conditional Use Permit is approved, the proposed use for the single family dwelling may obtain an SEC approval.

MCC 11.15.6420: The SEC designation shall apply to those significant natural resources, natural areas, wilderness areas, cultural areas, and wild and scenic waterways that are designated SEC on the Multnomah County sectional maps. Any proposed activity or use requiring an SEC permit shall be subject to the following:

- (A) The maximum possible landscaped area, scenic and aesthetic enhancement, open space or vegetation shall be provided between any use and a river, stream, lake, or floodwater storage area.**

Finding. None of the above exists on or near the property. The criteria does not apply.

- (B) Agricultural land and forest land shall be preserved and maintained for farm and forest use.**

Finding. In the entire context of the Code's requirements, a residence is allowed if all Code standards are met. To that extent, land need not be preserved and maintained for farm and forest uses. The construction of the single family dwelling with its primary and secondary fire safety zones will reduce the parcel's capability to grow forest products, but a portion of the property will still be able to be used for forest practices. A dwelling on this lot can meet this criteria.

- (C) A building, structure, or use shall be located on a lot in a manner which will balance functional considerations and costs with the need to preserve and protect areas of environmental significance.**

Finding. The placement of the dwelling meets the SEC-h wildlife criteria below. By meeting these standards, the applicant has shown compliance with the above criteria.

- (D) Recreational needs shall be satisfied by public and private means in a manner consistent with the carrying capacity of the land and with minimum conflict with areas of environmental significance.**

Finding. The proposed use and location do not conflict with any known recreational use proposed. The proposed use is a single family residence. This criterion does not apply.

- (E) The protection of the public safety and of public and private property, especially from vandalism and trespass, shall be provided to the maximum extent practicable.**

Finding. No significant concerns for vandalism and trespass are in the record. The added presence of a dwelling will likely provide protection for the property owner by having a permanent presence on the site. This criterion is met

- (F) Significant fish and wildlife habitats shall be protected.**

Finding. No significant streams exist on the subject property. The applicant has met the specific criteria for SEC-h (wildlife habitat) and by doing so has met the above criteria.

- (G) The natural vegetation along rivers, lakes, wetlands and streams shall be protected and enhanced to the maximum extent practicable to assure scenic quality and protection from erosion, and continuous riparian corridors.**

Finding. No significant rivers, lakes, or wetlands exist on the subject property. This criterion does not apply.

- (H) Archaeological areas shall be preserved for their historic, scientific, and cultural value and protected from vandalism or unauthorized entry.**

Finding. There are no archaeological areas identified on this property as part of the County's Goal 5 inventory. The applicant is advised that, if archaeological objects are discovered during construction, state statutes require construction to be stopped and the State Historic Preservation Office to be notified. This criterion is met.

- (I) Areas of annual flooding, floodplains, water areas, and wetlands shall be retained in their natural state to the maximum possible extent to preserve water quality and protect water retention, overflow, and natural functions.**

Finding. There are no identified areas of flooding, floodplains, water areas and wetlands on the subject property. This criterion does not apply.

- (J) Areas of erosion or potential erosion shall be protected from loss by appropriate means. Appropriate means shall be based on current Best Management Practices and may include restrictions on timing of soil disturbing activities.**

Finding. The subject parcel is located in the Tualatin Basin. A Grading and Erosion Control permit will be required prior to any construction or further grading under MCC 9.40.010. This criterion can be met.

- (K) The quality of the air, water, and land resources and ambient noise levels in areas classified SEC shall be preserved in the development and use of such areas.**

Finding. The project is a single family dwelling. Construction of the dwelling and improvement of the driveway will not affect the quality of the air, water, ambient noise levels in the area classified SEC. The impacts of a single family dwelling have not been determined to be detrimental to the existing levels. This criterion is met.

- (L) The design, bulk, construction materials, color and lighting of buildings, structures and signs shall be compatible with the character and visual quality of areas of significant environmental concern.**

Finding. The applicant has not submitted any elevations or floor plans for the proposed structure at this time. If the structure is approved, it will be reviewed under the Design Review criteria of MCC 11.15.7820. This criteria can be ensured through the design review process.

- (M) An area generally recognized as fragile or endangered plant habitat or which is valued for specific vegetative features, or which has an identified need for protection of natural vegetation, shall be retained in a natural state to the maximum extent possible.**

Finding. No fragile or endangered plant habitat has been identified for this property.

- (N) The applicable Policies of the Comprehensive Plan shall be satisfied.**

Finding. The applicable policies of the Comprehensive plan are addressed after the SEC-h criteria.

MCC 11.15.6426: Criteria for approval of SEC-h Permit Wildlife Habitat:

- (A) In addition to the information required by MCC .6408 (C), an application for development in an area designated SEC-h shall include an area map showing all properties which are adjacent to or entirely or partially within 200 feet of the proposed development, with the following information, when such information can be gathered without trespass:**

- (1) Location of all existing forested areas (including areas cleared pursuant to an approved forest management plan) and non-forested "cleared" areas; For the purposes of this section, a forested area is defined as an area that has at least 75% crown closure, or 80 square feet of basal area per acre, of trees 11 inches DBH and larger, or an area which is being reforested pursuant to Forest Practices Rules of the Oregon Department of Forestry. A non-forested "cleared" area is defined as an area which does not meet the description of a forested area and which is not being reforested pursuant to a forest management plan.**
- (2) Location of existing and proposed structures;**
- (3) Location and width of existing and proposed public roads, private access road, driveways, and service corridors on the subject parcel and within 200 feet of the subject parcel's boundaries on all adjacent parcels;**
- (4) Existing and proposed type and location of all fencing on the subject property and on adjacent properties entirely or partially within 200 feet of the subject property.**

(B) Development Standards:

- (1) Where a parcel contains any non-forested "cleared" areas, development shall only occur in these areas, except as necessary to provide access and to meet minimum clearance standards for fire safety.**

Finding. Based upon the applicant's 1994 air photo, no cleared areas appear on the site. The proposed home site is located entirely within the forested portion of the site. The siting of a home and its primary fire break would require the removal of approximately 25 to 30 red alders and four to eight big-leaf maples. Approximately 1 acre will be converted from forest into the

dwelling site and primary fire safety zone. In the secondary fire safety zone, the underbrush and small trees will need to be removed to prevent the spread of fire.

- (2) Development shall occur within 200 feet of a public road capable of providing reasonable practical access to the developable portion of the site.**

Finding. The southeast edge of the original site for the proposed single family dwelling was approximately 160 feet from N.W. Moreland Road. The applicant modified his proposal by moving the dwelling site to approximately 50 feet from N.W. Moreland Road. N.W. Moreland Road is a County maintained roadway capable of providing reasonable practical access to the home site. This criterion is met.

- (3) The access road/driveway and service corridor serving the development shall not exceed 500 feet in length.**

Finding. The driveway as revised is approximately 265 feet in length. This criterion is met.

- (4) The access road/driveway shall be located within 100 feet of the property boundary if adjacent property has an access road or driveway within 200 feet of the property boundary.**

Finding. The proposed driveway parallels Moreland Road and is approximately 100 feet from the property boundary. There is no adjacent development within 200 feet of the property boundary on the west side of Moreland Road. This criteria does not apply towards development of the east side of Moreland Road.

- (5) The development shall be within 300 feet of the property boundary if adjacent property has structures and developed areas within 200 feet of the property boundary.**

Finding. The proposed home site is within 300 feet of the property boundary. There is no adjacent development within 200 feet of the property boundary on the west side of Moreland Road. This criteria does not apply towards development of the east side of Moreland Road.

- (6) Fencing within a required setback from a public road shall meet the following criteria:**

- (a) Fences shall have a maximum height of 42 inches and a minimum 17 inch gap between the ground and the bottom of the fence.**
- (b) Wood and wire fences are permitted. The bottom strand of a wire fence shall be barbless. Fences may be electrified, except as prohibited by County Code.**
- (c) Cyclone, woven wire, and chain link fences are prohibited.**
- (d) Fences with a ratio of solids to voids greater than 2:1 are prohibited.**
- (e) Fencing standards do not apply in an area on the property bounded by a line along the public road serving the development, two lines each drawn perpendicular to the principal structure from a point 100 feet from the end of the structure on a line perpendicular to and meeting with the public road**

serving the development, and the front yard setback line parallel to the public road serving the development.

Finding. No fencing is proposed.

- (7) The nuisance plants listed shall not be planted on the subject property and shall be removed and kept removed from cleared areas of the subject property.

Finding. Landscaping will not include any plants from the nuisance plant list. Currently no nuisance plants with the exception of a small amount of Himalayan blackberry are known to occur on the property.

(C) **Wildlife Conservation Plan.** An applicant shall propose a wildlife conservation plan if one of two situations exist.

- (1) The applicant cannot meet the development standards of Section (B) because of physical characteristics unique to the property. The applicant must show that the wildlife conservation plan results in the minimum departure from the standards required in order to allow the use; or
- (2) The applicant can meet the development standards of Section (B), but demonstrates that the alternative conservation measures exceed the standards of Section B and will result in the proposed development having less detrimental impact on forested wildlife habitat than the standards in Section B.
- (3) The wildlife conservation plan must demonstrate the following:
 - (a) That measures are included in order to reduce impacts to forested areas to the minimum necessary to serve the proposed development by restricting the amount of clearance and length/width of cleared areas and disturbing the least amount of forest canopy cover.
 - (b) That any newly cleared area associated with the development is not greater than one acre, excluding from this total the area of the minimum necessary accessway required for fire safety purposes.
 - (c) That no fencing will be built and existing fencing will be removed outside of areas cleared for the site development except for existing areas used for agricultural purposes.
 - (d) That revegetation of existing cleared areas on the property at a 2:1 ration with newly cleared areas occurs if such cleared areas exist on the property.
 - (e) That revegetation and enhancement of disturbed stream riparian areas occurs along drainage's and streams located on the property occurs.

Finding. The project as revised meets the maximum access road/driveway length of 500 feet. The development standards can be met. No wildlife conservation plan is required.

- (4) For Protected Aggregate and Mineral (PAM) subdistrict, the applicant shall submit a Wildlife Conservation Plan which must comply only with measures identified in the Goal 5 protection program that has been adopted by Multnomah County for the site as part of the program to achieve the goal.

Finding. Not applicable.

5. MULTNOMAH COUNTY COMPREHENSIVE PLAN POLICIES:

Policies in the Comprehensive Plan which are applicable to this Quasi-judicial Decision are addressed as follows:

Policy No. 13, Air, Water and Noise Quality: Multnomah County, ... Supports efforts to improve air and water quality and to reduce noise levels. ... Furthermore, it is the County's policy to require, prior to approval of a legislative or quasi-judicial action, a statement from the appropriate agency that all standards can be met with respect to Air Quality, Water Quality, and Noise Levels.

Finding. The subject dwelling will generally have no impact on air quality. A well and on-site disposal system will be established on the site to serve the proposed dwelling, in compliance with all applicable standards. The dwelling location is not within a noise impacted area and the dwelling is not a noise generator.

Policy No. 14, Development Limitations. The County's Policy is to direct development and land form alterations away from areas with development limitations except upon a showing that design and construction techniques can mitigate any public harm or associated public cost, and mitigate any adverse effects to surrounding persons or properties. Development limitations areas are those which have any of the following characteristics:

- A. Slopes exceeding 20%;
- B. Severe soil erosion potential;
- C. Land within the 100 year flood plain;
- D. A high seasonal water table within 0-24 inches of the surface for more than 3 or more weeks of the year;
- E. A fragipan less than 30 inches from the surface; and
- F. Lands subject to slumping, earth slides or movement.

Finding. The applicant submitted slope calculations indicating the slopes on the dwelling site are 20%.

Policy No. 22, Energy Conservation: The County's policy is to promote the conservation of energy and to use energy resources in a more efficient manner. ... The County shall require a finding prior to approval of a legislative or quasi-judicial action that the following factors have been considered:

Finding. The applicant argued that to the extent Policy 22 and the following standards and criteria are not set forth in the Multnomah County zoning code, the policy, standards or criteria cannot serve as the basis of an approval or denial of this permit application. ORS 215.416(8). ORS 215.416(8) states: "...Approval or denial of a permit application shall be based on standards and criteria which shall be set forth in the zoning ordinance or other appropriate ordinance or regulation of the county and which shall relate approval or denial of a permit application to the zoning ordinance and comprehensive plan for the area in which the proposed use of land would occur and to the zoning ordinance and comprehensive plan for the county as a whole. It is Multnomah County's Land Use Planning sections interpretation that the policies action as part of a quasi-judicial action are allowed by the "...other appropriate ordinance or regulation of the county...". The Comprehensive Plan was adopted by ordinance.

A. The development of energy-efficient land uses and practices;

Finding. The application complies with this policy. Power lines running along N.W. Moreland, adjacent to applicant's property, provide electricity to the site. Applicant proposes to construct a single family dwelling with modern, energy efficient amenities to ensure the efficient use of energy. Applicant's home will be of a modest size, placing limited demands on energy resources. The nature of the single family dwelling ensures that energy use will be consistent with that of other single family residences in the area. Applicant intends to make use of the property in a manner typical of that of other single family residence owners.

B. Increased density and intensity of development in urban areas, especially in proximity to transit corridors and employment, commercial and recreation centers;

Finding. This development is not located within a urban area. This criterion does not apply.

C. An energy-efficient transportation system linked with increased mass transit, pedestrian and bicycle facilities;

Finding. The applicant's property is served by a well developed roadway system, including Skyline Boulevard, providing quick and efficient access to Downtown Portland and Metro mass transit systems.

D. Street layouts, lotting patterns and designs that utilize natural environmental and climactic conditions to advantage.

Finding. The proposed home site location is the most suitable location for a dwelling on the parcel. The proposed dwelling location is a relatively flat area with gentle slopes. The proposed home site would disturb very little land and involves the least disturbance to young and healthy vegetation. Applicant proposes to leave the firs standing. The trees left intact will act to buffer applicant's property from the surrounding properties and activities upon them. Due to relatively dense vegetation throughout the property, the impact of a dwelling on nearby or adjoining farm/forest lands will be virtually the same at any location on the site. Applicant has selected a site relatively close to N.W. Moreland Road.

E. Finally, the County will allow greater flexibility in the development and use of renewable energy resources.

Finding. Due to the forested nature of applicant's property, the ability to harness and use solar energy on site is limited and not cost effective. Applicant will be using renewable forest resources from the land as a means to partially heat the residence and lessen dependence on other forms of available energy.

Policy No. 37, Utilities: The County's policy is to require a finding prior to approval of a legislative hearing or quasi-judicial action that:

WATER DISPOSAL SYSTEM:

- A. The proposed use can be connected to a public sewer and water system, both of which have adequate capacity; or
- B. The proposed use can be connected to a public water system, and the Oregon Department of Environmental Quality (DEQ) will approve a subsurface sewage disposal system on the site; or
- C. There is an adequate private water system, and the Oregon Department of Environmental Quality (DEQ) will approve a subsurface sewage disposal system; or
- D. There is an adequate private water system, and a public sewer with adequate capacity.

DRAINAGE:

- E. There is adequate capacity in the storm water system to handle the increased run-off; or
- F. The water run-off can be handled on the site or adequate provisions can be made; and
- G. The run-off from the site will not adversely affect the water quality in adjacent streams, ponds, lakes or alter the drainage on adjacent lands.

ENERGY AND COMMUNICATIONS:

- H. There is an adequate energy supply to handle levels projected by the plan; and
- I. Communications facilities are available.

Finding. The subject property will be served by a water well approximately 725 feet in depth and 50 to 100 feet from the home site and have a septic system for sewage disposal. Applicant received certification of private on-site sewage disposal from Multnomah County Sanitarian, for the use of a septic tank and drainfield, Land Feasibility Study No. 105-94, dated 7/8/94. (Exhibit 6). The development will not require public services other than power and telephone which are already available along N.W. Moreland Road.

Policy No. 38, Facilities: The County's Policy is to require a finding prior to approval of a legislative or quasi-judicial action that:

- A. The appropriate School District has had an opportunity to review and comment on the proposal.
- B. There is adequate water pressure and flow for fire fighting purposes; and

- C. **The appropriate fire district has had an opportunity to review and comment on the proposal.**
- D. **The proposal can receive adequate local police protection with the standards of the jurisdiction providing police protection.**

Finding. All required service provider forms have been provided.

Policy No. 40, Development Requirements: The County's policy is to encourage a connected park and recreation system and to provide for small private recreation areas by requiring a finding prior to approval of legislative or quasi-judicial action that:

- A. **Pedestrian and bicycle path connections to parks, recreation areas and community facilities will be dedicated where appropriate and where designated in the bicycle corridor capital improvements program and map.**

Finding. Not applicable.

- A. **Landscaped areas with benches will be provided in commercial, industrial and multiple family developments, where appropriate.**

Finding. Not applicable.

- A. **Areas for bicycle parking facilities will be required in development proposals, where appropriate.**

Finding. Not applicable.

IV. CONCLUSIONS

A. Conclusions for Conditional Use Request for Template Dwelling

1. Both the State and the County template dwelling standards apply with the more stringent standard controlling. The Hearings Officer directly applied the state template dwelling standards for forest lands and also applied the Multnomah County template dwelling standards for forest lands. The application meets the rectangle template standards of OAR-06-027(3) which are less restrictive than the County's template dwelling standards.

The County's template dwelling standards fall within the template dwelling standards allowed by ORS 215.750, although more restrictive than the Statute and the Administrative rules. The County Code does not allow a dwelling that is disallowed by the Statute and the Administrative Rules. However, the County Code does prohibit dwellings that are allowed by the Statute and the Administrative rules.

The application for the template dwelling does not comply with the more restrictive Multnomah County Code tests for a template dwelling. ORS 197.646(1) requires counties to amend their comprehensive plans and implementing regulations to comply with new statutes and administrative rules following post acknowledgment procedures. When this application was

filed the County had not done so. ORS 197.646(3) provides that "when" a county has not amended its plan and land use regulations, "the new or amended goal, rule or statute shall be directly applicable to the local government's land use decisions..." Nothing in these provisions provide that a county's previously adopted standards do not also apply. The general principal is that, unless the legislature has expressly provided otherwise, a local government must comply with the minimal protections of forest lands provided by state statute and administrative rules, but that the local government may apply more restrictive standards if they chose to. The applicant has provided no authority for the concept that only the State Statute and Administrative Rules apply and that a local government can not apply more stringent requirements.

2. The State Statute and Administrative rules provide for a template dwelling if there are 11 other lots within a 160 acre template centered on the property and three dwellings that existed on the lots within the template on January 1, 1993. The Multnomah County Code provides for a template dwelling, MCC 11.15.2052(A), as authorized by the State and Administrative Rules. ORS 215.705(1) and OAR 660-06-027(1). The County's template dwelling provisions were enacted before the Statute and the Administrative Rules. The applicant has provided no authority to support the idea that a local government's non-forest template dwelling provisions which are more restrictive than State Statute and Administrative rule standards must be reenacted before they might apply to a land use application made after the State Statute and Administrative rules were adopted.

The Hearings Officer found that the plain language of ORS 215.646(1) and (3) provide for just such a situation. These State provisions require that the State law shall be directly applicable to assure that the State's minimum forest protections will be met. However, they do not prohibit a local government from applying more restrictive standards, even if the local governments more restrictive standards were enacted before the enactment of State Law. *Dilworth* stands for the general concept that a local government may have more restrictive standards than State law. *Dilworth* does not address the question of whether more restrictive local forest dwelling standards need to be reenacted after the State enacts law applying to the subject matter. However, the general principal is that local government may apply local laws unless the state has specifically preempted the subject area, in which case only the state law applies. The State has not specifically preempted the field of regulating non-forest dwellings. As long as local regulations allow only those categories of non-forest dwellings authorized by State law, more restrictive local regulations may apply to land use decisions relating to non-forest dwellings.

3. The County Code requires that eleven (11) parcels and five (5) dwelling within the template existed at the time of application. State law requires that eleven (11) parcels and three (3) dwellings within the template existed on January 1, 1993. The County's requirements concerning the number of dwellings is more restrictive than State law, therefore the County's regulations control. The state law requirements concerning the date that the parcels and dwellings existed are more restrictive than the County's requirements, therefore the State law controls. The County's regulations require that the template be aligned with the section lines or along a County road while the State's regulations allow for the template to be rotated. The County's regulations are more restrictive and control. This application satisfies State law requirements for template dwelling under the rectangular template. This application does not satisfy County Code Template dwelling requirements that five (5) dwellings (five v. three) existed (on 1/1/93 v. at the time application) within the template, (aligned with section lines v.

rotated) and whether the dwellings existing on 1/1/93 are within the template or on parcels within the template.

4. The project as modified meets MCC 11.15.2074(A)(3) and (4) for minimizing the driveway/service corridor. The application complies with other requirements of the County Code and Multnomah County Comprehensive Framework Plan.

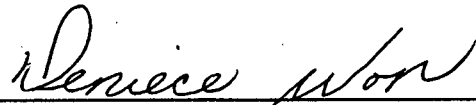
5. The subject parcel does not comply with OAR 660-06-027(4)(a) because the application is does not comply with the more restrictive County template standards.

6. The lot complies with MCC 11.15.2052(A), having been lawfully created before January 25, 1990. Tax Lot 23 was created in 1983. The County partitioning requirements (MCC 11.15.2182(C) "deemed" that separate lots of record were created when a County-maintained road intersected a parcel. I conclude that the County authorized the creation of the substandard parcel by the recordation of a deed. The lot of record provision was an exemption from the minimum lot size for the MUF zone. It was the County's interpretation that the only thing the Code required to legally partition a lot was for the owner to record a new legal description of the property. According to the evidence in the record the partition was classified as a "Minor Partitions Exempted." The prior property owner of Tax Lot 23 followed the procedure outlined by the county to create a legal lot of record by recording a new legal description. The subject property was thus lawfully partitioned.

V. ORDER

Conditional Use Permit No. 8-96 and Significant Environmental Concern No. 14-96 to establish a single family dwelling on the above property is denied, based on the findings and conclusions contained herein.

Dated this 14th of May, 1997



Deniece Won
Attorney at Law

MEETING DATE: MAY 22 1997
AGENDA NO: C-5
ESTIMATED START TIME: 9:30

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: IGA BETWEEN U.S. FOREST SERVICE AND THE SHERIFF'S OFFICE

BOARD BRIEFING: DATE REQUESTED: _____
REQUESTED BY: _____
AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: 2 MAY 22, 1997
NEXT AVAILABLE DATE
AMOUNT OF TIME NEEDED: _____

DEPARTMENT: SHERIFF'S OFFICE DIVISION: ENFORCEMENT

CONTACT: LARRY AAB TELEPHONE #: 251-2489
BLDG/ROOM #: 313/228

PERSON(S) MAKING PRESENTATION: _____ CONSENT ITEM _____

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER



SUGGESTED AGENDA TITLE:

Intergovernmental Agreement, Contract #801047, between U.S. Forest Service and the Sheriff's Office to enforce Federal/State laws and regulations in the National Forest, for the period of May 22, 1997 through September 1, 1997. RENEWAL.

5/22/97 ORIGINALS to Larry AAB

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____
(OR)
DEPARTMENT
MANAGER: _____

BOARD OF
COUNTY COMMISSIONERS
97 MAY 13 AM 11:20
MULTNOMAH COUNTY
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ 248-3277

MULTNOMAH COUNTY CONTRACT APPROVAL FORM

Contract # **801047**

Prior-Approved Contract Boilerplate: ☐ Attached: ☐ Not Attached:

Amendment #

CLASS I <input type="checkbox"/> Professional Services under \$50,000 <input type="checkbox"/> Intergovernmental Agreement under \$25,000	CLASS II <input type="checkbox"/> Professional Services over \$50,000 (RFP, Exemption) <input type="checkbox"/> PCRB Contract <input type="checkbox"/> Maintenance Agreement <input type="checkbox"/> Licensing Agreement <input type="checkbox"/> Construction <input type="checkbox"/> Grant <input type="checkbox"/> Revenue	CLASS III <input checked="" type="checkbox"/> Intergovernmental Agreement over \$25,000 APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS AGENDA # <u>C-5</u> DATE <u>5/22/97</u> <u>DEB BOGSTAD</u> BOARD CLERK
--	---	---

Department: SHERIFF'S OFFICE Division: ENFORCEMENT Date: MAY 1, 1997
 Contract Originator: LT. PIETER VANDYKE Phone: 251-2501 Bldg/Room: _____
 Administrative Contact: LARRY AAB Phone: 251-2489 Bldg/Room: 313/228
 Description of Contract: ENFORCE FEDERAL/STATE LAWS AND REGULATIONS IN THE NATIONAL FOREST.

BID #: _____ Date of RFP/BID: _____ Exemption Expiration Date: _____
 ORS/AR #: _____ Contractor is ☐ MBE ☐ WBE ☐ QRF

Contractor Name: <u>U.S. FOREST SERVICE</u> <u>MT HOOD NATIONAL FOREST</u> <u>16400 CHAMPION WAY</u> <u>SANDY OR 97055</u> Phone: <u>668-1789</u> Employer ID# or SS#: _____ Effective Date: <u>MAY 22, 1997</u> Termination Date: <u>SEPTEMBER 1, 1997</u> Original Contract Amount: <u>\$ 31,000</u> Total Amt of Previous Amendments: \$ _____ Amount of Amendment: \$ _____ Total Amount of Agreement: \$ _____	Remittance Address (if different): _____ Payment Schedule _____ Terms _____ <input type="checkbox"/> Lump Sum \$ _____ <input type="checkbox"/> Due on Receipt <input type="checkbox"/> Monthly \$ _____ <input type="checkbox"/> Net 30 <input type="checkbox"/> Other \$ _____ <input type="checkbox"/> Other <input type="checkbox"/> Requirements contract - Requisition Required Purchase Order No. _____ <input type="checkbox"/> Requirements Not to Exceed \$ _____ Encumber: Yes <input type="checkbox"/> No <input type="checkbox"/>
--	--

REQUIRED SIGNATURES:

Department Manager: *Mel Hedgcock*
 Purchasing Manager: _____
 (Class II Contracts Only)
 County Counsel: *STEVE WENDE*
 County Chair/Sheriff: *Don [Signature]*
 Contract Administration: _____
 (Class I, Class II Contracts Only)

Date: 5/8/97
 Date: _____
 Date: 5/12/97
 Date: 5/9/97
 Date: _____

VENDOR CODE				VENDOR NAME				TOTAL AMOUNT: \$			
LINE NO.	FUND	AGENCY	ORGANIZATION	SUB ORG	ACTIVITY	OBJECT/REV SRC	SUB ORG	REPT CATEG	LGFS DESCRIP	AMOUNT	IN CE EC
01	<u>100</u>	<u>025</u>	<u>3311</u>			<u>2003</u>					
02											
03											

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

DISTRIBUTION: Original Signatures - Contract Administration, Initiator, Finance

801047

ATTACHMENT VII

MULTNOMAH COUNTY

JOINT OPERATION AND FINANCIAL PLAN

1997

Reimbursable service request by the Forest Service, made and agreed to this 17th day of April, 1997, by and between the Service and the Multnomah County Sheriff, becomes a part of the agreement between said parties dated May 19, 1986.

1. Assignment of one Deputy Sheriff, fully equipped, with motor vehicle, to patrol National Forest lands within the Columbia Gorge Ranger District and the Columbia River Gorge National Scenic Area (NSA). The patrol will concentrate on National Forest picnic areas, campgrounds, vehicle parking areas, trailhead and other more dispersed recreation areas. Suggested patrol routes are outlined in attachment A and B of this plan.

Patrol routes identified in attachments A and B are guidelines. Routes may be varied at the discretion of the cooperating Deputy in order to effectively deal with problems at other locations as problems develop.

Forest patrols will begin May 22, 1997 and end September 1, 1997. The tour of duty May 22, through September 1, will be 10 hours each day on Thursday, Friday, Saturday, and Sunday of each week, as well as national holidays on May 26, July 4 and September 1, 1997.

Each duty tour should begin between 10 A.M., and 2 P.M., however, daily work hours may be varied after mutual agreement between the Cooperators representative and the Services Contracting Officers Representative.

2. When requested by the Service, the Cooperator agrees to dispatch additional Deputies, as necessary, within manpower capabilities, to unforeseen, or emergency situations. These situations may include fire camp security and patrols. Any fire duty will be paid separately from this agreement.

3. Cooperator personnel assigned to duties in items 1, and 2 above, will be state certified law enforcement officers, or category 1 reserve officers employed by and responsible to the Multnomah County Sheriff.

4. Cooperator agrees to provide for the enforcement of State of Oregon and other local laws and regulations, which relate to the protection of the recreating public and their property.

5. It is understood by both parties that there will be patrol related and other activities, which will impact the Cooperating Deputy's time and cause him to be away from the patrol route (court, reports, or responding to incidents off the National Forest). No adjustment to this plan will be required so long as the activities are held to a reasonable minimum.

6. Rate schedule for reimbursable service: for the service identified in item 1 above, the service agrees to reimburse the Cooperator at the rate of \$42.35 per hour for the period May 22, 1997 through June 30, 1997 and \$43.54 per hour for the period July 1, 1997 through September 1, 1997. Overtime rates will be \$54.66 and \$56.25 respectively.

Total reimbursement for the service is \$27,074.60.

For services identified in item 3 above, the service agrees to reimburse the Cooperator on an actual cost basis, which will include salaries, other payroll expenses, administration costs, and equipment use and supplies.

Total amount to be paid under the terms of this operating plan cannot exceed \$31,000.

7. Itemized billings for reimbursement will be furnished at the end of each county accounting period, along with a certification the services have been performed.

The Cooperator agrees to furnish copies of the Deputy's daily activity log sheets, which will contain sufficient information for an understanding of the Deputy's activities and the time periods covered. The Cooperator also agrees to complete a Cooperative Law Enforcement Activity Report (form 5300-5) at the end of each month. A supply of the required form will be provided to the Cooperator by the Service. The Cooperator will also submit photocopies of citations, warnings, or reports generated by incidents occurring on national forest lands and responded to by the Cooperator.

Itemized billings, copies of the Deputy's daily log sheets and completed form 5300-5 will be sent to the Area Manager, Columbia River Gorge National Scenic Area, 902 Wasco Ave., Suite 200, Hood River, OR 97031.

8. It is agreed that search and rescue within the Multnomah County portion of the Mt. Hood National Forest and the portion of the Columbia River Gorge National Scenic Area within Multnomah County, is the responsibility of the Multnomah County Sheriff. It is also agreed that the role of the Deputy assigned to the duties described in item 1 above, is to take initial action on search and rescue incidents and to coordinate subsequent (short-term) activities.

9. The Service will furnish one radio for the use of the Deputy identified in item one. The Cooperator will service and maintain the radio to insure it is in good working order. The Service will retain ownership of the radio. The following described radio has been provided to the Cooperator:

One 16 channel Phoenix mobile radio serial number 4420825 **

** This radio will become obsolete by the end of the 1997 contract season as the Forest Service will be changing to narrow-banding capabilities. The above mentioned radio should be returned. A single item purchase allowance of \$1500 is granted to the Cooperator for purposes of replacing this radio if so desired. The new radio would then become the property of the Cooperator who would be responsible for the accounting, installation, and maintenance of the unit. For information regarding the new radio specifications please contact Mark Ahern in the Mt. Hood Forest Headquarters at 668-1685.

10. Designated representatives: The following persons are designated by the Service to make, or receive requests for service under this agreement.

Supervisory Law Enforcement Officer, Contracting Officer's Representative (Alternate), Mt. Hood National Forest, office 668-1789, pager 323-1676.

Mike Boynton, Archaeologist, Contracting Officers Representative, CRGNSA, office 386-2333, Home 352-1045.

The Mt. Hood Forest Supervisors Fire Management 24 hour emergency telephone answering service, 668-0181, is available for use in emergencies.

The following persons are designated as contact persons or inspectors:

Ron Barnas, Law Enforcement Officer, office 622-3191, pager 920-3086.

Mickey Lehen, Law Enforcement Officer, office 386-2333, pager 387-8040.

The following persons are designated by the Cooperator to make, or receive requests for service under this agreement.

Cpt. Melvin Hedgepeth, Multnomah County, Office 255-3600

Lt. Peter VanDyke, Multnomah County, Office 255-3600.

Sgt. John Blackman, Multnomah County, Office 255-3600.

JOINT OPERATING AND FINANCIAL PLAN

Plan Approval

FOREST SERVICE

By _____
Forest Supervisor

Date _____

BY _____
Area Manager

Date _____

COOPERATOR

By Don Noss
Sheriff

Date 4-29-97

Reviewed by County Counsel
for Multnomah County, OR

By Steve Noss

Date 5/13/97

MULTNOMAH COUNTY

By: Beverly Stein
Beverly Stein, Chair

Date: May 22, 1997

APPROVED MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-5 DATE 5/22/97
DEB BOGSTAD
BOARD CLERK

ATTACHMENT A

Patrol route A----to be patrolled daily.

The Scenic Highway to Eagle Creek, Larch Mountain area, and the Camp A Loop with special attention paid to the following:

1. Wahkeena Falls, trailhead and picnic area.
2. Multnomah Falls, vistas and parking areas.
3. Oneonta Trailhead, parking area.
4. Horsetail Falls Trailhead, parking area.
5. Nesmith Trailhead, parking area.
6. Tanner Creek Road.
7. Eagle Creek Trailhead, picnic area and campground.
8. Overlook, adjacent camping and parking areas.
9. Larch Mountain, parking areas, Camp A Loop (if open) and picnic areas.
10. Wahclella Falls Trailhead.
11. Sandy River Delta.

ATTACHMENT B

Patrol route B--secondary route to be patrolled once each week.

Route includes dispersed recreation locations along the Bonneville powerline right-of-way road from Larch Mountain to Gordon Creek road. If this area has been closed by the Forest Service and Bonneville, the patrol will only involve checking the gates at road 1509 and road 20.

RATE DETERMINATION

May 22 through June 30, 1997:

Regular salary:	\$31.45 (includes benefits)
Vehicle costs/hr	6.25
Overhead/admin	<u>4.65</u>
Total	\$42.35 per hour

Overtime rate:	\$43.76 (includes benefits)
Vehicle	6.25
	<u>4.65</u>
Total	\$54.66 per hour

July 1 through September 1, 1997: (3.3% salary increase)

Regular salary:	\$32.49
Vehicle costs/hr	6.25
Overhead/admin	<u>4.80</u>
Total	\$43.54

Overtime rate:	\$45.20
Vehicle costs/hr	6.25
Overhead/admin	<u>4.80</u>
Total	\$56.25 per hour

May 22 through June 30, 1997:

Regular days (24) X daily rate \$423.50/day (10 hr/day)	= \$10,164.00
Holidays (1) X daily O.T. rate \$546.60/day (10 hr/day)	= <u>546.60</u>
	\$10,710.60

July 1 through September 1, 1997:

Regular days (35) X daily rate \$435.40/day (10 hr/day)	= \$15,239.00
Holidays (2) X daily O.T. rate \$562.50/day (10 hr/day)	= <u>1,125.00</u>
	16,364.00

Grand total = \$27,074.60

MEETING DATE: MAY 22 1997

AGENDA #: C-6

ESTIMATED START TIME: 9:30

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: IGA with Oregon State Police

BOARD BRIEFING:

DATE REQUESTED: _____

REQUESTED BY: _____

AMOUNT OF TIME NEEDED: _____

REGULAR MEETING:

DATE REQUESTED: 5/22/97

AMOUNT OF TIME NEEDED: 1 minute

DEPARTMENT: District Attorney

DIVISION: Family Justice

CONTACT: Tom Simpson

TELEPHONE #: 248-3863

BLDG/ROOM #: 101/600

PERSON(S) MAKING PRESENTATION: _____

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

SUGGESTED AGENDA TITLE:

Renewal of Intergovernmental Agreement between Multnomah County District Attorney's Office and the Oregon State Police for evening and weekend overtime costs associated with child abuse investigations in the CAMI grant.

5/22/97 ORIGINALS to LISA THORRE

BOARD OF
COUNTY COMMISSIONERS
97 MAY 15 AM 8:32
MULTNOMAH COUNTY
OREGON

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____

(OR)

DEPARTMENT

MANAGER: _____

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Office Memorandum

MICHAEL D. SCHRUNK, District Attorney

TO: Board of County Commissioners

FROM: Michael D. Schrunk

DATE: May 14, 1997

REQUESTED PLACEMENT DATE: May 22, 1997 Consent Calendar

RE: CAMI INTERGOVERNMENTAL AGREEMENTS AND CONTRACT FOR 1997

I. Recommendation/Action Requested:
Approval

II. Background/Analysis:
The CAMI program is comprised of a multi-disciplinary child abuse intervention team with participants from Services to Children and Families, Multnomah County District Attorney's office, Legacy Emanuel CARES Tri-County Assessment Center, Portland Police Bureau, Oregon State Police, and the Gresham Police Bureau. Approval of renewed intergovernmental agreement with the Oregon State Police is requested.

III. Financial Impact:
The District Attorney's office will pay Oregon State Police up to \$4,000 for evening and weekend child abuse investigations on CAMI cases.

IV. Legal Issues:
This program was formed under ORS 418.747.

V. Controversial Issues:
None

VI. Link to Current County Policies:
Multnomah County's Urgent Benchmark to Reduce Child Abuse is furthered through the CAMI program, and is directly linked to the District Attorney's MDT Unit.

VIII. Other Government Participation:
Services to Children and Families, Portland Police Bureau, Oregon State Police, and the Gresham Police Bureau, are participating in the CAMI program.

MULTNOMAH COUNTY CONTRACT APPROVAL FORM

(See Administrative Procedures CON-1)

Renewal ☒ [X]

Contract # 500566

Prior-Approved Contract Boilerplate: Attached: Not Attached

Amendment # 1

<p style="text-align: center;">CLASS I</p> <p><input type="checkbox"/> Professional Services under \$25,000</p> <p><input checked="" type="checkbox"/> Intergovernmental Agreement under \$25,000</p>	<p style="text-align: center;">CLASS II</p> <p><input type="checkbox"/> Professional Services over \$25,000 (RFP, Exemption)</p> <p><input type="checkbox"/> PCRB Contract</p> <p><input type="checkbox"/> Maintenance Agreement</p> <p><input type="checkbox"/> Licensing Agreement</p> <p><input type="checkbox"/> Construction</p> <p><input type="checkbox"/> Grant</p> <p><input type="checkbox"/> Revenue</p>	<p style="text-align: center;">CLASS III</p> <p><input type="checkbox"/> Intergovernmental Agreement over \$25,000</p> <p style="text-align: center;">APPROVED MULTNOMAH COUNTY</p> <p style="text-align: center;">BOARD OF COMMISSIONERS</p> <p>AGENDA # <u>C-6</u> DATE <u>5/22/97</u></p> <p style="text-align: center;"><u>DEB BOGSTAD</u></p> <p style="text-align: center;">BOARD CLERK</p>
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Department: District Attorney Division: Family Justice Date: 12/16/96

Contract Originator: Lisa Moore Phone: 248-3133 Bldg/Room: 101/600

Administrative Contact: same Phone: _____ Bldg/Room: _____

Description of Contract: **This is a renewal of the 1996 contract between Multnomah County DA's office and the Oregon State Police to fund overtime costs for evening and weekend child abuse investigations on CAMI cases.**

RFP/BID #: _____ Date of RFP/BID: _____ Exemption Expiration Date: _____

ORS/AR # _____ (Check all boxes that apply) Contractor is ☐ JMBE ☐ JWBE ☐ JQRF ☒ JN/A ☐ JNone

Original Contract No. 500566 (ONLY FOR ORIGINAL RENEWALS)

<p>Contractor Name: <u>Oregon State Police</u></p> <p>Mailing Address: <u>PO Box 66470</u></p> <p style="padding-left: 40px;"><u>Portland, OR 97290</u></p> <p>Phone: <u>731-3027</u></p> <p>Employer ID# or SS#: _____</p> <p>Effective Date: <u>1/1/97</u></p> <p>Termination Date: <u>12/31/97</u></p> <p>Original Contract Amount: \$ <u>4,000.00</u></p> <p>Total Amt of Previous Amendments: \$ _____</p> <p>Amount of Amendment: \$ <u>4,000.00</u></p> <p>Total Amount of Agreement: \$ <u>8,000.00</u></p>	<p>Remittance Address (if different) _____</p> <p>_____</p> <p>_____</p> <table style="width: 100%;"> <tr> <td style="width: 50%;">Payment Schedule</td> <td style="width: 50%;">Terms</td> </tr> <tr> <td><input type="checkbox"/> Lump Sum \$ _____</td> <td><input type="checkbox"/> Due on Receipt</td> </tr> <tr> <td><input type="checkbox"/> Monthly \$ _____</td> <td><input type="checkbox"/> Net 30</td> </tr> <tr> <td><input checked="" type="checkbox"/> Other \$ <u>as billed</u></td> <td><input type="checkbox"/> Other</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Requirements contract - Requisition Required</td> </tr> <tr> <td colspan="2">Purchase Order No. _____</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Requirements Not to Exceed \$ _____</td> </tr> <tr> <td colspan="2">Encumber: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> [X]</td> </tr> </table>	Payment Schedule	Terms	<input type="checkbox"/> Lump Sum \$ _____	<input type="checkbox"/> Due on Receipt	<input type="checkbox"/> Monthly \$ _____	<input type="checkbox"/> Net 30	<input checked="" type="checkbox"/> Other \$ <u>as billed</u>	<input type="checkbox"/> Other	<input type="checkbox"/> Requirements contract - Requisition Required		Purchase Order No. _____		<input type="checkbox"/> Requirements Not to Exceed \$ _____		Encumber: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> [X]	
Payment Schedule	Terms																
<input type="checkbox"/> Lump Sum \$ _____	<input type="checkbox"/> Due on Receipt																
<input type="checkbox"/> Monthly \$ _____	<input type="checkbox"/> Net 30																
<input checked="" type="checkbox"/> Other \$ <u>as billed</u>	<input type="checkbox"/> Other																
<input type="checkbox"/> Requirements contract - Requisition Required																	
Purchase Order No. _____																	
<input type="checkbox"/> Requirements Not to Exceed \$ _____																	
Encumber: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> [X]																	

REQUIRED SIGNATURES:

Department Manager: [Signature] Date: 5/8/97

Purchasing Manager: _____ Date: _____

(Class II Contracts Only)

County Counsel: [Signature] Date: 5/8/97

County Chair/Sheriff: [Signature] Date: May 22, 1997

Contract Administration: _____ Date: _____

(Class I, Class II Contracts Only)

VENDOR CODE				VENDOR NAME				TOTAL AMOUNT: \$			
LINE NO.	FUND	AGENCY	ORGANIZATION	SUB ORG	ACTIVITY	OBJECT/REV SRC	SUB OBJ	REPT CATEG	LGFS DESCRIP	AMOUNT	INC DEC
01	156	023	2437			6060			Pass-through	\$4,000.00	
02											
03											

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

DISTRIBUTION: Original Signatures - Contract Administration, Initiator, Finance

**Multnomah County / Oregon State Police
Intergovernmental Agreement
for the 1997 CAMI Grant**

March 12, 1997

The Oregon State Police (OSP) and the County of Multnomah by and through Multnomah County District Attorney's office (MCDA) agree as follows:

A. GENERAL SCOPE

The CAMI Grant provides funding from the Child Abuse Multidisciplinary Intervention Account to Multnomah County District Attorney's office as outlined in ORS 418.746 and 418.747.

Chapter 190 of the Oregon Revised Statutes provides for intergovernmental agreements. Therefore, the MCDA and the OSP agree to the following:

1. OSP agrees to provide officers specially trained in conducting child abuse investigations during evening hours and on weekends to respond to child abuse referrals.

2. OSP shall submit invoices up to a maximum of \$4,000 for evening and weekend overtime worked by officers conducting child abuse investigations on a quarterly basis as follows:

January 1, 1997 - March 31, 1997	By 4/22/97
April 1, 1997 - June 30, 1997	Estimate by 7/1/97
	By 7/22/97
July 1, 1997 - September 30, 1997	By 10/21/97
October 1, 1997 - December 31, 1997	Estimate by 12/31/97
	Final by 1/20/98

3. OSP shall have administrative authority for the establishment of standards and performance of the detectives assigned to child abuse investigations.

B. TERM

This agreement shall extend from January 1, 1997 through and including December 31, 1997.

C. INDEMNIFICATION

Subject to the limitations and conditions of the Oregon Constitution and statutes, OSP and the County shall each be solely responsible for any loss or injury caused to third parties arising from OSP's or the County's own acts or omissions under the agreement. OSP and the County shall defend, hold harmless and indemnify the other party to this agreement with respect to any claim, litigation, or liability arising from OSP's or the County's own acts or omissions under this agreement.

D. TERMINATION

1. This agreement may be terminated upon 60 days mutual written consent of the parties or upon 90 days written notice by one of the parties.

2. Termination under any provision of this paragraph shall not affect any rights, obligations, or liability of OSP or MCDA which accrues prior to such termination.

E. MODIFICATION

This agreement may be modified by mutual consent of the parties. Any modification to provisions of this agreement shall be reduced to writing and signed by the parties.

F. INTEGRATION

This agreement contains the entire agreement between the parties and supersedes all prior written and oral agreements.

G. NOTICES

All notices pursuant to the terms of this agreement shall be addressed as follows:

Notices to OSP:

Sgt. Jim Hinkley
Oregon State Police

Notices to the County:

Mike Schrunk, District Attorney
Multnomah County DA's Office

Oregon State Police

By: _____
OSP Contracts Manager Date

County of Multnomah, Oregon

By: Michael D. Schrunk 3-14-97
Michael D. Schrunk, District Attorney Date

By: Beverly Stein May 22, 1997
Beverly Stein, County Chair Date

Reviewed by:

Sandra Duffy
Acting County Counsel

By: Matthew O. Ryan
Date: 5/8/97

APPROVED MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-6 DATE 5/22/97
DEB BOGSTAD
BOARD CLERK

MEETING DATE: MAY 22 1997

AGENDA #: C-7

ESTIMATED START TIME: 9:30 am

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: IGA with Portland Police Bureau

BOARD BRIEFING:

DATE REQUESTED: _____

REQUESTED BY: _____

AMOUNT OF TIME NEEDED: _____

REGULAR MEETING:

DATE REQUESTED: 5/22/97

AMOUNT OF TIME NEEDED: 1 minute

DEPARTMENT: District Attorney

DIVISION: Family Justice

CONTACT: Tom Simpson

TELEPHONE #: 248-3863

BLDG/ROOM #: 101/600

PERSON(S) MAKING PRESENTATION: _____

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

SUGGESTED AGENDA TITLE:

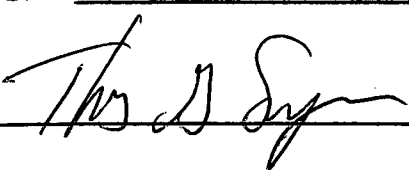
Renewal of Intergovernmental Agreement between Multnomah County District Attorney's Office and the Portland Police Bureau for evening and weekend overtime costs associated with child abuse investigations in the CAMI grant.

5/22/97 originals to Lisa Moore

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____

(OR)

DEPARTMENT
MANAGER: 

BOARD OF
COUNTY COMMISSIONERS
97 MAY 15 AM 8:31
MULTNOMAH COUNTY
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Office Memorandum

MICHAEL D. SCHRUNK, District Attorney

TO: Board of County Commissioners

FROM: Michael D. Schrunk

DATE: May 14, 1997

REQUESTED PLACEMENT DATE: May 22, 1997 Consent Calendar

RE: CAMI INTERGOVERNMENTAL AGREEMENTS AND CONTRACT FOR 1997

I. Recommendation/Action Requested:
Approval

II. Background/Analysis:
The CAMI program is comprised of a multi-disciplinary child abuse intervention team with participants from Services to Children and Families, Multnomah County District Attorney's office, Legacy Emanuel CARES Tri-County Assessment Center, Portland Police Bureau, Oregon State Police, and the Gresham Police Bureau. Approval of renewed intergovernmental agreement with the Portland Police Bureau is requested.

III. Financial Impact:
The District Attorney's office will pay Portland Police Bureau up to \$20,000 for evening and weekend child abuse investigations on CAMI cases.

IV. Legal Issues:
This program was formed under ORS 418.747.

V. Controversial Issues:
None

VI. Link to Current County Policies:
Multnomah County's Urgent Benchmark to Reduce Child Abuse is furthered through the CAMI program, and is directly linked to the District Attorney's MDT Unit.

VIII. Other Government Participation:
Services to Children and Families, Portland Police Bureau, Oregon State Police, and the Gresham Police Bureau, are participating in the CAMI program.

MULTNOMAH COUNTY CONTRACT APPROVAL FORM

(See Administrative Procedures CON-1)

Renewal ☒ [X]

Contract # 700035

Prior-Approved Contract Boilerplate: Attached: ☐ Not Attached ☐

Amendment # 2

<p style="text-align: center;">CLASS I</p> <p><input type="checkbox"/> Professional Services under \$25,000</p> <p><input type="checkbox"/> Intergovernmental Agreement under \$25,000</p>	<p style="text-align: center;">CLASS II</p> <p><input type="checkbox"/> Professional Services over \$25,000 (RFP, Exemption)</p> <p><input type="checkbox"/> PCRB Contract</p> <p><input type="checkbox"/> Maintenance Agreement</p> <p><input type="checkbox"/> Licensing Agreement</p> <p><input type="checkbox"/> Construction</p> <p><input type="checkbox"/> Grant</p> <p><input type="checkbox"/> Revenue</p>	<p style="text-align: center;">CLASS III</p> <p><input checked="" type="checkbox"/> Intergovernmental Agreement over</p> <p style="text-align: center;">APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS</p> <p>AGENDA # <u>C-7</u> DATE <u>5/22/97</u></p> <p style="text-align: center;"><u>DEB BOGSTAD</u> BOARD CLERK</p>
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Department: District Attorney Division: Family Justice Date: 12/16/96

Contract Originator: Lisa Moore Phone: 248-3133 Bldg/Room: 101/600

Administrative Contact: same Phone: Bldg/Room:

Description of Contract: **This is a renewal of the 1996 contract between Multnomah County DA's office and the Portland Police Bureau to fund overtime costs for evening and weekend child abuse investigations on CAMI cases.**

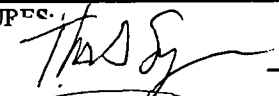
RFP/BID #: Date of RFP/BID: Exemption Expiration Date:

ORS/AR # (Check all boxes that apply) Contractor is ☐ JMBE ☐ JWBE ☐ JQRF ☒ [X] N/A ☐ [None]

Original Contract No. 700035 (ONLY FOR ORIGINAL RENEWALS)

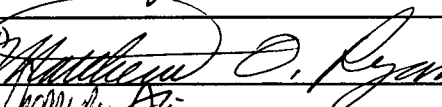
<p>Contractor Name: <u>Portland Police Bureau</u></p> <p>Mailing Address: <u>1111 SW 2nd Av., 12th Floor</u></p> <p style="text-align: center;"><u>Portland, OR 97204</u></p> <p>Phone: <u>823-0032</u></p> <p>Employer ID# or SS#: <u></u></p> <p>Effective Date: <u>1/1/97</u></p> <p>Termination Date: <u>12/31/97</u></p> <p>Original Contract Amount: \$ <u>20,000.00</u></p> <p>Total Amt of Previous Amendments: \$ <u>20,000.00</u></p> <p>Amount of Amendment: \$ <u>20,000.00</u></p> <p>Total Amount of Agreement: \$ <u>60,000.00</u></p>	<p>Remittance Address (if different) <u></u></p> <p><u></u></p> <p><u></u></p> <p>Payment Schedule Terms</p> <p><input type="checkbox"/> [Lump Sum \$ <u></u> <input type="checkbox"/> [Due on Receipt</p> <p><input type="checkbox"/> [Monthly \$ <u></u> <input type="checkbox"/> [Net 30</p> <p><input checked="" type="checkbox"/> [X] Other \$ <u>quarterly as billed</u> <input type="checkbox"/> [Other</p> <p><input type="checkbox"/> [Requirements contract - Requisition Required</p> <p>Purchase Order No. <u></u></p> <p><input type="checkbox"/> [Requirements Not to Exceed \$ <u></u></p> <p>Encumber: Yes <input type="checkbox"/> [] No <input checked="" type="checkbox"/> [X]</p>
---	--


REQUIRED SIGNATURES:

Department Manager:  Date: 5/8/97

Purchasing Manager: Date:

(Class II Contracts Only)

County Counsel:  Date: 5/8/97

County Chair/Sheriff:  Date: May 22, 1997

Contract Administration: Date:

(Class I, Class II Contracts Only)

VENDOR CODE				VENDOR NAME				TOTAL AMOUNT: \$			
LINE NO.	FUND	AGENCY	ORGANIZATION	SUB ORG	ACTIVITY	OBJECT/ REV SRC	SUB OBJ	REPT CATEG	LGFS DESCRIP	AMOUNT	INC DEC
01	156	023	2437			6060			Pass-through	\$20,000.00	
02											
03											

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

DISTRIBUTION: Original Signatures - Contract Administration, Initiator, Finance

**Multnomah County / City of Portland
Intergovernmental Agreement
for the 1997 CAMI Grant**

March 12, 1997

The City of Portland Police Bureau (PPB) and the County of Multnomah by and through Multnomah County District Attorney's office (MCDA) agree as follows:

A. GENERAL SCOPE

The CAMI Grant provides funding from the Child Abuse Multidisciplinary Intervention Account to Multnomah County District Attorney's office in accordance with the grant application and award documents.

Chapter 190 of the Oregon Revised Statutes provides for intergovernmental agreements. Therefore, the MCDA and the PPB agree to the following:

1. PPB agrees to provide detective specially trained in conducting child abuse investigations during evening hours and on weekends to respond to child abuse referrals.

2. PPB shall have administrative authority for the establishment of standards and performance of the police detectives assigned to child abuse investigations.

3. PPB shall submit invoices in the amount of \$13,476 on a quarterly basis as follows. The total amount of this contract is \$59,996.

January 1, 1997 - March 31, 1997	By 4/20/97
April 1, 1997 - June 30, 1997	By 7/21/97
July 1, 1997 - September 30, 1997	By 10/20/97
October 1, 1997 - December 31, 1997	By 1/20/98

4. In the event of a dispute between the parties as to the extent and the nature of the duties and function of the PPB detectives assigned to child abuse investigations, the resolution shall be made by the Chief of Police and the District Attorney or their delegated representatives.

B. TERM

This agreement shall extend from January 1, 1997 through and including December 31, 1997.

C. INDEMNIFICATION

Subject to the limitations and conditions of the Oregon Constitution and statutes, PPB and the County shall each be solely responsible for any loss or injury caused to third parties arising from PPB's or the County's own acts or omissions under the agreement. PPB and the County shall defend, hold harmless and indemnify the other party to this agreement with respect to any claim, litigation, or liability arising from PPB's or the County's own acts or omissions under this agreement.

D. TERMINATION

1. This agreement may be terminated upon 60 days mutual written consent of the parties or upon 90 days written notice by one of the parties.

2. Termination under any provision of this paragraph shall not affect any rights, obligations, or liability of PPB or MCDA which accrues prior to such termination.

E. MODIFICATION

This agreement may be modified by mutual consent of the parties. Any modification to provisions of this agreement shall be reduced to writing and signed by the parties.

F. INTEGRATION

This agreement contains the entire agreement between the parties and supersedes all prior written and oral agreements.

G. NOTICES

All notices pursuant to the terms of this agreement shall be addressed as follows:

Notices to the City:

Charles Moose, Police Chief
Portland Police Bureau

Notices to the County:

Mike Schrunk, District Attorney
Multnomah County DA's Office

City of Portland, Oregon

By: _____
Charles Moose, Police Chief Date

By: _____
Barbara Clark, City Auditor Date

County of Multnomah, Oregon

By: Michael D. Schrunk 3-14-97
Michael D. Schrunk, District Attorney Date

By: Beverly Stein May 22, 1997
Beverly Stein, County Chair Date

Reviewed by:
Jeffrey L. Rogers
City Attorney

Sandra Duffy
Acting County Counsel

By: _____
Date: _____

By: Matthew O'Brien
Date: May 8, 1997

APPROVED MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-7 DATE 5/22/97
DEB BOGSTAD
BOARD CLERK

1120 S.W. 5th Room 1515
Portland Ore

Oregon City Ore

5-9-97
2:00 PM

97045

DEAR Beverly Stein,

Multnomah County Code 5.10 States
"All legislative Action by the County shall be by
Ordinance."

Multnomah County's Animal Control uses
A procedure call emergency Animal Rescue. This
procedure is used to seize Animals from private
property. Also, the procedure states that all
rights to the Animals can be forfeited ~~with~~ without
A hearing.

I believe that the Above is and has
been legislative Action. What is the Multnomah
County Code for emergency Animal Rescue?

If emergency Animal Rescue does not
have A code number then is emergency
Animal Rescue A Secret Law?

The history of Secret laws
has been one of Abuse of Civil Rights.

As An elected official would you
Ask the Oregon State Justice Department
or the F.B.I. to investigate for Abuses
of civil Rights?

I have not recieved responses to
my last three letters to your office. Please
respond within 144 hours.

An elected official needs to step forward. Sincerely yours
Thomas Bull
Cc. Multnomah County & Portland elected officials.

Thomas Bullhorn

104 10th St Oregon City Ore

#1

PLEASE PRINT LEGIBLY!MEETING DATE May 22, 1997

NAME

Tom CROPPER

ADDRESS

PO Box 18029

STREET

Portland97218

CITY

ZIP

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

SUPPORT

OPPOSE

SUBMIT TO BOARD CLERK

#2

PLEASE PRINT LEGIBLY!MEETING DATE 5-22-97

NAME

Thomas Buchholz

ADDRESS

109 10th St.

STREET

Oregon Cityore 97045

CITY

ZIP

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

SUPPORT

OPPOSE

SUBMIT TO BOARD CLERK

EMERGENCY ANIMAL RESCUE**PURPOSE**

To provide appropriate response from MCAC in situations where an animal needs to be removed from private property on an emergency basis, for the animals immediate safety.

INFORMATION

MCAC impounds animals following Emergency Animal Rescue procedures under situations where an animal(s) is on or in private property and where evidence exists that the animal is in immediate physical danger. Examples include, but are not limited to, injured animals, sick animals, animals left in "hot cars," abandoned animals (more than 24 hours), animals confined without shelter in inclement weather, or any similar emergency situation.

ACTION TAKEN BY OFFICER

1. Officer shall impound animal, requesting assistance or back-up if necessary, via Field Supervisor.
2. Initiate an Incident Report, which includes the reason for Emergency Animal Rescue. Report shall include names and addresses of witnesses, any statements made, and information as to any evidence collected.
3. Complete Notice of Impoundment Receipt.
 - A. White copy (original) attach to Incident Report.
 - B. Canary copy - attach to ARF with a copy of Incident Report.
 - C. Pink copy - post the green copy securely and conspicuously on vehicle, residence or building.
 - D. Goldenrod - give to legal agent standing by, if applicable.
4. Officer may make recommendations to the Shelter Supervisor regarding the waiving of fees in the comments section on the ARF.

FOLLOW UP ACTION

MCAC staff processing redemption shall complete canary copy of NIR receipt and route to Field Supervisor, with copy of Incident Report, for completion and follow up as necessary.

NOTICE OF ANIMAL IMPOUNDMENT FORM

Complete Notice of Animal Impoundment Form in the following manner:

1. MCAC R#.
2. Enter date that animal(s) were impounded.
3. Enter time that animal(s) were impounded.
4. Check only one box, as appropriate for incident.
5. Enter name of law enforcement agency requesting MCAC assistance (example: Portland Police, Gresham, Multnomah County Civil Deputy).
6. Name of Law Enforcement Officer.
7. Enter brief description of conditions requiring impoundment (i.e. animal left in hot car, animal injured-H.E.C.).
8. Enter location from which animals were taken, (i.e. street address, intersection, business, etc.).
9. Enter description of animal, including breed, color age, and sex.
10. Enter ARF#.
11. Enter name of MCAC personnel impounding animal.
12. Enter owner's name, if known.
13. Enter owner's complete address, if known.
14. Enter description of vehicle involved in incident, if applicable.
15. Enter license # of vehicle described in (14) including state, if applicable.



Multnomah County Animal Control
24450 W. Columbia Hwy.
Troutdale, OR 97060

Report # _____ (1) _____

Impoundment Date _____ (2) _____ Time _____ (3) _____

NOTICE OF ANIMAL IMPOUNDMENT

Your animal(s) has been impounded by Multnomah County Animal Control or its agents for the following reasons:

- (4) _____ Protective Custody, at the request of _____ (5) _____
Officer's Name _____ (6) _____ BPST# _____
Incident # _____
_____ Emergency Animal Rescue, (for animal's immediate welfare).
Reason for impoundment _____ (7) _____

Animal(s) impounded
from: _____ (8) _____
Description of
animal(s): _____ (9) _____
ARP # _____ (10) _____
Animal(s) impounded
by: _____ (11) _____
Owner's name: _____ (12) _____
Owner's address: _____ (13) _____
Vehicle: _____ (14) _____
License Plate #: _____ (15) _____

COPIES: white - MCAC Records
canary - Impound Facility
pink - Owner's Copy
Goldenrod - Agency Requesting Impoundment,
(if applicable)

Your animal(s) has been taken to the Multnomah County Animal Control Shelter in Troutdale, OR. The shelter is open to the public from Noon-7 pm, Monday-Friday and Noon to 5 pm, on Saturday. Closed Sunday and Holidays.

The animal(s) will be held for 144 hours (six (6) days, from the date of impoundment given above.

During that time, you must call the shelter to make arrangements for the animal(s).

CALL: 667-7387 between the hours of 9:30-7 pm, Monday-Friday, and 9:30-5 pm, on Saturday.

If the animal(s) is not claimed during this time, it becomes the property of Multnomah County for whatever disposition it deems most humane.

This should be an Ordinance

BUDGET MODIFICATION NO.

DA # 7

(For Clerk's Use) Meeting Date MAY 22 1997
Agenda No. R-2

1. REQUEST FOR PLACEMENT ON THE AGENDA FOR

DEPARTMENT District Attorney
CONTACT Lisa Moore(Date)
DIVISION Family Justice
TELEPHONE 248-3133

* NAME(S) OF PERSON MAKING PRESENTATION TO BOARD

SUGGESTED
AGENDA TITLE

(to assist in preparing a description for the printed agenda)

New Violence Against Women Act Grant that provides funding to enhance the District Attorney's Domestic Violence Unit staff with one additional Deputy District Attorney.

(Estimated Time Needed on the Agenda)

2. DESCRIPTION OF MODIFICATION

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

☒ X

Personnel changes are shown in detail on the attached sheet

This provides continued funding for one deputy district attorney, a professional services contract with Bradley-Angle House to establish a Training and Information Exchange Forum, training for DA staff members, and a personal computer for the new prosecutor.

3. REVENUE IMPACT

(Explain revenues being changed and reason for the change)

The VAWA grant will provide \$40,000 in new grant funds from the Criminal Justice Services Division. Grant match for this program is \$13,337, which will come from the DA's Domestic Violence Unit.

4. CONTINGENCY STATUS

(to be completed by Budget & Planning)

Fund Contingency before this modification (as of

Date

After this modification

\$

\$

Originated By

Lisa Moore

Date

04/02/97

Department Director

Tom Simpson

Date

04/02/97

Plan/Budget Analyst

Karyne Dargatz

Date

4/15/97

Employee Services

C. Williams

Date

Board Approval

Deborah C. Boggs

Date

5/22/97

BOARD OF
COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
97 MAY 12 AM 10:55

PERSONNEL DETAIL FOR BUDGET MODIFICATION NO.

DA # 7

5. ANNUALIZED PERSONNEL CHANGES

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

FTE Increase (Decrease)	POSITION TITLE	BASE PAY Increase (Decrease)	ANNUALIZED		TOTAL Increase (Decrease)
			Increase/(Decrease)		
			Fringe	Ins.	
1.00	Deputy District Attorney I	\$46,019	\$8,058	\$4,116	\$58,193
1	TOTAL CHANGE (ANNUALIZED)	\$46,019	\$8,058	\$4,116	\$58,193

6. CURRENT YEAR PERSONNEL DOLLAR CHANGES

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

Permanent Positions, Temporary, Overtime, or Premium	Explanation of Change	BASE PAY Increase (Decrease)	CURRENT FY		TOTAL Increase (Decrease)
			Increase/(Decrease)		
			Fringe	Ins.	
1.00 for 3 months	Add Deputy DA I from 4/1/97 - 6/30/97	\$13,806	\$2,417	\$1,235	\$17,458
TOTAL CURRENT FISCAL YEAR CHANGES		\$13,806	\$2,417	\$1,235	\$17,458

**EXPENDITURE
TRANSACTION**

Document Number	Action	Fund	Agency	Organi- zation	Activity	Reporting Category	Object	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
		100	023	2431			5100			(\$7,283)		Transfer from salary savings in DV
		100	023	2400			7608			\$7,283		Cash transfer to GF
		100	075	9120			7700			\$1,618		Indirect fund transfer
											\$1,618	Sub-total
		156	023	2438			5100			\$13,806		Permanent (new DDA II)
		156	023	2438			5500			\$2,417		Fringe
		156	023	2438			5550			\$1,235		Insurance
		156	023	2438			6310			\$1,000		Education & Training
		156	023	2438			6110			\$4,200		Professional Services
		156	023	2438			7100			\$1,618		Indirect
											\$24,276	Sub-total
		400	50	7531			6580			\$1,235		Insurance fund transfer
											\$1,235	Sub-total

TOTAL EXPENDITURE CHANGE

\$27,129	\$27,129
----------	----------

**REVENUE
TRANSACTION**

Document Number	Action	Fund	Agency	Organi- zation	Activity	Reporting Category	Revenue/ Object	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
		156	023	2438			new			\$16,993		New VAWA grant revenue
		156	023	2438			7601			\$7,283		Match from DV Unit to VAWA
		400	050	7040			6602			\$1,235		Insurance fund transfer
		100	050	7410			6602			\$1,618		Indirect fund transfer

TOTAL REVENUE CHANGE

\$27,129	\$0
----------	-----

Office Memorandum MICHAEL D. SCHRUNK, District Attorney

TO: Board of County Commissioners

FROM: Michael D. Schunk

DATE: 04/02/97

REQUESTED PLACEMENT DATE:

RE: Violence Against Women Act Grant

I. Recommendation/Action Requested:
Approval

II. Background/Analysis:
The Violence Against Women Act (VAWA) Grant provides funding for one FTE deputy district attorney who will work with community resources and womens shelter homes to provide outreach to organizations representing underserved populations and the Domestic Violence Unit of the District Attorney's office.

III. Financial Impact:
This grant provides \$40,000 in new grant revenue from January 1, 1997 through December 31, 1997.

IV. Legal Issues:
None

V. Controversial Issues:
None

VI. Link to Current County Policies:
The VAWA grant will further enhance Multnomah County's Urgent Benchmark to reduce domestic and spousal abuse.

VIII. Other Government Participation:
This grant is funded by the Criminal Justice Services Division through the Oregon State Police.

**OREGON DEPARTMENT OF STATE POLICE
CRIMINAL JUSTICE SERVICES DIVISION
VIOLENCE AGAINST WOMEN ACT GRANT PROGRAM**

GRANT AWARD CONDITIONS AND CERTIFICATIONS

PROJECT NAME:	Prosecution Outreach to Underserved Populations	GRANT NO:	#96-812
GRANTEE:	Multnomah Co. District Attorney's Office	FY 1996 AWARD:	\$40,000
ADDRESS:	1021 SW Fourth Avenue, Room 600 Portland, OR 97204-1193	AWARD PERIOD:	1/1/97 thru 12/31/97
PROJECT MANAGER:	Rod Underhill	TELEPHONE:	(503) 248-3876
FISCAL MANAGER:	Kelly Bacon	TELEPHONE:	(503) 248-3105
		FAX:	

BUDGET

INCOME

Federal Grant Funds	\$40,000	
Local Funds	13,337	
		TOTAL INCOME: \$53,337

EXPENSES

Salaries	\$42,837	
Contract Services	4,200	
Conferences/Training	400	
Travel	600	
Equipment	5,300	
		TOTAL EXPENSES: \$53,337

This document with the conditions of award, the grant application attached hereto, the Violence Against Women Act Grants Management Handbook and any other document referenced, constitutes an agreement between the Criminal Justice Services Division (CJSD) of the Department of State Police and the Grantee. No waiver, consent, modification or change of terms of this contract shall be binding unless agreed to in writing and signed by both the Grantee and CJSD. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this contract. Grantee, by signature of its authorized representative, hereby acknowledges that he/she has read this contract, understands it, and agrees to be bound by its terms and conditions (including all references to other documents). Failure to comply with this agreement and with applicable state and federal rules and guidelines may result in the withholding of reimbursement, the termination of the agreement, denial of future grants, and/or damages to CJSD.

CONDITIONS OF AWARD

General Provisions

1. The Grantee agrees to operate the project as described in the application and to expend funds in accordance with the approved budget unless the Grantee receives prior written approval by CJSD to modify the project or budget. CJSD may withhold funds for any expenditure not within the approved budget or in excess of budget amounts approved by CJSD. Failure of the Grantee to operate the program in accordance with written agreed upon objectives contained in the grant application or budget will be grounds for immediate suspension and/or termination of the grant agreement.
2. The Grantee agrees to comply with the provisions of all applicable state and federal laws, rules and regulations, and the most recent version of the Violence Against Women Act Grants Management Handbook published by CJSD.
3. The Grantee agrees that all public statements referring to the project must state that funds for this project come from the U.S. Department of Justice, Violence Against Women Act Grant Program and must state the percent or dollar amount of federal funds used in the project.
4. The Grantee agrees to maintain accounting and financial records in accordance with Generally Accepted Accounting Principles (GAAP) and the standards of the Office of Justice Programs set forth in the OJP Guideline Manual (OJP M 7100.IE) or most current version. It is the responsibility of the Grantee to obtain a copy of the OJP Guideline Manual from the Office of Justice Programs and apprise themselves of all rules and regulations set forth.
5. The Grantee acknowledges that all project funds, grant and match, are fungible and that all rules which apply to grant funds apply to match funds. Grantee acknowledges by accepting grant funds that all reported program match is either cash or in-kind and not other federal funds.
6. Failure of the Grantee to submit the required financial, program or audit reports, or to resolve financial, program, or audit issues may result in a suspension of the grant payments and/or termination of grant agreement.
7. All financial records, supporting documents, statistical records and all other records pertinent to grants or contracts under grants shall be retained by Grantee for at least 3 years for purposes of State of Oregon or Federal examination and audit. CJSD, Oregon Secretary of State, and the Comptroller General of the United States, or any of their authorized representatives, shall have the right of access to any pertinent books, documents, papers, or other records of grantees and subgrantees which are pertinent to the grant, in order to make audits, examinations, excerpts, and transcripts. The rights of access is not limited to the required retention period but shall last as long as the records are retained.
8. Grantee shall, to the extent permitted by the Oregon Constitution and by the Oregon Tort Claims Act, defend, save, hold harmless, and indemnify the State of Oregon and CJSD, their officers, employees, agents, and members from all claims, suits and actions of whatsoever nature resulting from or arising out of the activities of Grantee, its officers, employees, or agents under this grant.

Grantee shall require any subcontractor to defend, save, hold harmless and indemnify the State of Oregon, Criminal Justice Services and the Oregon State Police, their officers, employees, agents, and members, from all claims, suits or actions of whatsoever nature resulting from or arising out of the activities of subcontractor under or pursuant to this grant.

Grantee shall, if liability insurance is required of any subcontractor, also require subcontractor to provide that the State of Oregon, Criminal Justice Services and Oregon State Police and their officers, employees and members are Additional Insureds, but only with respect to the subcontractor's services performed under this grant.

Progress Reports

The Grantee agrees to submit a report each quarter on its progress in meeting each of its agreed upon objectives. All progress reports must be cumulative. The report shall address each objective set forth in the application. Reports must be received not later than April 30, 1997, July 31, 1997, October 31, 1997, and January 31, 1998. Any progress report that is outstanding for more than one month past the due date may cause the suspension and/or termination of the grant. Grantee must receive prior written approval from CJSD to extend a progress report requirement past its due date.

Reimbursement

1. In order to receive reimbursement, the Grantee agrees to submit signed Expense Reports and Requests for Reimbursement (ERRRs). ERRRs must be received not later than April 30, 1997, July 31, 1997, October 31, 1997, and January 31, 1998. Grantees must include copies of invoices or other supporting documentation along with the reimbursement request to validate project expenditures. Reimbursements for expenses will be withheld if progress reports are not submitted by the specified dates or are incomplete. Any ERRR that is outstanding for more than one month past the due date may cause the suspension and/or termination of the grant. Grantee must receive prior written approval from CJSD to extend an ERRR requirement past its due date.
2. Reimbursement rates for travel expenses shall not exceed those allowed by the State of Oregon. Requests for reimbursement for travel must be supported with a detailed statement identifying the person who traveled, the purpose of the travel, the times, dates, and places of travel, and the actual expenses or authorized rates incurred.
3. When requesting reimbursement for equipment costing over \$300, the Grantee agrees to provide a description of the equipment, purchase price, date of purchase, and identifying numbers if any.
4. Reimbursements will only be made for actual expenses incurred during the grant period. The Grantee agrees that no grant funds may be used for expenses incurred before January 1, 1997 or after December 31, 1997.
5. Grantee shall be accountable for and shall repay any overpayment, audit disallowances or any other breach of grant that results in a debt owed to the Federal Government. CJSD shall apply interest, penalties, and administrative costs to a delinquent debt owed by a debtor pursuant to the Federal Claims Collection Standards and OMB Circular A-129.

Supplanting

1. The Grantee certifies that federal funds will not replace state or local funds that would in the absence of federal aid be available for projects within the VAWA 7 Authorized Program Areas.
2. The Grantee certifies that funds required to pay the non-Federal portion of the project shall be in addition to funds that would otherwise be available for projects within the VAWA 7 Authorized Program Areas.

Audit Report

The Grantee agrees to give CJSD a copy of the audit report conducted pursuant to ORS 297.425 through 297.466 for each period in which the Grantee received or spent project funds at the time the Grantee files a copy of the audit report with the Secretary of State.

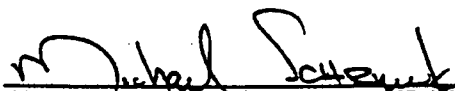
**Debarment, Suspension, Ineligibility and Voluntary Exclusion
Lower Tier Covered Transactions**

(The following is required by the regulations published May 26, 1988, implementing Executive Order 12549, Debarment and Suspension, 28 CFR Part 67.510, participants' responsibilities.) The grantee certifies by accepting grant funds that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, nor voluntarily excluded from participation in this transaction by any Federal department or agency.

Certification Regarding Drug Free Workplace Requirements

The grantee certifies that it will provide a drug-free workplace by:

- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- b. Establishing a drug-free awareness program to inform employees about:
 1. The dangers of drug abuse in the workplace;
 2. The grantee's policy of maintaining a drug-free workplace;
 3. Any available drug counseling, rehabilitation, and employee assistance programs; and
 4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
- c. Requiring that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a).
- d. Grantee agrees to submit a copy of statement of drug-free policy for CJSD files.



Signature of Authorized Grantee Official

1-10-97

Date

Michael D. Schrunk, Multnomah County District Attorney

Name/Title:

Approved for CJSD:



Name/Title: Beverlee Venell, Grants Manager

1/21/97

Date:

MEETING DATE: MAY 22 1997

AGENDA #: R-3

ESTIMATED START TIME: 9:35 am

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Seized Vehicle Agreement Between the DA's Office and Portland Police Bureau

BOARD BRIEFING:

DATE REQUESTED: _____

REQUESTED BY: _____

AMOUNT OF TIME NEEDED: _____

REGULAR MEETING:

DATE REQUESTED: 5/15/97

AMOUNT OF TIME NEEDED: 2 minutes

DEPARTMENT: District Attorney

DIVISION: Neighborhood DA

CONTACT: Lisa Moore

TELEPHONE #: 248-3133

BLDG/ROOM #: 101/600

PERSON(S) MAKING PRESENTATION: _____

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

SUGGESTED AGENDA TITLE:

Intergovernmental Agreement between the District Attorney's Office and Portland Police Bureau to allow Neighborhood Based Prosecutors to use seized vehicles in the scope of their work in the community.

5/22/97 originals to Lisa Moore

SIGNATURES REQUIRED:

ELECTED OFFICIAL: *Michael Schenk*
(OR)
DEPARTMENT
MANAGER: _____

BOARD OF
COUNTY COMMISSIONERS
97 MAY - 8 AM 11:47
MULTNOMAH COUNTY
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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

Office Memorandum

MICHAEL D. SCHRUNK, District Attorney

TO: Board of County Commissioners

FROM: Michael D. Schrunk

DATE: 05/05/97

REQUESTED PLACEMENT DATE: May 15, 1997

RE: Seized Vehicle IGA Between Portland Police Bureau and the District Attorney's Office

I. Recommendation/Action Requested:
Approval

II. Background/Analysis:
The Neighborhood Based Prosecutors are currently using vehicles that have been seized by the Portland Police Bureau as job related transportation to attend meetings and conduct business. An informal agreement was reached quite some time ago. Now, we are formalizing this agreement with the attached IGA.

III. Financial Impact:
None

IV. Legal Issues:
ORS 190 provides for intergovernmental agreements.

V. Controversial Issues:
None

VI. Link to Current County Policies:
N/A

VIII. Other Government Participation:
Portland Police Bureau

MULTNOMAH COUNTY CONTRACT APPROVAL FORM

(See Administrative Procedures CON-1)

Renewal ☐

Contract # 500727

XPrior-Approved Contract Boilerplate: ☐ Attached: ☐ Not Attached: ☐

Amendment # _____

<p style="text-align: center;">CLASS I</p> <p><input type="checkbox"/> Professional Services under \$25,000</p> <p><input type="checkbox"/> Intergovernmental Agreement under \$25,000</p>	<p style="text-align: center;">CLASS II</p> <p><input type="checkbox"/> Professional Services over \$25,000 (RFP, Exemption)</p> <p><input type="checkbox"/> PCRB Contract</p> <p><input type="checkbox"/> Maintenance Agreement</p> <p><input type="checkbox"/> Licensing Agreement</p> <p><input type="checkbox"/> Construction</p> <p><input type="checkbox"/> Grant</p> <p><input type="checkbox"/> Revenue</p>	<p style="text-align: center;">CLASS III</p> <p><input checked="" type="checkbox"/> Intergovernmental Agreement over \$25,000</p> <p style="text-align: center;">APPROVED MULTNOMAH COUNTY</p> <p style="text-align: center;">BOARD OF COMMISSIONERS</p> <p>AGENDA # <u>R-3</u> - DATE <u>5/22/97</u></p> <p style="text-align: center;"><u>DEB BOGSTAD</u></p> <p style="text-align: center;">BOARD CLERK</p>
---	--	--

Department: District Attorney Division: Administration Date: 4/8/97

Contract Originator: Lisa Moore Phone: 248-3133 Bldg/Room: 101/600

Administrative Contact: same Phone: _____ Bldg/Room: _____

Description of Contract: This is an intergovernmental agreement between the City of Portland and Multnomah County for use of seized motor vehicles by the District Attorney's office Neighborhood Based DA program.

RFP/BID #: _____ Date of RFP/BID: _____ Exemption Expiration Date: _____

ORS/AR # _____ (Check all boxes that apply) Contractor is ☐ JMBE ☐ WBE ☐ ESB ☐ JQRF ☐ JVA ☐ None

Original Contract No. _____ (ONLY FOR ORIGINAL RENEWALS)

<p>Contractor Name: <u>Sgt. Roger Hediger, PPB</u></p> <p>Mailing Address: <u>1111 SW 2nd Avenue</u></p> <p style="padding-left: 40px;"><u>Portland, OR 97204</u></p> <p>Phone: _____</p> <p>Employer ID# or SS#: _____</p> <p>Effective Date: <u>5/1/97</u></p> <p>Termination Date: _____</p> <p>Original Contract Amount: \$ <u>0</u></p> <p>Total Amt of Previous Amendments: \$ _____</p> <p>Amount of Amendment: \$ _____</p> <p>Total Amount of Agreement: \$ _____</p>	<p>Remittance Address (if different) _____</p> <p>_____</p> <p>_____</p> <p>Payment Schedule/Terms</p> <p><input type="checkbox"/> Lump Sum \$ _____ <input type="checkbox"/> Due on Receipt</p> <p><input type="checkbox"/> Monthly \$ _____ <input type="checkbox"/> Net 30</p> <p><input type="checkbox"/> Other \$ _____ <input type="checkbox"/> Other</p> <p><input type="checkbox"/> Requirements contract - Requisition Required</p> <p>Purchase Order No. _____</p> <p><input type="checkbox"/> Requirements Not to Exceed \$ _____</p> <p>Encumber: Yes <input type="checkbox"/> No <input type="checkbox"/></p>
---	--

REQUIRED SIGNATURES:

Department Manager: [Signature] Date: 4-8-97

Purchasing Manager: _____ Date: _____

(Class II Contracts Only)

County Counsel: [Signature] Date: 4/9/97

County Chair/Sheriff: [Signature] Date: May 22, 1997

Contract Administration: _____ Date: _____

(Class I, Class II Contracts Only)

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

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

DISTRIBUTION: Original Signatures - Contract Administration, Initiator, Finance

**INTERGOVERNMENTAL AGREEMENT
FOR USE OF SEIZED MOTOR VEHICLES**

This intergovernmental agreement (Agreement) is entered into pursuant to ORS 190 by and between the Multnomah District Attorney's Office (County) and the City of Portland Police Bureau (City) for the use by the County of certain lawfully seized motor vehicles owned by the City.

BACKGROUND

WHEREAS, the city provides lawfully seized motor vehicles for use by the County ,and

WHEREAS the vehicles are used by the Deputy District Attorneys assigned to the Neighborhood District Attorney Program, and

WHEREAS the parties wish to continue this program under a formal agreement.

NOW THEREFORE, THE COUNTY AND THE CITY AGREE AS FOLLOWS:

TERMS AND CONDITIONS

A) City's Obligations:

- 1) The City affirmatively represents it has full lawful title to all vehicles provided to County for use under this Agreement.
- 2) The City affirmatively represents all vehicles provided to the County under this agreement shall be good working order, under the same standards applicable to any other vehicles maintained or used by the City in its own fleet or motor pool.
- 3) The City agrees to accept upon return by the County all vehicles no longer required by the County not withstanding normal wear and tear to any such vehicle.

B) County's Obligations:

- 1) The County affirmatively represents all County staff authorized to use the vehicles provided pursuant to this Agreement are subject to County Administrative Procedures for the safe and lawful operation of motor vehicles.
- 2) The County shall maintain all vehicles provided pursuant to this Agreement to the same standards as applicable to County owned vehicles so long as the vehicles remain in the County's possession, excepting services for Major Repair as described in Section C.

- 3) The County shall assume all costs for fuel and regular maintenance of any vehicles provided pursuant to this Agreement while County is in possession of said vehicles. Major Repair, as described in Section C shall not be considered regular maintenance under this Section.
- 4) County is self-insured and shall insure the use and operation of the vehicles provided under this agreement as if they were County-owned vehicles, while said vehicles are in possession of the County.
- 5)
 - a) During the term of this Agreement the County shall periodically verify in writing to City, each vehicle in the County's possession pursuant to this Agreement. The written verification shall reference each vehicle by the make, model, year of manufacture, license plate no. and VIN.
 - b) The County's obligation under Section B.(5)(a) shall only be invoked as necessary, upon the substitution, deletion or addition of any vehicle to the initial list of vehicles authorized for use upon execution of this Agreement.

C) Major Repair

- 1) If any vehicle provided to County under this agreement requires major repair, i.e. repair to engine, driveline or other major component at a cost of \$1,000 or greater, that is not the result of motor vehicle collision or other accidental occurrence, the parties agree to resolve the issue of the vehicles' repairs as follows:
 - a) County shall return vehicle to City as is.
 - b) County and City share cost of repair pursuant to mutually agreed formula.
 - c) County repairs vehicle at County's expense, but County retains right to a pro-rata share in proceeds of sale, if any upon the vehicles ultimate disposition by the City.

D) Indemnification

Subject to the limitations of the Oregon Constitution and statutes, the City and the County each shall be solely responsible for any loss or injury caused to third parties arising from city's or County's own acts or omissions under the agreement and City and the County shall, defend, hold harmless and indemnify the other party to this agreement with respect to any claim, litigation or liability arising from City's or County's own acts or omissions under this agreement.

E) Term

This agreement shall begin when signed by all parties and be continuous until terminated.

F) Termination

1) This agreement may be terminated upon 60 days mutual written consent of the parties or upon 60 days written notice by one of the parties.

2) Termination under any provision of this paragraph shall not affect any rights, obligations, or liability of the City or County which accrues prior to such termination.

G) Modification

This agreement may be modified by mutual consent to the parties. Any modification to provisions of this agreement shall be reduced to writing and signed by the parties.

H) Integration

This agreement contains the entire agreement between the parties and supersedes all prior written and oral agreements.

I) Notices

All notices pursuant to the terms of this agreement shall be addressed as follows:

Notices to City: Sgt. Roger Hediger
Portland Police Bureau

Notices to the County: Mike Schrunk, District Attorney
Multnomah County DA's Office

J) Signatures

City of Portland Police Bureau

By: _____
Charles Moose, Chief of Police Date

County of Multnomah, Oregon

By: Michael D. Schrunk 4-8-97
Michael D. Schrunk, District Attorney Date

By: Beverly Stein May 22, 1997
Beverly Stein, County Chair Date

APPROVED MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-3 DATE 5/22/97
DEB BOGSTAD
BOARD CLERK

Reviewed by:

Jeffrey L. Rogers
City Attorney

Sandra Duffy
Acting County Counsel

By: _____

By: Matthew O. Ryan

Date: _____

Date: April 9, 1997

H:\Data\Advisory\Agreement for Use of Seized Motor Vehicles.doc

MEETING DATE: MAY 22 1997

AGENDA #: R-4

ESTIMATED START TIME: 9:40 am

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Approval of Mount Hood Cable Regulatory Commission's 1997-98 Budget

BOARD BRIEFING: DATE REQUESTED: _____

REQUESTED BY: _____

AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: May 22, 1997

AMOUNT OF TIME NEEDED: 10 minutes

DEPARTMENT: Nondepartmental **DIVISION:** N/A

CONTACT: Mary Beth Henry **TELEPHONE #:** 823-5385

BLDG/ROOM #: 106/1160

PERSON(S) MAKING PRESENTATION: _____

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

SUGGESTED AGENDA TITLE:

Request for Approval of Mt. Hood Cable Regulatory Commission Proposed Budget for Fiscal Year 1997-98.

SIGNATURES REQUIRED:

ELECTED

OFFICIAL: Shannon Kelly

(OR)

DEPARTMENT

MANAGER: _____

CLERK OF
COUNTY COMMISSIONERS
97 MAY 15 PM 12:35
MULTNOMAH COUNTY
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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



MULTNOMAH COUNTY, OREGON

BOARD OF COUNTY COMMISSIONERS
BEVERLY STEIN
DAN SALTZMAN
GARY HANSEN
TANYA COLLIER
SHARRON KELLEY

BUDGET AND QUALITY
PORTLAND BUILDING
1120 S.W. FIFTH - ROOM 1400
P. O. BOX 14700
PORTLAND, OR 97214
PHONE (503)248-3883

TO: Board of County Commissioners

FROM: Dave Warren

TODAY'S DATE: May 15, 1997

REQUESTED PLACEMENT DATE: May 22, 1997

SUBJECT: Approval of Cable Regulatory Commission Budget

I. Recommendation / Action Requested:

Approval of Mt. Hood Cable Regulatory Commission's 1997-98 Budget

II. Background / Analysis:

The Mt. Hood Cable Regulatory Commission (MHCRC) was created in February 1993 by Multnomah County and the cities of Fairview, Gresham, Portland, Troutdale, and Wood Village. The Commission annually submits its budget for approval by the cities and the County.

The operational component of the \$3 million overall budget is only about \$300,000. The proposed 1997-98 Budget shifts staffing (0.65 FTE of the 3 FTE) to grant funding and dedicates an increased proportion of staff time to grant funding. This reduces the administrative cost covered by franchise fee revenue by 19%. Because grant funds cannot legitimately pay for regulatory functions, there are two general operational consequences of this shift:

1. new grant programs will receive additional administrative support with the grant funded programs receiving proportionally lower payments, and
2. the regulatory functions of the Commission staff will be pared back.

The budget document explains the impacts of the funding shift on pages 4 and 5. Basically, the shift reduces the number of Commission meetings that can be staffed, reduces monitoring of Access providers, reduces franchise monitoring and enforcement, and reduces lobbying at the Congressional and FCC levels.

III. Financial Impact:

East County jurisdictions will receive higher transfer payments as a result of the reduced reliance on franchise fees to fund administration. The following table shows the 1996-7 estimated payments and the 1997-8 estimated payments.

	1996-7	1997-8
Gresham	67,162	95,993
Multnomah	17,217	22,821
County		
Troutdale	9,549	13,756
Fairview	3,011	4,368
Wood Village	<u>2,236</u>	<u>3,260</u>
	99,175	140,198

IV. Legal Issues:

MHCRC's budget must be approved by all the partners to the agreement setting up the Commission. Any jurisdiction could decline to approve the budget until it is satisfied with it.

V. Controversial Issues:

None that I know of.

VI. Link to Current County Policies:

N/A

VII. Citizen Participation:

MHCRC's budget development involved the MHCRC Administrative Standing Committee composed of citizen volunteers.

VIII. Other Government Participation:

Fairview, Gresham, Portland, Troutdale, and Wood Village must also approve the budget.

MT. HOOD CABLE REGULATORY COMMISSION

City of Fairview

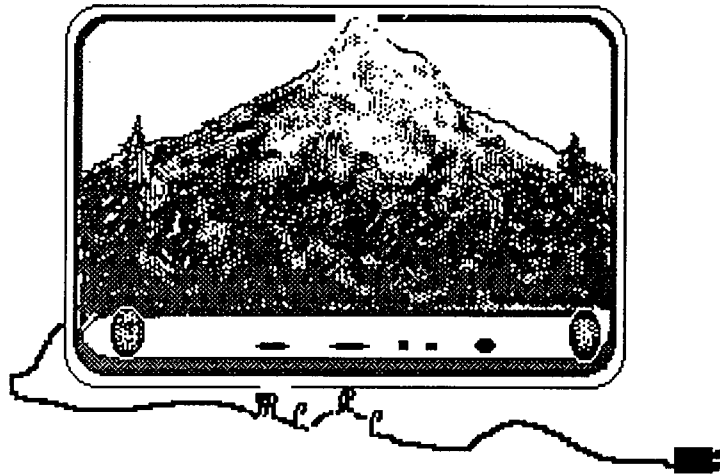
City of Gresham

Multnomah County

City of Portland

City of Troutdale

City of Wood Village



**PROPOSED BUDGET
FISCAL YEAR 1997-98**

APRIL 1997

COMMISSIONERS:

Alan Alexander III

Barbara Rutherford Crest

Rich Goheen

Royal Harshman

J. Dennis Quail

Stan Saunders

Norman Thomas

Sue Dicile Wedding

David C. Olson, Director

MT. HOOD CABLE REGULATORY COMMISSION
FY 1997-98 PROPOSED BUDGET

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MT. HOOD CABLE REGULATORY COMMISSION

OVERVIEW

In light of the current uncertainty facing MHCRC members, the Mt. Hood Cable Regulatory Commission's proposed FY 1997-98 budget for Cable Regulatory Administration reflects a decrease from FY 1996-97.

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

- advocating for and protecting the public interest in the regulation and development of cable communications systems;
- monitoring and helping resolve cable subscribers' concerns; and,
- participating in the planning and development of future telecommunications technologies which make use of the public right of way.

The MHCRC is a result of the 1993 **consolidation** of two cable regulatory commissions, one representing Portland and one representing the East Multnomah County jurisdictions. The consolidation **reduced the number of staff** dedicated to cable regulation and reduced a variety of other expenditures as well.

Each of the Commission member jurisdictions appoints citizen representatives to the Commission. Over the past year, these citizen appointees have committed **hundreds of volunteer hours** to fulfill the Commission's mission. They have attended over 25 Commission and standing committee meetings, kept abreast of issues of concern to their jurisdictions, presented information at city council and county commission meetings, and served as liaisons to Portland Cable Access and Multnomah Community Television.

The City of Portland provides staff and support services to the Commission through a services agreement. The Commission funds an equivalent **staff of three full-time people**, plus related materials and services, overhead and capital. Each of the member jurisdictions provides a portion of their franchise fees from cable television providers to annually fund the Commission.

1997-98 BUDGET HIGHLIGHTS AND RESPONSE TO BALLOT MEASURE 47

This year's budget process took on a whole new dimension as a result of Ballot Measure 47. The Commission viewed **Measure 47** both as **an opportunity** to re-think the way we provide services and **a concern** to the Commission's ability to protect consumer and jurisdictional interests. Like many other government agencies, the Commission evaluated its services, determined workload priorities and developed several budget reduction scenarios in response to potential impacts of Measure 47. The Commission believes that although some **efficiencies** can be achieved in the delivery of our services, some **service reductions** must also be implemented due to the City of Portland's request for a reduced budget.

In FY1997-98, the Commission will implement **many efficiencies** to provide services with fewer resources. One of the major efficiencies the Commission plans for FY1997-98 is to **utilize grant funds instead of franchise fees** to administer the Access Capital Grants program (as described under "Our Core Business"). This **increases the amount of franchise fees for jurisdictional general fund use**.

Other efficiencies, either in the works or currently implemented, include: using our **World-Wide Web Page** to distribute information and receive complaints; relying more on Commissioners for liaison with access organizations; utilizing more internal/Jurisdictional "in house" employees for technical expertise (which has **reduced the use of consultants**); and receiving **on-line publications** instead of costly print subscriptions.

OUR CORE BUSINESS

- **Enforce Cable Service Franchises**

The Commission negotiates franchise agreements with cable companies which use the public right of way to conduct business. Citizens expect companies, which rely heavily on a public resource to make a profit and are a virtual monopoly, to treat people fairly and for local government to respond when the company has not. Franchise agreements contain provisions regarding customer service (on-hold time for phones, repair response times), technical standards for picture quality, consumer protection (credits for outages, no-charge for disconnects), and universal service. Proactive regulation and ongoing monitoring of these requirements ensure that the company is providing consistent service which meets performance standards to a majority of subscribers. It also helps the Commission provide accurate information to citizens with cable service problems as to whether the problem is an isolated incident or a wider systemic issue.

- **Provide Consumer Protection**

In 1996, Commission staff received over 1,200 complaints about the cable companies. Staff responded to nearly all of the citizens on the same day the complaint was received and helped resolve 95% of the complaints within one business day. Complaints range from time-sensitive problems such as a repair and billing problems to customer service such as telephone response times. The cable subscribers are pleased when their complaints can be processed and resolved quickly. As a result, the Commission and its staff are perceived as a valuable resource when subscribers cannot resolve their complaints with the cable companies. In addition, our ability to respond, quickly decreases the possibility of unhappy cable subscribers contacting other local government offices.

- **Administer Grant Funds for Community Use**

Under their renewed franchise agreements, Paragon and TCI provide a percentage of their gross revenues annually for local grants in exchange for the companies' use of the public right-of-way for commercial purposes. These dedicated funds support two grant programs: the Access Capital Development Fund and the Access Corporation Capital Fund. The grant funds provide capital support for community members and organizations, libraries, educational institutions and local government agencies to use the cable system technology for enhanced local communications, including video, voice and data transmissions. Capital support includes funds for services, products, equipment or other resources, whose useful life can be expected to exceed one year.

The Community Access Capital Grants were initiated by the City of Portland in 1993-94 through its renewed franchise agreement with TCI. Portland has overseen those funds, in consultation with the Commission, which amounted to approximately \$345,000 annually. With the renewal of the Paragon franchise for Portland's east side, the grant fund amount will triple in FY1997-98 and in FY1998-99, the fund will increase again by one-third once the Paragon franchise for East Multnomah County, including Fairview, Gresham, Troutdale and Wood Village is renewed. The Commission will administer the Paragon/Portland grant funds for FY1997-98. In addition, the Commission will develop a multi-jurisdictional granting process for recommendation to the Commission member jurisdictions in order to administer all grant funds beginning in FY1998-99.

- **Renew Cable Franchise Agreements As Required By Law**

Federal law provides for a three-year process for local governments to renew cable services franchise agreements. The renewal process includes assessing community communication needs, reviewing the past performance of the cable company and negotiating a final franchise agreement with the cable company. The Commission recently completed a renewal of the franchise agreement for the City of Portland's eastside and is currently processing renewals for Multnomah County's TCI franchise for the Sylvan and Dunthorpe areas, and for the East Multnomah County franchise with Paragon for Multnomah County, Fairview, Gresham, Troutdale and Wood Village.

- **Manage Community Use of Cable System Technology**

The ability of local governments, Metro, schools, libraries and service organizations to communicate with citizens and with each other is a fundamental need of all communities. The increasing use of technology, from interactive video to the Internet, to meet these communication needs has provided ways to increase efficient use of public funds and deliver services more effectively. Through franchising of cable companies, the Commission has negotiated a high capacity infrastructure (the I-Net) linking community institutions throughout Multnomah County and the greater Portland metropolitan area. The I-Net will have the capacity and capability to transport multiple voice, video and data signals among the institutions and will be available at low cost to community institutions. Funds for construction of the I-Net and user equipment are provided by the cable company with oversight by the Commission. However these funds are limited. The Commission has the responsibility to guide the development of the I-Net and its subsequent use in order to leverage this public resource.

- **Ensure State-of-the-Art Technology of Cable Systems**

In order to ensure Paragon's upgrade of its cable system meets or exceeds public benefit obligations in its renewed franchise agreement, the Commission will have a major consultation role in designing and planning all phases of the cable system upgrade which is anticipated to be completed by mid-year 2000. In addition, under TCI's franchise agreement, the Commission may undertake an ascertainment to determine if TCI's cable system is adequately meeting community needs. Based on the ascertainment results, the Commission may require TCI to upgrade its system technology ensuring that citizens are provided at least the same level of service as the surrounding areas or that they have access to a state-of-the-art cable communications system. Since the system has not been upgraded since 1988, the Commission will conduct the ascertainment in 1997.

- **Hold Down Rate Increases**

The Commission aggressively pursues rate regulation of local cable companies. As a result, cable subscribers pay lower rates and have seen significantly smaller rate increases than in areas where no local regulation exists. For example, most recently, Paragon filed to increase its basic monthly rate by 10.4%. The Commission reduced the requested increase, in accordance with federal rate regulation rules, and Paragon was allowed to increase its rates by only 5.8%. This regulatory effort will save cable subscribers over \$74,000 per year. Without local rate regulation, cable companies would be able to raise rates at will and subscribers would pay more to receive basic cable service.

- **Maximize Revenues**

The MHCRC provides the expertise to negotiate cutting edge franchise agreements which maximize revenues for the jurisdictions. In addition, the Commission has ongoing fiduciary responsibility for franchise fee and grant fund payments ensuring the cable companies are paying correct amounts. The Commission conducts quarterly reviews

and bi-annual "mini-audits" of payments.

- **Provide Leadership in State and Local Telecommunications Policy and Planning**

The telecommunications landscape is rapidly changing, both technically and legislatively. The MHCRC and its staff is sought out, on national, state and local levels, as experts in telecommunications and cable television regulation. The Commission will continue to actively participate in efforts to develop telecommunications planning and policies for Oregon and to support city and county efforts to manage their public right of way.

BUDGET REDUCTION IMPACTS

The MHCRC budget is 19.1% less than the current year budget. The reductions were accomplished by eliminating capital expenditures; reducing overhead and training; and shifting the funding (\$44,896) of the administration of the new grant programs provided under the Paragon Franchise from franchise fees to grant funds. As a result, .65 FTE (full time equivalent) will shift to grant administration. The impact on the Commission workload is as follows:

- **Reduces number of Commission Meetings by 50% (from 10 to 5 annually) and eliminates Commission Standing Committees (total of 15 meetings annually: average 5 meetings for three committees)**

The Commission represents the community or citizen involvement aspect to regulation of cable companies which use the public rights of way to conduct business. In addition, Commission members represent their jurisdictional concerns which, at times, for example, vary between Fairview and Portland. By reducing Commission member involvement in areas which impact citizens, such as rates, customer service, consumer protection and local availability of technology, the community and jurisdictional perspective will be greatly diminished in decisions about cable regulation. The commission meetings also provide a public forum for citizens who have an unresolved complaint or issue with the cable company to be heard by a neutral body. Citizens may have to wait up to three months for the chance to be heard on cable-related issues.

- **Reduces Oversight and Liaison with Community Access Providers**

Over the years, the Commission, its staff and community access providers have developed a nationally respected and recognized public-nonprofit partnership which has allowed schools, libraries, community organizations, local governments and the public to cost effectively avail themselves of the most powerful communications tool in the 20th century: television. This coordinated effort has resulted in effective use of public and private resources dedicated to providing the community with low and no cost access to the television media and, in the future, to other communications media such as the Internet and World Wide Web. Reduced liaison and oversight of community access providers by the Commission would have a long-term detrimental effect on this successful partnership and the coordination of public and private resources for community access to communications technology.

- **Reduces Monitoring and Enforcement of Cable Service Franchises**

The Commission negotiates franchise agreements with cable companies which use the public right of way to conduct business. Citizens expect companies, which rely heavily on a public resource to make a profit and are a virtual monopoly, to treat people fairly and for local government to respond when the company has not. Franchise agreements contain provisions regarding customer service (on-hold time for phones, repair response times), technical standards for picture quality, consumer protection (credits for outages, no-charge for disconnects), and universal service. In addition, when a cable company requests to transfer ownership of its franchise to another company, the Commission conducts a qualitative review, which includes an analysis of the company's technical and

financial qualifications and provides for community input, to ensure the new company will meet the obligations of the franchise.

Proactive regulation and ongoing monitoring of these requirements ensures that the company is providing consistent service which meets performance standards to a majority of subscribers. It also helps the Commission provide accurate information to citizens with cable service problems as to whether the problem is an isolated incident or a wider systemic issue.

Reduction in this ongoing oversight will result in enforcement of franchise requirements only in response to subscriber complaints. The Commission would have less information to provide citizens and the information would, most likely, be provided by the company and not from an independent source. Complaints would increase putting more pressure on resources dedicated to complaint resolution. And the Commission would face situations of retroactively regulating a problem which is less efficient and more costly in the long-term. In addition, the Commission will not conduct qualitative evaluations of cable franchise transfers of ownership local jurisdictions resulting in a lack of certainty as to whether a new company is qualified or prepared to fulfill its franchise obligations.

- **Limits Local Voice at the US Congressional and FCC Levels**

Over the years, the Commission and its staff have aggressively advocated local government perspectives at both the US Congress and FCC levels. During the passage of both the 1992 Cable Act and the 1996 Telecommunications Act, Commission staff actively represented local government's positions regarding control and management over public right of way, compensation for use by for-profit communications providers and low-cost, community access to communication systems. Over the next several years, the FCC will interpret these federal laws and its rulemakings will have a profound affect on local communities. The Commission staff has expert knowledge in the areas of cable and telecommunications policy enabling the jurisdictions to respond immediately to any threats at the federal level. Without this effective local voice, the jurisdictions' concerns will be neglected in federal legislation and FCC rulemakings threatening general fund revenue and citizen access to telecommunications.

- **Decreases Response Time to Information Requests**

The Commission and its staff is a nationally respected resource for other cities, counties and state and national agencies to obtain reliable and cutting edge information regarding franchising, franchise fees, right-of-way issues, consolidated regulatory commissions and management of franchise resources. By reducing staff time available to respond to information requests, requests will not be fulfilled in a timely manner and a charge will be implemented for copying and sending information.

- **Reduces Staff Training**

In the rapidly changing areas of cable and telecommunications policy and regulation, educational conferences afford staff the opportunity to receive state-of-the-art knowledge about key policy issues, legislation and regulation in order to effectively serve the Commission, its jurisdictions and the community.

1997-98 COMMISSION GOALS AND OBJECTIVES

Since its inception, the MHCRC has engaged in a planning process in order to set goals and objectives, evaluate its structure and operations, and anticipate future circumstances which might impact the Commission and its member jurisdictions. At its Fall retreat, the Commission established the following goals and objectives for FY 1997-98.

Goal I: *Effectively administer cable television franchise agreements to serve our member jurisdictions.*

Objectives: 1) Conduct effective cable rate regulation which meets the spirit and intent of federal legislation and FCC rules; 2) Identify and address franchise compliance issues in response to and, when possible, prior to cable company actions; and 3) Provide consumer protection for citizens and subscribers in cable television matters by helping to resolve complaints, enforcing and updating, when necessary, customer service standards, and addressing other consumer-related franchise compliance issues.

Goal II: *Ensure access to and use of current and new services available through the cable system technology by citizens, local government and community institutions.*

Objectives: 1) Oversee the allocation of capital funds under the Paragon franchise agreements dedicated for the development of public, educational and governmental uses of the cable system technology (PEG access capital funds) in a way which ensures that the funds are wisely distributed to meet community needs; 2) Participate in the grant process for the TCI PEG access capital funds to ensure these funds are effectively and efficiently allocated with consideration to availability of other cable-related resources; 3) Oversee Paragon cable system upgrade in a way which ensures that the upgraded Institutional Network serves local governments, schools, libraries, Oregon Ed-Net and designated access providers; 4) Manage access provider contracts with Portland Cable Access, Multnomah Community Television, Portland Public Schools and Portland Community College; and 5) Collaborate with organizations, at the federal, state and local levels, to advocate for the community's access to cable system technology.

Goal III: *Communicate, educate and respond in a timely and accurate manner to our jurisdictions, cable subscribers and the general public regarding telecommunications issues.*

Objectives: 1) Continue to implement communication plan in a way which supports the following criteria: A) jurisdiction officials and key jurisdiction staff are informed about telecommunications issues and understand what is at stake; and B) interested stakeholders view the Commission as an important source of information; 2) Continue to evaluate and refine the Commission's educational/informational role as technology and the regulatory environment changes; and 3) Support our member jurisdictions in implementing cable-related portions of the 1996 Telecommunications Act and in protecting local authority over franchises and rights-of-way.

Goal IV: *To operate the Cable Regulatory Office and the Commission efficiently and effectively.*

Objectives: 1) Fulfill Intergovernmental Agreement and Rules of Procedure administrative responsibilities; 2) Conduct Commission meetings in a way which respects the volunteer nature of Commission positions and keeps Commissioners informed about telecommunications issues; and 3) Build an ongoing strategic planning/annual planning process.

REVENUE AND EXPENDITURE HIGHLIGHTS

- **Revenue sources include:**

First, the Commission collects all cable television franchise fee revenue from Gresham, Troutdale, Fairview, Wood Village and Multnomah County. These revenues are projected at \$592,228 in FY 1997-98 or a 3% increase over the current year.

Second, the Commission administers the proceeds from the East Paragon Settlement Fund which totals approximately \$960,000. The Settlement Fund results from a 1989 payment by KBLCOM and Rogers

Cablesystem to the Multnomah Cable Regulatory Commission (MCRC) for settlement of certain obligations of the East Multnomah Franchise Agreement, including operational support for Multnomah Community Television, production of locally-oriented programming (East Metro Edition) and the Program in Community Television at Mt. Hood Community College.

Third, all participating jurisdictions contribute a total of \$299,199 to the operation of the MHCRC as follows:

Fairview	\$ 3,355	Portland	\$198,450
Gresham	\$ 71,009	Troutdale	\$ 10,378
Multnomah County	\$ 13,474	Wood Village	\$ 2,533

The methodology for funding the operation of the Commission is based on the FY 1996-97 contribution from all jurisdictions minus an average of 19.1% which is the percentage decrease of the of the budget. Greater detail is available on the cost allocation worksheet which appears in Appendix One.

Fourth, the Commission will administer two new programs funded by 2% of the gross revenues of Paragon Cable: Access Corporation Capital and Access Capital Development.

Fifth, the Commission receives interest on its funds and beginning fund balance.

● Expenditures

Cable Regulatory Office administrative expenditures have decreased by 19.1% (excluding reimbursements) from the current year operating budget. A line item detail of all expenditures is attached in Appendix One.

Major expenditures included within this budget are: franchise fee payments to the jurisdictions; grant funds to Multnomah Community Television (MCTV) for access programming; grant payments to the Program in Community Television at Mt. Hood Community College; anticipated grant payments for the Access Corporation Capital Program and the Access Capital Development Program, and Cable Regulatory administrative expenses.

The franchise fee payments to the jurisdictions are the total amount of fees collected for Gresham, Troutdale, Fairview, Wood Village and Multnomah County less the amount each jurisdiction contributes to MCTV and the Commission administrative support expenses.

MT. HOOD CABLE REGULATORY COMMISSION

Fiscal Year 1997-98

Financial Summary

RESOURCES	1994-95 Actual	1995-96 Actual	1996-97 Adopted	1997-98 Proposed
Beginning Balance	2,889,883	2,337,337	1,660,915	1,306,265
Balance carry over from prior year				
Cable Revenues				
E. County Cable Franch. Fees	530,507	561,991	574,980	571,958
Access Revenue-Annexed PDX	172,356	200,765	185,535	163,233
Portland Share of Admin. Bud.	172,068	228,818	224,298	199,049
Reimbursements from Cable Companies:				
Paragon Time Warner Transfer	25,010	14,167		
Paragon Renewal Revenue	76,000	1,000	1,000	0
Customer Survey (From Paragon & TCI)				15,000
TCI Multnomah West	19,341	19,047	19,680	20,270
Interest	143,510	127,575	83,000	36,000
PEG Fund - TCI			10,000	345,261
PEG Fund - Paragon			500,000	644,933
Total Resources	\$4,028,675	\$3,490,700	\$3,259,408	\$3,301,969
REQUIREMENTS	1994-95 Actual	1995-96 Actual	1996-97 Adopted	1997-98 Proposed
Jurisdictional Payments	87,842	129,433	99,176	140,198
Jurisdictional Payment, FY 92-93 Fr. Fee Balance	41,167			
Mt. Hood Comm. College, (S.F.)	120,000	130,800	150,000	168,000
Multnomah Comm. TV, LO, (S.F.)	131,400	135,600	148,800	156,000
Multnomah Community TV - SP. ACCESS, (S.F.)	451,200	496,320	561,000	636,000
Access Payments, E. County	318,306	339,941	333,181	343,175
Annexed Portland	171,356	147,535	185,535	163,233
MHCRC Admin. Budget	303,723	341,755	369,781	299,199
MHCRC Admin. Grant Fund	0	0	0	44,896
PCA, 40% TCI Multnomah	7,631	7,823	7,872	8,108
Reimbursable Expenditures:				
Cable Subscriber Survey	14,200	0		15,000
Paragon Renewal	12,651	17,484	32,000	6,000
Paragon / Time Warner Transfer	31,862			
TCI PEG Grant: TCI Eng. Tech.. Assist			10,000	26,000
TCI PEG Other				319,261
Paragon PEG Grants:				
Eng. Tech. Assist. (Paragon Rebuild)				10,000
Grant Technical Assistance				5,000
Paragon PEG Grants Other				307,467
Paragon PEG Access Corporations			250,000	322,467
Total Admin. Budg. & Pass Through Pmts.	\$1,691,338	\$1,746,691	\$2,147,345	\$2,970,004
Unappropriated Balance	2,337,337	1,744,009	1,112,063	331,965
Total Requirements	\$4,028,675	\$3,490,700	\$3,259,408	\$3,301,969

Includes TCI PEG fund expenditures s in the amount of \$319,261.

MT. HOOD CABLE REGULATORY COMMISSION
FISCAL YEAR 1997-98 PROPOSED BUDGET - LINE ITEM SUMMARY

<i>Expenditure Classification</i>	<i>Actual FY 94-95</i>	<i>Actual FY 95-96</i>	<i>Adopted FY 96-97</i>	<i>Proposed FY 97-98</i>
511000 Full-Time Employees	153,322	158,926	165,224	166,780
521000 Part-Time Employees	0	3,350	0	0
514000 Overtime	500	738	600	800
517000 Benefits	60,115	51,617	61,897	63,583
Total Personal Services	\$213,937	\$214,631	\$227,721	\$231,163
521000 Professional Services *	159,500	101,564	581,500	1,033,195
524000 Repair & Maintenance	1,700	904	2,252	2,200
529000 Miscellaneous Services **	3,676,880	1,403,770	1,487,898	1,617,334
531000 Office Supplies	1,000	803	1,231	1,250
532000 Operating Supplies	1,600	1,265	1,579	1,800
541000 Education	750	2,289	1,250	1,550
542000 Local Travel	600	119	900	900
543000 Out-of-Town Travel	1,900	3,574	3,650	1,400
549000 Miscellaneous	2,880	4,372	3,640	3,971
Total External Materials & Svcs	\$3,846,810	\$1,518,660	\$2,083,900	\$2,663,600
551000 Fleet Services	1,038	78	700	350
552000 Printing/Distribution	12,000	8,839	12,000	10,544
553000 Facilities Services	9,513	14,131	14,618	14,971
554000 Communications	4,675	4,057	4,450	8,315
555000 Data Processing	339	347	2,869	2,348
556000 Insurance	4,236	5,368	5,518	4,953
Treasury Services	0	0	0	1,363
558312 Rate Regulation Legal Advice			4,000	4,000
Total Internal Materials & Svcs	\$31,801	\$32,820	\$44,155	\$46,844
Total Materials & Services	\$3,878,611	\$1,551,480	\$2,128,055	\$2,710,444
564000 Equipment	700	0	5,500	0
572101 General Fund Overhead Transfer	57,000	58,000	29,107	9,900
Contingency	5,997	99	8,346	18,497
Total Appropriation	\$4,156,245	\$1,824,210	\$2,398,729	\$2,970,004
<i>Less Non-Admin. Exp.</i>				<i>\$2,625,909</i>
<i>Jurisdictional Share</i>				<i>\$299,199</i>

*** 521000 Professional Services - Detail**

	FY 97-98
Administrative Budget	22,000
Customer Survey (Paragon & TCI)	15,000
Paragon Renewal	6,000
TCI PEG Grants: TCI Tech. Ascertainment	26,000
TCI PEG Grants-Other	319,261
Paragon PEG Grants:	
Eng. Tech. Assist.(Paragon Rebuild)	10,000
Grant Technical Assistance	5,000
Paragon PEG Grants-Other	307,467
Paragon Access Corporations	322,467
Total	\$1,033,195
Reimbursables	1,011,195
TOTAL Reimbursables 521000 + 529000	2,625,909

**** 529000 Miscellaneous Service - Detail**

	FY 97-98
Administrative Budget	2,620
Access Payment, Annexed Portland	163,233
Access Payment, E. County	343,175
Settlement Fund Disbursement:	
Mt. Hood Comm. College(PCTV)	168,000
MCTV Special Access	636,000
MCTV Local Origination	156,000
Jurisdictional Payments; bal. fr. Franc	140,198
PCA, 40% of Mult. West	8,108
TOTAL	\$1,617,334
Reimbursables	1,614,714

Lineitem

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APPENDIX ONE
CABLE REGULATORY OFFICE ADMINISTRATIVE BUDGET
FY 97-98

CABLE REGULATORY ADMINISTRATIVE BUDGET
FY 1997-1998
Budget Narrative

Cable Regulatory Office administrative expenditures have decreased by 19.1% from the current year's operating budget. A line item detail of all expenditures is attached. A three year history of expenditures and revenues for Cable Regulation is included for your information.

Budget Development Process

The detailed budget was developed and evaluated by the Administration Standing Committee of the Mount Hood Cable Regulatory Commission (MHCRC) and approved by the MHCRC at its February 24, 1997 meeting.

Expenditures

In response to Measure 47 the Commission is submitting a proposed budget which is less than the current year budget. The Proposed Budget provides for 3 full-time equivalent positions, associated materials and services, and overhead. The Proposed budget maintains the core business of the Commission as outlined in the Overview. Staff was able to submit a reduced budget through efficiencies, by shifting some of the grant-related expenses from franchise fees to grant funding, and reductions.

The Office of Cable Communications and Franchise Management manages two programs: Cable Regulation and Utility Franchise Management. There are 4.8 staff positions within the Office. The equivalent of 3 full-time positions will focus on cable on behalf of the Commission with the other two full-time equivalent positions focusing on Utility Franchise Management (the Utility Franchise Management Program is funded by the City of Portland). The detail of the positions appears later in this Appendix.

Funding Allocation

All participating jurisdictions contribute to the operation of the Mt. Hood Cable Regulatory Commission which is staffed by the Office of Cable Communications and Franchise Management of the City of Portland. The Commission uses a funding methodology based on the FY 1996-97 cost allocation plus an average decrease 19.1% for each jurisdiction. A summary of the cost allocation worksheet is attached.

Revenues

The Cable Regulatory Office has four revenue sources: beginning balance, jurisdictional contributions based on the cost allocation methodology, Access Development Capital, and interest on cable fund balance.

MT. HOOD CABLE REGULATORY COMMISSION

City of Portland
Multnomah County

City of Gresham
City of Fairview

City of Troutdale
City of Wood Village

FY 1997-98

CABLE REGULATORY OFFICE BUDGET

Acct.	Title	FY 94-95 Actual	FY 95-96 Actual	FY 96-97 Adopted	FY 97-98 Proposed
5110	Full-Time Employees	156,697	158,926	165,224	166,780
5120	Part-Time Employees	0	3,350		
5140	Overtime	790	738	600	800
5170	Benefits	56,801	51,617	61,897	63,583
Personal Services *		214,287	214,631	227,721	231,163
5210	Professional Services	24,611	36,163	39,500	22,000
5240	Repair & Maintenance	1,326	904	2,252	2,200
5290	Miscellaneous Services	1,619	2,152	2,334	2,620
5310	Office Supplies	396	803	1,231	1,250
5320	Operating Supplies	1,742	1,265	1,579	1,800
5410	Education	670	2,289	1,250	1,550
5420	Local Travel	52	119	900	900
5430	Out-of-Town Travel	2,113	3,574	3,650	1,400
5490	Miscellaneous	3,271	4,023	3,240	3,971
External Materials and Services		35,800	51,291	55,936	37,691
5510	Fleet Services	596	78	700	350
5520	Print/Distribution	9,094	7,424	12,000	10,544
5530	Facilities Services @	10,901	22,792	14,626	14,971
5540	Communications Services	4,002	4,057	4,537	8,315
5550	Data Processing Services @	331	347	1,790	2,348
5560	Insurance @	4,236	5,368	5,518	4,953
	Treasury Services	----	----	----	1,363
6E+05	Rate Regulation Legal Advice			4,000	4,000
Internal Services		29,159	40,065	43,171	46,844
5640	Capital Outlay	664	0	5,500	0
TOTAL		\$279,911	\$305,987	\$332,328	\$315,698
Overhead/Indirect Costs		57,000	58,000	29,107	9,900
Contingency		0	0	8,346	18,497
Tot. Budget Plus OH & Cont.		\$336,911	\$363,987	\$361,435	\$344,095
Less Grant Fund Approp.					(\$44,896)
Total Jurisdictions' Share		\$336,911	\$363,987	\$361,435	\$299,199

* \$44,896 of Personal Services are appropriated from grant funds.

** Contingency includes COLA (\$9,478) for FY 97-98. In prior years, estimated percentage of COLA was included in Personal Services. This change enables the staff to follow the City accounting procedures more accurately.

**MT. HOOD CABLE REGULATORY COMMISSION
BUDGET REQUEST, LINE ITEM DETAIL**

FY 97-98

Line Item No.	Description		FY 96-97 Adopted	FY 97-98 Proposed	Grants and Reimburs.	TOTAL
	Full-Time Employees					
	Director	0.50	37,166	33,029	5,098	38,127
	Dep. Director	0.50	29,252	26,810	4,249	31,059
	Financial Analyst	0.50	25,603	14,688	10,598	25,286
	Hearings Clerk	0.50	19,284	16,284	2,759	19,043
	Program Coordinator	1.00	53,919	31,073	22,192	53,265
	Total	3.00	\$165,224	\$121,884	\$44,896	\$166,780
5140	Overtime					
	Hearings Clerk		\$600	800		800
5170	Benefits					
	Director	0.5	12,333	12,855		12,855
	Dep. Director	0.5	11,009	11,431		11,431
	Financial Analyst	0.5	9,862	10,042		10,042
	Hearings Clerk	0.5	8,364	8,546		8,546
	Program Coordinator	1.0	20,329	20,709		20,709
	Total		\$61,897	\$63,583	\$0	\$63,583
	Personal Services, Total		\$227,721	\$186,267	\$44,896	\$231,163
5210	Professional Services					
	Eng. Tech. Assist.(Paragon Rebuild)		10,000		10,000	10,000
	TCI Technical Ascertainment				26,000	26,000
	Grant Technical Assistance		5,000		5,000	5,000
	Financial Service(All Cable Franchises)		23,500	20,790		20,790
	Customer Survey(Paragon & TCI Franchise r		0		15,000	15,000
	Annual Planning Retreat Facilitator		1,000	1,210		1,210
	Total		\$39,500	\$22,000	\$56,000	\$78,000
5240	Repair & Maintenance					
	Computer Hardware Maint.		1,944	2,200		2,200
	Typewriter		308	0		0
	Other					
	Total		\$2,252	\$2,200	\$0	\$2,200
5290	Miscellaneous Services					
	Temp. Clerical Suppt		1,800	1,970		1,970
	Courier Service, Federal Express, & UPS		534	650		650
	Total		\$2,334	\$2,620	\$0	\$2,620
5310	Office Supplies		1,231	1,250		1,250
5320	Operating Supplies,					
	Printer, Fax, & other supplies		1,129	1,200		1,200
	Software Upgrade		450	600		600
	Total		\$1,579	\$1,800	\$0	\$1,800
5410	Education					
	Computer Training		500	650		650
	Seminar/Conference Fees			0		0
	NATOA, Regional & National		550	600		600
	ACM		200	300		300
	Total		\$1,250	\$1,550	\$0	\$1,550

**MT. HOOD CABLE REGULATORY COMMISSION
BUDGET REQUEST, LINE ITEM DETAIL**

FY 97-98

Line Item No.	Description	FY 96-97 Adopted	FY 97-98 Proposed	Grants and Reimburs.	TOTAL
5420	local Travel	900	900		900
5430	Out-of-Town Travel				0
	NATOA Regional	850	0		0
	NATOA National Conference	1,200	1,400		1,400
	Public Technology Inc. Urban Telecom.	800	0		0
	Alliance for Community Media	800	0		0
	Total	\$4,550	\$2,300	\$0	\$2,300
5490	Miscellaneous				
	Memberships:				
	NATOA	480	550		550
	ACM	266	375		375
	Parking; MHCRC & Customers	747	800		800
	Subscriptions:				0
	Multichannel News	385	150		150
	Oregonian	74	75		75
	Gresham Outlook	38	38		38
	Cable Television Law	640	675		675
	Cable TV Fact Book	0	650		650
	Cable Monitor	300	325		325
	Refreshments for MHCRC meetings	90	113		113
	Community Media Review	100	100		100
	MHCRC Web Page	120	120		120
	Total	\$3,240	\$3,971	\$0	\$3,971
	Total, External M & S	\$55,936	\$37,691	\$56,000	\$93,691
Internal Service (Estimated)					
5510	Fleet Services	700	350		350
5520	Print/Distribution	12,000	10,544		10,544
5530	Facilities Services	14,626	14,971		14,971
5540	Communications Services:				
	Assigned Equipment	2,111	2,073		2,073
	Long Distance	1,860	1,200		1,200
	Cellular Phone	250	1,300		1,300
	Telecomm., FCC Technical Compliance		3,500		3,500
	Gen. Svc. Overhead	316	242		242
5550	Data Processing Services:				0
	Customer Service PC & LAN Support	1,790	1,122		1,122
	Tech. Suppt. Email / Internet/Software		724		724
	City-Wide Serv. -IBIS		502		502
5560	Insurance/Worker's Comp.	5,518	4,953		4,953
	Treasury Services		1,363		1,363
558312	Rate Regulation Legal Advice	4,000	4,000		4,000
	Total, Internal Svcs(Estimated)	\$43,171	\$46,844	\$0	\$46,844
5640	Capital - Computer Hardware	5,500	0	0	0
Total		\$332,328	\$270,802	\$100,896	\$371,698
	Overhead	29,107	9,900	0	9,900
	Contingency: 2.5% of Juris. share + COLA	8,346	18,497	0	18,497
	Total	\$37,453	\$28,397	\$0	\$28,397
	TOTAL		299,199	100,896	400,095
	Jurisdictions' Share	369,781	299,199		

Jurisd. %%

Inc./ (Dec.)

-19.1%

* COLA is included in the Contingency for FY 97-98

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COST ALLOCATION BY JURISDICTION

<i>FISCAL YEAR 1997-98 Proposed</i>	\$369,781	\$299,199			
<i>JURISDICTION</i>	FY 96-97 Budget	FY 96-97 %%	FY 97-98 Proposed	FY 97-98 %%	%% of reduction from FY 96-97
Portland	\$245,267	66.3%	\$198,450	66.3%	-19.1%
<i>E. County</i>					
Gresham	\$87,760	23.7%	\$71,009	23.7%	-19.1%
Multnomah Co.	\$16,652	4.5%	\$13,474	4.5%	-19.1%
Troutdale	\$12,826	3.5%	\$10,378	3.5%	-19.1%
Fairview	\$4,146	1.1%	\$3,355	1.1%	-19.1%
Wood Village	\$3,130	0.8%	\$2,533	0.8%	-19.1%
E. County Total	\$124,514	33.7%	\$100,749	33.7%	-19.1%
TOTAL	\$369,781	100.0%	\$299,199	100.0%	-19.1%

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MT. HOOD CABLE REGULATORY COMMISSION

Resources and Disbursements

FY 1997-98

Jurisdictions	Franchise Fees	Contribut. to Oper. Bud.	MCTV Payments	PCTV	Jurisdictional Payments	PCA
PORTLAND		198,452	163,233		N/A	
E. County Jurisdictions:						
GRESHAM	417,506	71,009	250,504		95,993	
MULTNOMAH CO.	60,333	13,474	36,200		10,659	
MULTNOMAH CO, TCI WEST **	20,270				12,162	8,108
TROUTDALE	60,333	10,377	36,200		13,756	
FAIRVIEW	19,306	3,354	11,584		4,368	
WOOD VILLAGE	14,480	2,532	8,688		3,260	
TOTAL	\$592,228	\$100,747	\$343,175	\$0	\$140,198	\$8,108
East County S.F. Disbursements: ***						
Grant, MCTV Access			636,000			
Local Origination, MCTV			156,000			
PCTV				168,000		
East Co. Settl. Fund Total	\$0	\$0	\$792,000	\$168,000	\$0	\$0
Reimbursables						
Customer Survey, Paragon & TCI		15,000				
TCI PEG Grants: TCI Tech. Ascertainment		26,000				
TCI PEG Grants: Other		319,261				
Paragon Renewal		6,000				
Paragon PEG Grants:						
Eng. Tech. Assist. (Paragon Rebuild)		10,000				
Grant Technical Assistance		5,000				
Paragon PEG Grants-Other		307,467				
Paragpm PEG Access Corporations		322,467				
TOTAL		\$1,011,195				
Grant Total	\$592,228	\$1,310,394	\$1,298,408	\$168,000	\$140,198	\$8,108

* MCTV payment from Portland is subject to final approval by the Portland City Council

** Contribution of MHCRC for TCI West included in Multnomah County, line above.

*** Detail, East County Settlement Fund

Total Disbursements \$2,925,108

FY 97-98

Settlement Fund Balance	
Beginning Balance FY 96-97	1,656,972
Payments, FY 96-97	(859,800)
Estimated Interest, FY 96-97	90,200
Est. Balance as of July 1, 1997	\$887,372
Requirements: FY 1997-98	
MCTV Special Access, Reimbursement	636,000
MCTV LO, Reimbursement	156,000
PCTV, Reimbursement	168,000
Total	\$960,000
Estimated Interest FY 97-98	\$74,000
Est. balance June 30, 1998	\$1,372

summ9798

09-Apr-97

APPENDIX TWO
MT. HOOD COMMUNITY COLLEGE
PROGRAM IN COMMUNITY TELEVISION
FY 1997-98 BUDGET

Tue, Feb 4, 1997

Brief overview of the Program in Community TV at MHCC,

For the last decade Mt Hood Community College has been offering an unique two year degree program. Aimed at helping a then emerging medium the Program in Community Television was part of the 1986 East County cable franchise. In that initial document the College was charged with developing "Educational opportunities ... (to include) ...community programming, occupational upgrading classes for television employees, and seminars and workshops for citizens of the area who wish to become involved in community television." The college has integrated the CTV program into it's communications division offerings and currently requires all television and community television students to take an "Introduction to Community Television" as part of their graduation requirements. In all this time the program has offered college credit courses to about 500 students and workshops to twice that many. Graduates of the program are working in a variety of technical and programming positions at Northwest community access centers or have chosen to work in other media related fields.

The MHCC video training programs have a long tradition of placing well-trained students into the industry and offering a broad base of instruction for a rapidly changing field. Mt Hood's Program in Community Television is aimed at developing a students talent in the the area of community communications. Its curriculum includes the typical production oriented studies; ranging from camera operation to editing, studio and remote productions, along with scriptwriting and program development. Our advanced students incorporate program development with promotion, marketing, media management skill training. There are also courses that develop an understanding of grant writing and the creation of community oriented programs.

In addition to the practical, hands-on experience, a student gets at MHCC, we also provide a personalized education that larger schools cannot offer. A relatively small instructor-student ratio assures time and attention and allows better access to production equipment and facilities. There is also a strong working relationship between the program and Multnomah Community Television ... our neighbor and a nationally regarded community access center

John Schommer
Director TV & CTV Programs

Telephone: 503.667-7109

FAX: 503.669-6000

		FY 94-95	FY 95-96	FY 96/97	FY 96/97	FY 97-98
		Actual	Actual	Budget	Year to date	PROPOSED
	Revenue [MCRC]	\$120,000.00	\$130,800.00	\$150,000.00	\$297,410.18	\$168,000.00
	Carryover	\$44,657.21	\$80,973.21	\$147,410.18		
5115	Sal. Instr. summer	\$15,000.00	\$0.00	\$500.00	\$0.00	\$0.00
5250	Sal. Instructors F/T	\$5,000.00	\$6,751.08	\$15,000.00	\$1,691.00	\$15,000.00
5305	Salaries Techn	\$250.00	\$523.61	\$5,000.00	\$3,625.00	\$500.00
5550	Salaries PT emply	\$5,000.00	\$3,585.00	\$0.00	\$4,910.00	\$5,000.00
5600	Salaries Students	\$7,000.00	\$6,665.00	\$6,000.00	\$5,017.00	\$6,000.00
6000	Fringe-General	\$11,955.00	\$2,906.94	\$2,776.00	\$0.00	\$2,790.00
	PERSONNEL	\$44,205.00	\$20,431.63	\$29,276.00	\$15,223.00	\$29,290.00
7000	Supplies-Office	\$400.00	\$845.55	\$400.00	\$164.00	\$400.00
7001	Supplies-Graphic Serv.	\$500.00	\$93.32	\$500.00	\$34.00	\$500.00
7020	Supplies-instruction	\$5,000.00	\$4,811.20	\$3,000.00	\$4,287.00	\$3,000.00
7250	Travel in State	\$1,000.00	\$0.00	\$500.00	\$85.00	\$3,000.00
7251	Travel out of state	N/A	\$1,424.29	\$2,500.00	\$0.00	
7390	Cont Svc Telephone	\$0.00	\$0.00	\$600.00	\$753.00	\$0.00
7649	Oth. Exp Miscel	\$550.00	\$362.50	\$600.00	\$0.00	\$600.00
7700	Repair & Replacement	\$5,000.00	\$3,153.58	\$10,000.00	\$7,476.00	\$5,000.00
	SUPPLIES & SERVICES	\$12,450.00	\$10,690.44	\$18,100.00	\$12,799.00	\$12,500.00
8300	Capital Outlay	\$27,029.00	\$30,229.98	\$85,000.00	\$72,234.00	\$25,000.00
	CAPITAL	\$27,029.00	\$30,229.98	\$85,000.00	\$72,234.00	\$25,000.00
	total	\$83,684.00	\$61,352.05	\$132,376.00	\$100,256.00	\$66,790.00

FY 97/98 CTV budget proposal narrative 2/4/97**Revenue**

MHCRC funding and projected fund balance

Personnel 5000 series

these figures reflect an assumption that program courses can be covered with about 36 instructional load credits a year of part time instruction.

Supplies & Services 7000 series

Supplies Office - Computer software upgrades and daily office supplies

Supplies Graphic serv - duplication and printing costs for the program .

Supplies Instruction -Production expendables, i.e. gells, gaffers tape, and lamps are a portion of the line item. Dues; Alliance for Community Media and the Assoc. of Independent Video & Filmmakers, subscriptions; Multichannel news and license fees to DeWolf Music make up the rest.

Travel -As part of a new software system the college has begun breaking out travel into two categories; in state and out of state. The ACM national conference is in Wisconsin this year along with attendance at the BEA conference in Las Vegas that will be the bulk of out of state travel. ACM's regional is going to be in Salem so student attendance will increase but cost will be minimal.

Repair & Replacement - replacement of old equipment is not anticipated however repair is a constant guessing game in a teaching facility. We continue a preventive maintenance program and this line is item intended as insurance.

Capital

Production capability is absorbed as quickly as it is added. To date the college has made a major move toward digital editing Purchasing a Media 1000 non-linear editing system (NLE). There was also major control room remodeling to fit a donated video switcher in place. We also enhanced the connection between MCTV and MHCC which in turn brought an increase in student produced programming and a renewed interest by the college in distance learning via cable and fiber interconnects. In 98 we will likely be adding to the storage capacity of the NLE and increase field production capabilities

APPENDIX THREE
PORTLAND CABLE ACCESS
FY 1997-98 BUDGET



PORTLAND CABLE ACCESS TELEVISION

PCA CHANNELS

11

Community Access Network
Serving the metro area

27

Public Access
Serving the east metro area

30

CityNet 30
Serving the City of Portland

33

Public Access
Serving Multnomah County

BUDGET PACKET

FY 1997-98

Contents

Portland Cable Access Overview

Budget Overview

Proposed FY 97-98 Budget

FY 1997-98 Line Item Explanation

Impact of Budget Cuts on the Community

8% Cut in Portland Franchise Fees

14.5% Cut in Portland Franchise Fees

25% Cut in Portland Franchise Fees

Capital Budget Narrative

BOARD

Guy Alvis, President
Lew Frederick, V. President
Christy Day Leonhardt, Secretary
Jay Smith, Treasurer
Sharon Genasci
Stuart Kaplan
Sara Siegler Miller
Bob Phillips
Michael Pullen
Todd Samusson
Joella Werlin

EXECUTIVE DIRECTOR

Robert Skelton

*The mission of
Portland Cable Access
is to promote broad
participation in civic and
cultural life by encouraging
effective use and
understanding of
community media.*

2766 NE MARTIN LUTHER KING JR BLVD., PORTLAND, OR 97212
PHONE (503) 288-1515 FAX (503) 288-8173 Email: pegaccess@msn.com

PORTLAND CABLE ACCESS OVERVIEW

Portland Cable Access is an independent non-profit 501(c) 3 charitable organization. PCA is the designated provider for public, education and government non-commercial television for Portland. PCA has had this role for 15 years. PCA relies on funding derived from cable subscribers and franchise agreements with cable operators and not on funds derived from property taxes.

The mission of Portland Cable Access is to promote broad participation in civic and cultural life by encouraging effective use and understanding of community media. As a non-profit Oregon corporation, we administer three non-commercial channels (Channels 27, 30, 33) in the Portland metropolitan area. PCA also administers the Community Access Network channel (CAN Channel 11) through a cooperative arrangement with six access center in the tri-county area and Vancouver, Washington. The CAN Channel delivers programming to more than 360,000 homes.

PCA is the home of CityNet 30, a channel dedicated to public affairs. PCA funds and produces live, gavel-to-gavel television coverage of Portland City Council meetings. Meetings of other governmental entities including METRO, Multnomah County Commission, and the Portland Public School Board, are also regularly cablecast on PCA's CityNet 30.

Here is a sample of the programs presented on CityNet 30 (TCI and Paragon) on an average week: (taken from 1/25/97 schedule)

- Salem Week in Review
- Portland City Council
- Oregon Legislative Assembly
- Community Budget Forum on Measure 47
- Neighborsafe Northeast Portland
- Albina Headstart presents Jeff Petty
- Portland Chamber of Commerce-Business Forum
- Multnomah Community Television
- World Affairs Council-Great Decisions Series
- Medicare Forum-Senator Ron Wyden
- Mayor's Forum
- Youth Gang Task Force
- Metro Council
- The State of the City Address by Mayor Vera Katz
- League of Women Voters
- Security for Houses of Worship
- Homework Helpline
- G.R.E.A.T. Neighborhood Theater

- Chief's Forum-Portland Police Bureau
- Portland Rotary Presents Ronald E. Daly

CityNet 30 represents the very best in community television. PCA is a very strong partner in developing an understanding of our civic and cultural life. PCA adds to the quality of life for people living in Portland. PCA gives citizens access to government, public safety, education, and issues that honor children and families.

PCA is the cost-effective way to deliver community information. Efficient, cost effective information delivery is at the heart of PCA's daily work ethic. We enhance the democratic process by creating greater understanding of how government works.

Portland Cable Access has produced more than 25,000 television programs for this community in the last 15 years. This truly is a remarkable partnership that has enhanced our city and the fabric that forms our society.

Portland works and so does Portland Cable Access.

The following represents only a small fraction of the programs produced by PCA last year:

PORTLAND PUBLIC SCHOOL BOARD MEETINGS: PCA's Production Department provides one staff member and two volunteers along with our Mobile Production Vehicle to PPS's TV Services. We assist TV Services, monthly, in providing live coverage of the Portland Public School Board Meetings.

PORTLAND PARKS AND RECREATION: The Production Department has produced a series of programs for the City of Portland's Parks and Recreation Department. These videos describe environmental and community revitalization projects throughout Portland. Specifically this quarter, the programs highlighted Laurelhurst Park, the SW Community Center and PP&R's Bond Project.

URBAN LEAGUE YOUTH SUMMER EMPLOYMENT PROGRAM: The Production Department, along with the Urban League of Portland, produced the video, "Our Children = Our Destiny". This video documented the joint efforts of the Urban League and Key Bank of Oregon to provide at-risk students with summer employment and education.

CITY OF PORTLAND, OFFICE OF MAYOR VERA KATZ: The Production Department continues to work with the Office of International Relations to provide coverage of a series of community meetings hosted by mayor Vera Katz. The "Meet the Mayor" series of meetings are based throughout the Portland area and focus on a diverse variety of topics and interests important to the citizens of Portland.

PORTLAND POLICE BUREAU: PCA produced the Portland Police Bureau's G.R.E.A.T. (Gang Resistance Education and Training) program. The program is a prevention curriculum developed by law enforcement and educators that provides children with the knowledge,

attitudes and skills necessary to resist the pressures and influences of gangs. The program we are producing accentuates this endeavor by teaming up with the Interstate Firehouse Cultural Center, the Asian Family Center, Hacienda Clara Vista and Portland Parks and Recreation to provide a short comprehensive video documenting the G.R.E.A.T. program and ultimately reaching a wider audience of at-risk youth.

LEAGUE OF WOMEN VOTERS "ELECTION '96" STUDENT MOCK ELECTION:

The Production Department worked with the League of Women Voters of Oregon to produce a program focusing on issues especially important to high school students throughout Oregon. The program featured candidates for the Senate race, the Secretary of State, and Congress. Also included were students from around the state of Oregon addressing several 1996 Ballot Measures.

ADDITIONAL IMPACTS ON COMMUNITY

In addition to our civic responsibilities we offer low cost training to hundreds of interested Portland residents and non-profit groups. These citizens and non-profit groups produced 2,255 original non-commercial programs last year.

During our last fiscal year PCA trained 1,087 people that live in Portland about effective use of community media. We strive to instill civic responsibility and educate citizens in ways to encourage greater involvement in the democratic process.

For most citizens and nonprofit groups we are their only means of communication in the television medium. There are no other free mass media opportunities for these groups. Expensive commercial television stations are totally unreachable by individuals and nonprofit groups.

PORTLAND CABLE ACCESS TELEVISION

FY 97-98 BUDGET OVERVIEW

As per your request, a base budget plus three-budget reduction packages are being submitted for your review.

Portland Cable Access is submitting budgets that represent:

1. FY97-98 budget
2. Funding reductions of 8%
3. Funding reductions of 14.5%
4. Funding reductions of 25%

The funding reduction packages are in response to Measure 47. PCA hopes that funding cuts for Portland's only community media center are minimized due to the essential communications role played by PCA. Cuts to PCA's will be strongly felt not only at PCA but also deeply within the nonprofit community in Portland. Additionally, PCA has relied on funds derived from cable subscribers and franchise agreements with cable operators, a funding source that is constantly growing over the 15 years PCA has been in business. PCA does not receive funds derived from property taxes.

The impact of funding reductions will be explained at each level.

Following guidelines have been established by the PCA Board. The PCA management team began developing FY 1997-98 budgets in September of 1996. The attached PCA FY 1997-98 PEG and Capital Budgets were presented to the PCA Finance Committee at its January 17 meeting and will be reviewed by the PCA Board at its February 5 meeting.

PROPOSED FY 1997-98 BUDGET

Revenues FY 97-98

Projected PEG revenues from franchise fees have decreased for FY 1997-98. Projected fees for FY 97-98 are less than the actual dollars received in the previous year by about \$65,000. Additional revenues are derived from independent community productions for PEG (Public, Education and Government) partners, interest from the endowment fund, investments, grant sources and fees for services.

This budget includes \$80,000 of income from endowment fund interest. This is 100% of FY 1997-98 interest revenues, from the PCA endowment fund. This commitment is recommended due to the reduced franchise funding level. Ideally, Portland Cable Access should only commit a minor percentage of the interest gained by this fund in order to keep the potential buying power of this fund whole.

Expenditures

Increases

There are no significant increases in PCA's FY 1997-98 budget from FY 1996-97

Decreases

There are significant decreases in the FY 97-98 budget due to reduced franchise projections.

- Personnel -15%
- Benefits and pension contributions -15%
- Staff Training -50%
- Board Training -50%
- Video Tape -50%
- Out of town travel -80%

Our budget for FY 97-98 is already reduced and will affect our ability to stimulate new productions in our community. Fresh new ideas for programming and production teams to produce them takes people power. It takes many dedicated staffers and many hours of commitment for an idea to materialize into a program.

However, one program can be seen by thousands and have tremendous impact on our collective consciousness. There is no stronger, cost effective means of mass communication currently available. Important members of local government and elected officials can give testimony on the effectiveness of this medium. Names and faces are readily connected when seen on access television. Elected officials become accessible and better understood by using this medium of local communication.

The impact of reduced funding may be a strong step toward disenfranchising community from local government.

PROPOSED PEG BUDGET – FY 1997-98

	<u>Budget Total</u>
REVENUE	
City Franchise Fee	730,013
City Council Coverage	-
Special Projects	27,563
Tape/Disk Sales	7,818
Dubbing	1,597
Misc. Income	7,319
Contract Interest (Delauney)	10,390
Checking Acct. Interest	973
Investment Int/Dividend	80,000
	<u>865,673</u>
EXPENSES	
501 Salaries	539,325
511 Payroll Taxes	59,325
512 Pension Contributions	41,414
513 Ment/Dent/Life/Dis Insurance	40,490
521 Employee Recruitment	551
522 Temporary Outside Help	5,513
531 Training & Education - Staff	6,065
532 Training & Education - Board	3,269
541 Local Travel	1,268
542 Out of Town Travel	3,206
543 Hospitality	3,879
544 Board of Directors	551
601 Accounting	16,000
602 Legal	4,725
603 Computer Programming	1,655
604 Other Professional Services	4,098
621 Janitorial Service	5,813
622 Security Service	1,299
623 Photographic Services	276
624 Data Processing	-
625 Other Outside Services	827
631 Electricity	11,978
632 Telephone	11,800
633 Other Utilities	2,675
641 Equipment Rental	1,897
651 Repair & Maint. - Vehicles	1,379
652 Repair & Maint. - Bldgs. & Gmds.	2,919
653 Repair & Maint. - Equipment	19,920
654 Other Repairs & Maintenance	1,815
661 Office Supplies	6,351
662 Video Tapes	4,987
663 Replacement Bulbs	3,513
664 Batteries	403
665 Small Tools & Equipment	1,547
671 Printing & Duplication	5,513
672 Postage & Shipping	4,410

681 Vehicle Expense	551
682 Computer Software	1,656
683 Dues & Subscriptions	2,442
684 Fees	3,032
685 Insurance	24,768
687 Advertising	551
688 Miscellaneous Expenses	551
689 Bad Debt Expense	-
700 Interest Expense	11,466
702 Bank Service Charges	-
	<u>865,673</u>

CAPITAL BUDGET

Capital Grant	<u>322,467</u>
Expenditures 1996-97	(206,685)
Production Computers	(50,000)
Production Equipment	(50,000)
REMAINDER - Contingency	<u>15,782</u>

PORTLAND CABLE ACCESS TELEVISION
PUBLIC, EDUCATION AND GOVERNMENT ACCESS

FY 1997 - 1998 BUDGET

LINE ITEM EXPLANATION

REVENUES:

City franchisee fee: Annually contracted fee for service. Fee targeted amount to be 40% of the collected franchise fees provided by Paragon and TCI. MHCRC recommendation of 40% as a targeted amount.

Special Projects: Teleconferencing, contract work for PEG partners in-house productions.

Tape/disk sales: Revenue from sales of tapes and disks.

Dubbing: Fees earned for dubbing services

Misc. income: Revenue that is immaterial and doesn't fit any other account description.

Contract interest: Interest from our property currently being used by Delauney Family Services.

Checking account/investment interest and dividends: Income projected based on current interest rates.

EXPENSES:

501 Salaries: This category includes administrative staff (3 FTE), production (3.75 FTE), technician (2.5 FTE), programming (4 FTE), and engineering (2 FTE). This represents all full and part-time staff.

511 Payroll taxes: Payroll taxes include PCA's FICA contribution, worker's compensation insurance and unemployment insurance.

512& 513 Benefits: Benefits include pension contributions (8% of annual salaries) and premiums for group medical, dental, life and disability insurance.

521& 522 Employee recruitment and temporary outside help: These categories include personnel recruitment and the use of outside contractors.

531&532 Training and education - staff and board: These line items include funds budgeted for board and staff training and retreat expenses. Such training includes ongoing

diversity training, computer training and fees associated with job-related continuing education and conferences such as the national and regional alliance for Community Media.

541&542 Local and out of town travel: Local travel provides reimbursement for employees called upon to use their own vehicles as part of their job. Out of town travel covers travel and accommodation costs for attendance at the national and regional Alliance for Community Media and the National Association of Broadcasters.

543 Hospitality: Hospitality covers expenses associated with a portion of the annual volunteer recognition event and simple food supplies for shoots organized by PCA for volunteers.

544 Board of Directors: This line item covers miscellaneous costs associated with the Board of Directors meetings and facilitation of PCA's annual planning meeting.

601 Accounting: Accounting covers the costs associated with PCA's annual audit, preparation and review of monthly investment and financial reports and monitoring and maintenance of fixed assets records and inventory.

602 Legal: Fees paid for legal services and counsel. Includes phone calls, administrative work, and attorney fees. PCA maintains separate counsel for both Non-Profit Corporate Issues and First Amendment Issue.

603 Computer programming: This line item is intended to cover costs related to areas of programming upgrades.

604 Other professional services: This line item provides funding for monitoring of investments by Progressive Securities.

621-625 Services: These categories provide funding for janitorial services, security services, and photographic services and miscellaneous outside services, i.e., sign language interpretation for hearing impaired persons.

631-633&641 Utilities and equipment rental: Utilities include electricity, phone and line charges, water sewer, cable and rental of a postage meter.

651-654 Repair and maintenance: These line items include costs associated with maintaining PCA's production truck, buildings and grounds, production and programming equipment and other repairs and maintenance applicable to operations.

661 Office supplies: This line item provides office supplies associated with staff and Board.

662-665 Videotapes, replacement lamps, batteries and small tools and equipment: These line items provide funds for acquisition of videotapes for programming, production, and training, replacement lamps for studio instruments, batteries, and small tools and equipment required for production, programming and engineering.

671 Printing and duplication: Printing and duplication includes costs associated with printing for all departments and the Board of Directors. It also includes costs associated with newsletters and programming guide information.

672 Postage and shipping: Postage includes costs associated with administrative and departmental postage and mailing for the newsletter.

681-684 Other expenses: These categories include gas charges for the truck, computer software, dues and subscriptions, fees for membership, i.e., Alliance for Community Media, miscellaneous expenses and bank service charges.

685 Insurance: This category includes insurance premiums for vehicles, buildings, equipment, building, property and liability.

687 Advertising: This line item includes costs associated with program promotion and PCA's annual volunteer recognition event.

688 Miscellaneous expense: Revenue that is immaterial and doesn't fit any other accounts description.

700 Interest expense: This total includes interest expense for PCA's mortgage at 2766 NE Martin Luther King Boulevard.

702 Bank service charge

BUDGET REDUCTION PACKAGES

8% REDUCTION - \$58,401

OVERVIEW

An 8% cut back will decrease the levels of funding we currently use to deliver service to this community. The above listed programs will be affected by cut backs as well as the allocation for staff to educate and present community programs.

IMPACT ON COMMUNITY

Special community projects will be affected. Programs helping the non-profit community, such as the "Human Race" will have to be eliminated. PCA featured the Volunteer Center's fundraising event called "The Human Race". The fun run and walk is a major source of funding and recognition for over 200 Portland nonprofit groups. Last year PCA was a major partner in this presentation. We allocated dollars and staff time to produce 10 public service, full-length announcements. We presented these special presentations frequently on CityNet 30 to garner interest and participation in this annual event. PCA also presented the entire event, four hours of live presentation on our CAN Channel. During the race many nonprofit spokespersons were featured on camera discussing their mission and goals. The Human Race became more than another waterfront event. It became a community event seen from Oregon City to Vancouver.

The essential "Community Conduit" of information that PCA represents should not be reduced in this Measure 47 era. There are many that believe that this is the time to increase the ability for our community to relate and understand the challenges ahead. Access television is the way.

Regrettably PCA hours of operation will be reduced and annual output will be reduced in an 8% cut. Television production editing and studio equipment can not be "checked out" of our facility. We have to be open to permit program editing and live studio programming.

Decreased funding will reduce the number of hours of new programming produced by nonprofit and community television producers.

PERSONNEL REDUCTION

Staff wages and all benefits would have to be frozen and no new personnel can be hired if this level of cut back were to be imposed. Additionally, any positions that became vacant would not be filled.

Decreased training for both staff and board would be implemented if an 8% cut were to be established. The telecommunications industry is developing at a rapid pace so financial

reductions affecting board or staff education mortgages this institution's future. If we are to remain current and effective media partners to citizens and nonprofit organizations, we need to maintain and encourage a better understanding of this rapidly developing technology.

**PORTLAND CABLE ACCESS
PROPOSED OPERATING BUDGET FY 1997-98
REFLECTING 8% CUT**

	<u>Budget Total</u>
REVENUE	
City Franchise Fee	671,612
City Council Coverage	-
Special Projects	27,563
Tape/Disk Sales	7,818
Dubbing	1,597
Misc. Income	7,319
Contract Interest (Delauney)	10,390
Checking Acct. Interest	973
Investment Int/Dividend	80,000
	<u>807,272</u>
EXPENSES	
501 Salaries	539,325
511 Payroll Taxes	59,325
512 Pension Contributions	41,414
513 Ment/Dent/Life/Dis Insurance	40,490
521 Employee Recruitment	507
522 Temporary Outside Help	5,072
531 Training & Education - Staff	6,065
532 Training & Education - Board	3,269
541 Local Travel	1,167
542 Out of Town Travel	3,206
543 Hospitality	3,879
544 Board of Directors	507
601 Accounting	16,000
602 Legal	4,347
603 Computer Programming	1,523
604 Other Professional Services	3,770
621 Janitorial Service	5,813
622 Security Service	1,195
623 Photographic Services	254
624 Data Processing	-
625 Other Outside Services	761
631 Electricity	11,020
632 Telephone	10,856
633 Other Utilities	2,461
641 Equipment Rental	1,745
651 Repair & Maint. - Vehicles	1,269
652 Repair & Maint. - Bldgs. & Grnds.	2,919
653 Repair & Maint. - Equipment	18,326
654 Other Repairs & Maintenance	1,670
661 Office Supplies	5,843
662 Video Tapes	4,987
663 Replacement Bulbs	3,513
664 Batteries	371
665 Small Tools & Equipment	1,547
671 Printing & Duplication	5,513
672 Postage & Shipping	4,057
681 Vehicle Expense	507

682 Computer Software	1,524
683 Dues & Subscriptions	2,442
684 Fees	2,789
685 Insurance	22,787
687 Advertising	507
688 Miscellaneous Expenses	507
689 Bad Debt Expense	-
700 Interest Expense	11,466
702 Bank Service Charges	-
	<u>807,272</u>

CAPITAL BUDGET

Capital Grant	<u>322,467</u>
Expenditures 1996-97	(206,685)
Production Computers	(50,000)
Production Equipment	(50,000)
REMAINDER - Contingency	<u>15,782</u>

14.5% REDUCTION - \$105,852

OVERVIEW

All of the reductions described in the 8% cut package will be a part of this funding scenario, but with additional cut backs in service and programming.

IMPACT ON COMMUNITY

In this scenario many of the above listed community programs would be drastically altered in length and substance. PCA will economize in every way possible to deliver the valued services that we traditionally have offered to The City of Portland. The choices will be very difficult to make.

Less facility operation time equates directly to the numbers of programs produced at PCA. Community programming cuts can be anticipated at about 600 programs per year in this scenario. It has yet to be determined which community producers and series productions will be affected. We anticipate trying to serve many nonprofit groups but in dramatically reduced production abilities. It takes people to make television programs.

Personnel reductions as anticipated at this reduced level of funding, while very serious to the mission of PCA, remain as a major obstacle for the nonprofit and community producers who use our facility and services. Hours of operation must be reduced to meet these budget limitations. Equipment maintenance funds will also be affected and these components equate to significant levels of reduced support for our nonprofit community partners.

Fees for services will be instituted for all community producers. The pay-as-you-go philosophy rarely used in any American city for community television would become a reality. Undoubtedly the members of our community who need this service the most are often the poor and under-funded nonprofit associations. Fees for service strikes to the very heart of the basic provision of free speech in community media. Portland may become the first major city charging for this service. Clearly this demonstrates reduced interest from government for community voices to be heard. We do not recommend that government reduce the opportunity for citizens to be heard.

PERSONNEL REDUCTIONS

Many existing career staff will be cut with this reduction package. These staff reductions will reduce the annual community program output of this organization.

Experiencing at 14.5% reduction will necessitate personnel reductions at PCA. PCA's budget is primarily composed of personnel allocations. PCA currently has 18 FTE career positions. Nearly 80% of the budget goes to salary and employee benefit categories.

A 14.5% reduction in contract funding to PCA will result in the immediate furlough of 4 FTE staff positions. We anticipate reductions in personnel in all departments. The FTE figures do not include the elimination of major commitments to on-call/part-time employees.

The availability of our facilities to community organizations and the public will be reduced from 50 to 32 hours a week.

Currently PCA has a strong resource allocation to community television productions completed at our site. In order to adjust to this level of funding reduction, and still produce civic programs of great interest to this community, PCA will have to make larger proportional reductions to the public sector of our budget.

Training and Education

PCA will have to eliminate 75% of staff training and education funds, approximately \$10,000, in this budget scenario. The telecommunication industry is exploding with new possibilities and opportunities. This is a very inopportune time to restrict educational possibilities. Telecommunications will be at the heart of most social programs in the future. How we relate to each other will be a major question. Education can uncover the best ways for our organization to become a major conduit of growth and better understanding.

Board training and educational funding will be cut by 75%. Our board consists of community volunteers. In order for this board to make informed decisions, it is essential that periodic instruction in telecommunication policy be decimated. Reducing board education will weaken the core of our decision and policy forming body. Our ability to stay informed, educated, and energetic community volunteers hinges upon our ability to share information. The caliber of community volunteers may be at stake when board development concerns are eliminated.

Your future looks bleak when education is eliminated.

**PORTLAND CABLE ACCESS
PROPOSED OPERATING BUDGET FY 1997-98
REFLECTING 14.5% CUT**

	<u>Budget Total</u>
REVENUE	
City Franchise Fee	624,164
City Council Coverage	-
Special Projects	27,563
Tape/Disk Sales	7,818
Dubbing	1,597
Misc. Income	7,319
Contract Interest (Delauney)	10,390
Checking Acct. Interest	973
Investment Int/Dividend	80,000
	<u>759,824</u>
EXPENSES	
501 Salaries	451,199
511 Payroll Taxes	62,060
512 Pension Contributions	39,343
513 Ment/Dent/Life/Dis Insurance	38,706
521 Employee Recruitment	471
522 Temporary Outside Help	4,714
531 Training & Education - Staff	6,065
532 Training & Education - Board	3,269
541 Local Travel	1,084
542 Out of Town Travel	3,206
543 Hospitality	3,879
544 Board of Directors	471
601 Accounting	16,000
602 Legal	4,040
603 Computer Programming	1,415
604 Other Professional Services	3,504
621 Janitorial Service	5,813
622 Security Service	1,111
623 Photographic Services	236
624 Data Processing	-
625 Other Outside Services	707
631 Electricity	10,241
632 Telephone	10,089
633 Other Utilities	2,287
641 Equipment Rental	1,622
651 Repair & Maint. - Vehicles	1,179
652 Repair & Maint. - Bldgs. & Grnds.	2,919
653 Repair & Maint. - Equipment	17,032
654 Other Repairs & Maintenance	1,552
661 Office Supplies	5,430
662 Video Tapes	4,987
663 Replacement Bulbs	3,513
664 Batteries	345
665 Small Tools & Equipment	1,547
671 Printing & Duplication	5,513
672 Postage & Shipping	3,771
681 Vehicle Expense	471
682 Computer Software	1,416

683 Dues & Subscriptions	2,442
684 Fees	2,592
685 Insurance	21,177
687 Advertising	471
688 Miscellaneous Expenses	471
689 Bad Debt Expense	-
700 Interest Expense	11,466
702 Bank Service Charges	-
	<u>759,824</u>

CAPITAL BUDGET

Capital Grant	<u>322,467</u>
Expenditures 1996-97	(206,685)
Production Computers	(50,000)
Production Equipment	(50,000)
REMAINDER - Contingency	<u>15,782</u>

25% REDUCTION - \$182,500

OVERVIEW

All of the reductions described in the 8% and 14.5% cut packages will be a part of this funding scenario, but with additional cut backs in service and programming necessitated by this level of funding reduction.

IMPACT ON COMMUNITY

PCA will have a major restructuring ahead if this level of funding is recommended. Fifteen years of building community ties could be jeopardized at this level of cuts. The voices of our community will be impacted greatly in this budget scenario. PCA and community television are labor intensive activities. Programmatic cuts may be easier to isolate and reduce but PCA should not be penalized due to these concerns. Our service is by its nature labor intensive.

The resource allocations that have been made to community television will be dramatically cut. Unlike the library, editing and studio production times cannot be. Community television production is a labor-intensive industry. Twenty-five percent reductions in facility editing and studio time will result in immediate and unrecoverable loss of vital community programs.

A 25% reduction in contract funding to PCA will result in a loss of one and one-half (1 ½) days of operation per week.

The availability of our facilities to community organizations and the general public will be reduced from 50 to 28 hours a week. Less time equals less community dialog and at a very crucial time.

Each day that is lost per week at PCA will represent a permanent loss of 20% of our annual programming line-up. That's 902 programs that can't be shared! That's 217 people and nonprofit groups that don't get community television training. In this scenario hundreds of hours of monthly nonprofit and community editing and production times will be cut.

A one-and-one-half days (1 ½) closure wipes out 30%. That's 1300 programs and over 325 community and nonprofit television producers' needs that go unanswered.

We suggest methods that improve public dialog be given more resources at this juncture. Any loss of public communication methods, at this critical time, is not recommended.

Staff Reductions

Every community endeavor will be dramatically affected due the loss of vital line production personnel. CityNet 30 and the public affairs/governmental production department have to undergo significant restructuring to operate in this environment.

For example, it currently takes 5 persons to televise the Portland City Council meetings. The crew consists of three camerapersons, a technical director/switcher and audio/character generator operator. A 25% reduction will eliminate our ability to produce such production rich forms of programming. Portland's citizens are very educated television viewers. They expect professional levels of television production. City Counselors also wish to have their meeting coverage presented in a "state of the art" manner that dictates labor-intensive production crews. In a reduced funding level PCA may have to change the production techniques used to capture and present weekly council meetings. One solution might be to use pre-set wide shots with zero camera movement, as found in security camera installations.

Portland Cable Access funds the entire presentation of the Portland City Council from our administrative budget.

Many dedicated career staffers would be laid off in a 25% cut scenario. Our ability to produce community programs would be severely affected. Our nonprofit partners will suffer more as PCA resources diminish.

If PCA experiences a 25% cut back, the remaining funds for staff and board training would have to be eliminated. All association and conference memberships will be eliminated. All travel will be eliminated. Educational scholarships for community members will be eliminated.

A very bleak environment is contemplated in this scenario where growth is being sacrificed and education becomes a luxury.

The community need is increasing, not decreasing.

**PORTLAND CABLE ACCESS
PROPOSED OPERATING BUDGET FY 1997-98
REFLECTING 25% CUT**

	<u>Budget Total</u>
REVENUE	
City Franchise Fee	547,513
City Council Coverage	-
Special Projects	27,563
Tape/Disk Sales	7,818
Dubbing	1,597
Misc. Income	7,319
Contract Interest (Delauney)	10,390
Checking Acct. Interest	973
Investment Int/Dividend	80,000
	<u>683,173</u>
EXPENSES	
501 Salaries	403,777
511 Payroll Taxes	54,439
512 Pension Contributions	34,511
513 Ment/Dent/Life/Dis Insurance	33,953
521 Employee Recruitment	413
522 Temporary Outside Help	4,135
531 Training & Education - Staff	6,065
532 Training & Education - Board	3,269
541 Local Travel	951
542 Out of Town Travel	3,206
543 Hospitality	3,879
544 Board of Directors	413
601 Accounting	16,000
602 Legal	3,544
603 Computer Programming	1,241
604 Other Professional Services	3,074
621 Janitorial Service	5,813
622 Security Service	974
623 Photographic Services	207
624 Data Processing	-
625 Other Outside Services	620
631 Electricity	8,984
632 Telephone	8,850
633 Other Utilities	2,006
641 Equipment Rental	1,423
651 Repair & Maint - Vehicles	1,034
652 Repair & Maint - Bldgs. & Grnds.	2,919
653 Repair & Maint - Equipment	14,940
654 Other Repairs & Maintenance	1,361
661 Office Supplies	4,763
662 Video Tapes	4,987
663 Replacement Bulbs	3,513
664 Batteries	302
665 Small Tools & Equipment	1,547
671 Printing & Duplication	5,513
672 Postage & Shipping	3,308
681 Vehicle Expense	413
682 Computer Software	1,242
683 Dues & Subscriptions	2,442

684 Fees	2,274
685 Insurance	18,576
687 Advertising	413
688 Miscellaneous Expenses	413
689 Bad Debt Expense	-
700 Interest Expense	11,466
702 Bank Service Charges	-
	<u>683,173</u>

CAPITAL BUDGET

Capital Grant	<u>322,467</u>
Expenditures 1996-97	(206,685)
Production Computers	(50,000)
Production Equipment	(50,000)
REMAINDER - Contingency	<u>15,782</u>

PORTLAND CABLE ACCESS TELEVISION FY 1997-98 CAPITAL

Revenues

Projected capital revenues have increased for FY 1997-98 due to the new, 15 year, Paragon Cable Television franchise agreement. FY97-98 PCA will realize \$322,000 in capital funds from the Paragon franchise. There have been no capital funds from the TCI franchise applied to PCA in this budget. All PCA capital funds are collected directly from the cable operator and are not part of any property tax base.

Expenditures

Changes in PCA's Capital FY 1997-98 budget from FY 1996-97 includes:

Increases

- Computerization of community bulletin boards
- Production equipment replacement

LINE ITEM EXPLANATION

Portland Cable Access anticipates receiving \$322,467 in July of 1997. Capital expenditures needed to be made in FY 1996-97, so a bridge loan was made from money in our capital fund with the intention of repaying the money with the capital grant.

As of December 31, the roof has been completed, the new phone system is up and running, the van has been purchased, the mortgage will be paid off, and the computer system is functioning. Although the books have not yet been closed for FY 1996-97, it appears that all these items were completed within the budget.

CAPITAL GRANT BUDGET FY 1997-98

REVENUE 97-98

Capital Grant	322,467
	<u>322,467</u>

EXPENDITURES 96-97

Building Improvements	59,332
Phones and fiberoptic wiring	28,950
Computers	45,000
Van	29,278
2 nd Mortgage	44,125
	<u>206,685</u>

EXPENDITURES 97-98

Production Computers	50,000
Production Equipment	50,000
	<u>100,000</u>

REMAINDER - CONTINGENCY	<u>15,782</u>
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APPENDIX FOUR
MULTNOMAH COMMUNITY TELEVISION
FY 1997-98
ACCESS AND LOCAL ORIGINATION BUDGETS

MULTNOMAH COMMUNITY TELEVISION
BUDGET PACKET

FY 1997-98

MULTNOMAH COMMUNITY TELEVISION

BUDGET PACKET

FY 1997-98

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28 January 1997

TO: Mt. Hood Cable Regulatory Commission

From: Rob Brading

Re: MCTV FY 1997-98 Budgets

Following guidelines established by the MCTV Board, the MCTV management team began developing FY 1997-98 budgets in September. The attached MCTV FY 1997-98 PEG and LO Budgets were recommended by the MCTV Finance Committee at its January 8 meeting and approved by the MCTV Board at its January 15 meeting.

PUBLIC, EDUCATION AND GOVERNMENT ACCESS

Revenues

Projected PEG revenues from franchise fees have increased slightly for FY 1997-98. Other funds come from the Settlement funds that come from the sale of the franchise from Rogers Cable to Paragon Cable. Revenues are also derived from interest, an administrative fee charged to LO programming for administrative services, and other sources, including special events and fees for services.

Expenditures

Significant changes in MCTV's PEG FY 1997-98 budget from FY 1996-97 include:

Reductions

- Consulting by 14%.
- Program Acquisition by 14%.
- Business Meals/Related by 29%.
- Graphics by 60%.
- Maintenance Supplies by 20%

- Operation Supplies by 22%
- Repairs and Maintenance by 32%
- Travel by 41%.

Increases

- Accounting by 98% due to increased complexity of annual audit because of endowment investments.
- Local Travel and Mileage by 26% due change of company van which could hold full crew to a truck which seats only three.
- Office Supplies by 21% based on recent expenditures.
- Postage by 11% due to increased demand for monthly program guide and newsletter.
- Vehicle Maintenance by 14% due to increasing age.
- Videotape by 42% due to increased usage.
- Production and Maintenance Equipment by 79% due to deferred purchases.

Personnel expenses will increase 7% in FY 1997-98. This increase means that personnel expenses have increased by approximately 5% a year for four years. These expenses have been limited by streamlining administrative work and continuing to enlarge the role of self-directed work teams.

This budget also targets \$310,660 for the MCTV endowment.

LOCALLY ORIENTED PROGRAMMING

Revenues

Projected LO revenues will increase modestly for FY 1997-98.

Expenditures

Significant changes in MCTV's LO FY 1997-98 budget from FY 1996-97 include:

Reductions

- Consulting by 100% since no needs assessment will be required.
- Production and Maintenance Equipment by 67% because contract expires and replacement equipment needs will be minimal.

- Vehicle Maintenance by 20% based on recent expenditures.
- Videotape by 25% based on recent expenditures.

Increases

- Accounting by 33% due to decrease in non-profit discount.
- Personnel by 18% due to stay bonuses to keep personnel until end of contract period.

MCTV BUDGET OVERVIEW

Over the last three fiscal years, MCTV's operating expenses have increased by 9.0%. In that same period, the national CPI increased by 11.8% and the Portland CPI by 13.6%. The proposed MCTV budget for FY 1997-98 shows MCTV expenses increasing by 17% from the end FY 1991-92 while the CPI for the same period will have increased almost 20%. The FY 1997-98 budget shows an increase of slightly more than 5.4% from the FY 1996-97 budget. (MCTV operating expenses for each fiscal year are shown on the last line of the attached line item budget.)

While MCTV has held expenses in line, programming has increased. Programming continues to increase and per program and per hour costs have dropped as community producers and MCTV staff found more efficient methods for producing programming.

MCTV will continue to save revenues to provide for community media services when the current franchise expires. A new line item, "9000, Endowment Fund" was added to the MCTV budget two years ago. When Rogers Cable sold the franchise to Paragon a Settlement Fund was created. These funds are designated for community television and may not be used for other purposes. The Settlement Fund was intended to be spent to zero by the end of the franchise in 1998 but MCTV, anticipating a drop in revenues in 1998, has saved a portion of its Settlement Fund revenue each year.

The Settlement Fund (referred to in the line item budget as "Access Support") has provided more than half of MCTV's annual revenues over the years. Because of changes in federal legislation, local franchising authorities are no longer able to require cable companies to provide operating expenses over and above franchise fees. The money saved has been placed in an Endowment Fund where it is generating revenue for future use. In the new franchise these funds will be used to continue to provide public, education and government community television services for the residents and communities of East Multnomah County. Without these savings and the long-term revenue generated from them, the level and quality of community media services provided to East County residents and communities will be drastically reduced.

PROPOSED PEG BUDGET -- FY 1997-98

		ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	BUDGET	PROPOSED	
		1991-92	1992-93	1993-94	1994-95	1995-96	1996-97	BUDGET	
								1997-98	
	INCOME:								INCOME:
	Carry-Over								Carry-Over
4152	Access Support	\$ 370,000	\$ 407,000	\$423,000	\$451,200	\$ 496,320	\$ 561,000	\$ 636,000	Access Support
4130	Franchise Fees, Multnomah	351,892	367,330	335,174	318,306	339,941	333,181	343,175	Franchise Fees, Multnomah
4140	Franchise Fees, Portland	61,898	122,535	118,257	160,245	191,335	186,535	191,945	Franchise Fees, Portland
4090	Interest	21,709	16,933	20,211	25,366	12,203	5,000	5,000	Interest
4270	Activity Fees/Fees for Service						5,000	11,000	Activity Fees/Fees for Service
4200	Other	25,857	5,100	7,324	10,527	68,482	15,000	29,000	Other
4120	Administration-LO	24,600	25,000	20,000	20,000	20,000	20,000	20,000	Administration-LO
4280	Building				158,548				Building
	TOTAL OPERATING INCOME	\$ 855,956	\$ 943,898	\$ 923,966	\$ 1,144,192	\$ 1,128,281	\$ 1,125,716	\$ 1,236,120	TOTAL OPERATING INCOME
	Funds:								Funds:
	Equipment Replacement Fund*				\$ 172,072	\$ 172,072			Equipment Replacement Fund
	TOTAL INCOME				\$ 1,316,264	\$ 1,300,353			TOTAL INCOME

PROPOSED PEG BUDGET -- FY 1997-98

	EXPENSES:								EXPENSES:
7020	Full-Time Salaries	\$ 275,067	\$ 325,645	\$ 380,142	\$ 398,825	\$ 447,512	\$ 437,871	\$ 524,231	Full-Time Salaries
7030	Part-Time Salaries	117,501	92,904	75,400	67,808	53,645	68,409	17,842	Part-Time Salaries
7050	Taxes & Fringe Benefits	91,222	96,742	102,024	111,602	109,528	121,507	130,098	Taxes & Fringe Benefits
	Total Personal Services	\$ 483,790	\$ 515,291	\$ 557,566	\$ 578,235	\$ 610,685	\$ 627,787	\$ 672,171	Total Personal Services
6020	Accounting	\$ 3,086	\$ 3,462	\$ 4,278	\$ 5,391	\$ 7,735	\$ 5,800	\$ 11,500	Accounting
6030	Books	504	230	700	184	485	400	500	Books
6040	Cable Installations				0				Cable Installations
6041	Consulting	12,220	13,184	17,054	32,477	13,168	17,500	15,000	Consulting
6051	Dues & Subscriptions	5,394	6,697	9,030	7,428	8,688	8,900	9,400	Dues & Subscriptions
6060	Educational Program Acquisition	0	1,785	1,710	475	1,406	1,750	1,500	Educational Program Acquisition
6061	Education & Travel				0				Education & Travel
6061	Education & Training	9,560	12,214	12,725	10,304	15,642	11,000	11,000	Education & Training
6063	Ed. Tuition Reimbursement		189		0	542	200	600	Ed. Tuition Reimbursement
6062	Business Meals/Related	1,259	2,111	1,754	1,986	2,397	1,400	1,000	Business Meals/Related
6064	Events			605	365	250	1,000	1,000	Events
6070	Food	2,996	7,938	4,961	6,173	4,459	5,000	4,500	Food
6080	Graphics	1,670	1,580	1,431	0	0	1,250	500	Graphics
6100	Insurance	25,453	24,313	25,976	31,807	26,215	33,397	28,837	Insurance
6110	Janitorial	7,994	7,980	7,980	7,315	8,645	8,966	9,414	Janitorial
6130	Legal	7,993	25,440	9,466	2,354	8,830	12,500	12,500	Legal
6131	Local Travel & Mileage	4,651	3,297	2,552	3,676	4,304	3,800	4,800	Local Travel & Mileage
	Transfer To LO	1,113							Transfer To LO
6140	Maintenance Supplies	6,978	10,680	9,933	8,610	5,297	12,500	10,000	Maintenance Supplies
6160	Office Supplies	7,362	5,210	6,361	6,235	8,236	7,000	8,500	Office Supplies
6161	Operation Supplies	4,794	8,820	14,205	9,269	8,825	11,500	9,000	Operation Supplies
6170	Personnel Recruitment	11,962	2,554	651	2,485	1,251	1,000	1,000	Personnel Recruitment
6171	Phones	4,363	5,049	5,739	5,571	6,314	7,150	7,800	Phones
6172	Postage	5,713	7,992	7,828	8,764	8,176	9,500	10,500	Postage
6173	Printing	9,084	12,656	11,172	10,172	14,380	15,000	16,000	Printing
6174	Marketing/Promotion	5,923	6,747	7,264	7,851	6,530	7,500	7,500	Marketing/Promotion
6190	Repairs & Maintenance	7,579	2,265	6,288	5,202	4,167	9,500	6,500	Repairs & Maintenance
6200	Rent, Utilities, Maintenance	17,992	17,494	21,922	21,216	21,734	23,202	24,362	Rent, Utilities, Maintenance
6211	Travel	1,366	7,007	9,348	6,552	2,794	6,750	4,000	Travel
6230	Vehicle Maintenance	2,028	862	1,485	1,050	1,914	1,750	2,000	Vehicle Maintenance
6231	Videotape	9,641	8,506	11,856	4,993	7,994	6,000	8,500	Videotape
	Total Materials & Services	\$ 178,678	\$ 206,262	\$ 214,274	\$ 207,905	\$ 200,378	\$ 231,215	\$ 227,713	Total Materials & Services

PROPOSED PEG BUDGET -- FY 1997-98

8020	Building				\$ 220,290				Building
8030	Leasehold Improvements	\$ 27,480	\$ 0	\$ 0	0	\$ 0	\$ 2,500	\$ 2,500	Leasehold Improvements
8040	Office Equipment	6,167	14,607	3,516	1,413	8,282	2,500	2,500	Office Equipment
8050	Office Furnishings	1,288	852	801	7,748	1,259	1,000	1,000	Office Furnishings
8060	Production & Maintenance Equip.	48,968	38,465	11,221	10,950	24,693	7,916	14,167	Production & Maintenance Equip.
	Total Capital	\$ 83,903	\$ 53,924	\$ 15,538	\$ 240,401	\$ 34,234	\$ 13,916	\$ 20,167	Total Capital
9000	Savings to Endowment**					\$ 192,855	\$ 252,798	\$ 316,069	Savings to Endowment
	TOTAL OPERATING EXPENSES	\$ 746,371	\$ 775,477	\$787,378	\$1,026,541	\$ 1,048,355	\$ 1,125,716	\$ 1,236,120	TOTAL OPERATING EXPENSES
	Unexpended Balance:								Unexpended Balance:
	Equipment Replacement Fund*				172,072	172,072			Equipment Replacement Fund
	TOTAL EXPENSES				\$ 1,198,613	\$ 1,220,427			TOTAL EXPENSES
	Operating Expenses	\$ 746,371	\$ 775,477	\$ 787,378	\$ 806,251	\$ 845,297	\$ 872,919	\$ 920,050	Operating Expenses

MULTNOMAH COMMUNITY TELEVISION

PUBLIC, EDUCATION AND GOVERNMENT ACCESS

FY 1997 - 1998 BUDGET

LINE ITEM EXPLANATION

INCOME:

4152 Access Support

A portion of settlement funds from the sale of Rogers Cable TV to Paragon Cable, invested by MCTV and taken from the MCTV endowment.

4130 Franchise Fees, Multnomah

5% of total gross revenue of Paragon Cable for the East Multnomah County system, of which MCTV receive 60%. The MHCRC receives the funds and passes through payments to MCTV. Income projections provided by Paragon Cable and the MHCRC.

4140 Franchise Fees, Portland

MCTV serves a portion of the east Portland Paragon Cable system regulated by the MHCRC. MCTV receives a 40% split of franchise fees in this area, with income projections provided by Paragon Cable and the MHCRC.

4090 Interest

Income projected based on current interest rates.

4200 Other

Tape duplication, refunds, tape sales, special events.

4120 Administration-LO

Pass-through payment made from the Locally Oriented Programming to budget to MCTV for administrative, engineering, and marketing and promotional services.

4270 Activity/Fees for Service

Monies raised from activity fees and charging for MCTV services.

FUNDS:

Equipment Replacement Fund

MCTV funds set aside to replace television equipment as it wears out. Over the years MCTV has extended the use of equipment beyond its anticipated life but eventually equipment will break down and have to be replaced.

EXPENSES:

Salaries compensate 22 full-time equivalent employees, including interns.

7020 Full-time Salaries

Salaries for full-time employees. Includes the following staff by department:

Administration	Salary Range
Executive Director	\$ 46,000
Director of Operations	\$ 26,685-40,029
Comptroller	\$ 20,998-30,567
Playback	
Program Coordinator	\$ 19,343-28,047
Playback Operator/Programming Assistant	\$ 15,121-21,472
Playback Operator	\$ 15,121-21,472

Operations

Civic Involvement Coordinator	\$ 19,343-28,047
Project Coordinator	\$ 19,343-28,047
Volunteer Coordinator	\$ 19,343-28,047
Promotions and Fund Raising Coordinator	\$ 19,343-28,047

Engineering

Technical Manager	\$ 24,746-36,625
Engineer/Data Manager	\$ 19,343-28,047
Equipment Manager	\$ 15,121-21,472

Production

Producer	\$ 17,818-25,658
Producer	\$ 16,414-23,473
Producer	\$ 16,414-23,473

Training

Training Coordinator	\$ 17,818-25,658
Trainer	\$ 15,121-21,472
Trainer	\$ 15,121-21,472

7030 Part-Time Salaries

Salaries for part-time employees. Includes the following staff by department:

Adminstration	Salary Range
Receptionist	\$ 6,965- 9,821

7050 Taxes and Fringe Benefits

Figured as 24% of full- and part-time salaries. (Includes pension plan contribution, medical and dental insurance, life and disability insurance, employer-contributed FICA, Tri-Met tax, and state unemployment tax.)

6020 Accounting

Outside accounting services. Includes annual audit, on-going accounting support, and bank charges for Corporate Sweep Account.

6030 Books

Training books, videos, and other books.

6041 Consulting

Outside professional services except for accounting, legal, graphics, janitorial and equipment repair. Projected expenses include assistance with planning and facilitating for board retreat; upgrading computer software; meeting marketing and promotional objectives; pension plan administration; personnel issues; outreach strategies; time and equipment management for the public access department; advertising agency consultation for public access educational program, and development of ad campaign for government and education program departments.

6051 Dues and Subscriptions

Magazine and newspaper subscriptions, memberships in professional organizations.

6060 Educational Program Acquisition

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

6061 Education and Training

Training and education for nine Board members and twenty-three employees. Includes costs for conferences, workshops, seminars.

6063 Education Tuition Reimbursement

Includes employer costs for MCTV tuition reimbursement policy.

6062 Business Meals/Related

Meals purchased for business-related purposes.

6064 Events

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

6070 Food

Food for volunteer crew members working on MCTV productions; for special volunteer recognition events.

6080 Graphics

Outside contract work for graphic services for print, video and promotional items.

6100 Insurance

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

6110 Janitorial

Janitorial services (excluding those services provided by Mt. Hood Community College.)

6130 Legal

Attorney's fees, costs for legal filings.

6131 Local Travel and Mileage

Gas and parking for vehicles, employee mileage reimbursement.

6140 Maintenance Supplies

Materials used to maintain and install production, engineering and office equipment; parts used to construct items for production, playback and engineering.

6160 Office Supplies

Items less than \$100 that are not production-related and are primarily used in an office setting (e.g., pencils, paper, clipboards, bulletin boards.)

6161 Operating Supplies

Items less than \$100 that are production-related (e.g., adapters, duct tape, lamps.)

6170 Personnel Recruitment

Advertising for job openings and volunteer positions.

6171 Phones

Local and long distance phone charges, fax and phone line charges.

6172 Postage

Postage for all outgoing mail through Mt. Hood Community College, stamps, bulk mail postage (for newsletters and invitations to volunteer recognition events), Federal Express, UPS and other shipping, Ad-Mail for bulk mail preparation.

6173 Printing

Printing done outside including newsletter, invitations, handbook, forms, stationary, business cards.

6174 Marketing and Promotion

Includes advertising (except job openings), promotional item such as T-shirts and pins, decorations and entertainment for special events, marketing surveys and services.

6190 Repairs and Maintenance

Repair work done outside for production and office equipment; maintenance contract for office equipment.

6200 Rent, Utilities and Maintenance

Payments made to Mt. Hood Community College for building (includes utilities and College services.)

6211 Travel

Transportation for travel to regional and national conferences and seminars.

6230 Vehicle Maintenance

On-going maintenance and repairs for two vehicles.

6231 Videotape

Blank videotape (VHS, SVHS, 3/4", 3/4" SP.)

8030 Leasehold Improvements

Improvements to MCTV building such as mini-blinds, painting and carpeting.

8040 Office Equipment

Office equipment items in excess of \$100 such as computers, copiers, fax machines, phones, printers, etc. Includes software upgrades, RAM upgrades, new software, tape backup, scanner.

8050 Office Furnishings

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

8060 Production and Maintenance Equipment

Items in excess of \$100 in production, playback and engineering. Includes 8 new television receivers for MCR (\$2488), 1 new floor monitor for studio (\$744), 1 new monitor for roll around cart (\$744), 1 new television receiver for mini mobile (\$348), 1 new television receiver for EQ check-in (\$348), 2 used 3/4" SP play back decks for MCR (\$6,132), 2 S-VHS play back decks for MCR (\$3363).

9000 Endowment Fund

Funds set aside for use after the end of the current franchise in 1998. As of December 31, 1996, the fund was \$1,265,708.

IMPACT OF BUDGET CUTS ON THE COMMUNITY

OVERVIEW

In the spring and summer of 1995, MCTV conducted a community needs assessment. Over 100 community leaders participated in the needs assessment. They identified five key challenges facing the East Metro community: 1) growth, 2) growing diversity, 3) growing problems of crime, 4) jobs and 5) education

The community identified four opportunities that must exist if these key issues are to be successfully addressed:

- Universal Access
- Learning
- Community-Building and Civic Involvement
- Citizen-to-Government Communication

MCTV provides a variety of services to meet those challenges, such as technological and media literacy training, Internet access and training, video programming, coverage of our local and state governments, live call-in public meetings and opportunities for community members to deal with community issues. Funding cuts will directly effect MCTV's ability to deliver services.

Four budgets are included in Multnomah Community Television's (MCTV) budget submission for FY 1997-98. The four budgets reflect MCTV's budget proposal for full funding from Portland franchise fees and cuts of 8%, 14.5% and 25% in those franchise fees. Line item changes are indicated by bold face. An explanation of the impact of each level of cuts in Portland franchise fees follows.

8% CUT

An 8% cut in Portland franchise fees will decrease MCTV's capital budget by 69% and the travel line item by 62.5%. Capital expenditures will be deferred until FY 1998-99 when capital funds will be available in the new franchise. Overall maintenance costs will increase and the upgrading of MCTV's playback facilities will be delayed.

Decreased travel will prevent MCTV staff from attending regional and national trainings. Trainings such as these have played a critical role in MCTV becoming an important learning center and technological resource. In an era of rapid and radical changes in communications technology, these trainings are even more critical if MCTV is to remain a current and effective training and technological resource for the community.

14.5% CUT

A 14.5% cut in Portland franchise fee revenues will cause deeper cuts in capital and operating expenditures. The impacts described above will remain and MCTV's capital budget will be virtually eliminated, allowing for only the purchase of emergency small-ticket items.

In addition, janitorial services will be cut to three times a week instead of the present six, education tuition reimbursement for employees will be cut, as will legal expenses. Staff will spend more time maintaining the facility and less time providing training and assistance to the community. In a time when telecommunications law is rapidly changing, MCTV will be less able to protect the valuable public resource, channel space, entrusted to it.

The use of consultants will also be cut. The technological and organizational development expertise of outside consultants has played an essential part in MCTV's development as a technological resource for our communities. Consultants have periodically provided MCTV with critical skills that are needed for a short time. For example, the community needs assessment that has driven MCTV planning and programming for the past two years was facilitated and managed by an outside consultant. MCTV has also hired consultants to design and implement program evaluation and to determine the impact and value of MCTV activities to the community. Evaluation processes such as these are an important tool in helping MCTV remain responsive to community needs. MCTV cannot afford to keep this kind of expertise on staff and the use of consultants has provided a cost-effective means of providing a diversity of expertise by keeping costs down and by helping staff to use resources more efficiently.

25% CUT

A 25% cut will result in the impacts described above as well as a cut in MCTV personnel. MCTV will lose one full-time staff member which will result in

the consolidation of three positions into two. Losing one staff member would significantly impact MCTV training, production and outreach, all of which go directly to MCTV's ability to provide universal access, learning, to encourage civic involvement and citizen to government communication. Over the course of a year, more than 50 staff-produced community, government and education productions would be cut and more than 60 classes with the potential to reach more than 600 students would be cut. In addition, MCTV's outreach efforts to under-represented groups would be cut by a third which would result in fewer productions for and from these communities.

Community Roundtable, *Gresham Art Works*, *Before the Council* and coverage of a wide variety of community events, ranging from dance to athletics, from Chamber of Commerce programs to government outreach efforts, from foreign language programming to innovative educational programs will be effected by these cuts. For example, cuts in programming will impact MCTV's ability to produce *Community Roundtable*, a program sponsored by local governments which brings a variety of community members together to discuss and work towards consensus on community issues. Most of the crew for this program are volunteers who have been trained at MCTV. Decreases in MCTV training capacity means that there will be fewer trained volunteers to work of programs such as this. Cuts in outreach will effect programs such as *La Noticias*, East Metro's only Spanish language news program. MCTV is the sole source of local Spanish-language programming for East Metro. *La Noticias* depends on volunteers for its production, with most of those volunteers coming from the Latino community. Without consistent and dedicated outreach efforts, the supply of volunteers who are able to work on programs such as *La Noticias* will decrease.

These are only a few examples of the innovative, community-building programs that will be adversely effected by the loss of one staff member. Over the years MCTV has been a prudent and effective manager of community resources. MCTV has effectively leveraged its limited resources through the use of volunteers who produce or help to produce most MCTV programming. Using volunteers has allowed MCTV staff to spend more time in community productions and training. Cuts in financial resources will significantly decrease MCTV's ability to provide the services the community has told us they need.

8% CUT IN PORTLAND FRANCHISE FEES

		ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	BUDGET	PROPOSED	
		1991-92	1992-93	1993-94	1994-95	1995-96	1996-97	BUDGET	
								1997-98	
	INCOME:								INCOME:
	Carry-Over								Carry-Over
4152	Access Support	\$ 370,000	\$ 407,000	\$423,000	\$451,200	\$ 496,320	\$ 561,000	\$ 636,000	Access Support
4130	Franchise Fees, Multnomah	351,892	367,330	335,174	318,306	339,941	333,181	343,175	Franchise Fees, Multnomah
4140	Franchise Fees, Portland	61,898	122,535	118,257	160,245	191,335	186,535	176,589	Franchise Fees, Portland
4090	Interest	21,709	16,933	20,211	25,366	12,203	5,000	5,000	Interest
4270	Activity Fees/Fees for Service						5,000	11,000	Activity Fees/Fees for Service
4200	Other	25,857	5,100	7,324	10,527	68,482	15,000	29,000	Other
4120	Administration-LO	24,600	25,000	20,000	20,000	20,000	20,000	20,000	Administration-LO
4280	Building				158,548				Building
	TOTAL OPERATING INCOME	\$ 855,956	\$ 943,898	\$ 923,966	\$ 1,144,192	\$ 1,128,281	\$ 1,125,716	\$ 1,220,764	TOTAL OPERATING INCOME
	Funds:								Funds:
	Equipment Replacement Fund*				\$ 172,072	\$ 172,072			Equipment Replacement Fund*
	TOTAL INCOME				\$ 1,316,264	\$ 1,300,353			TOTAL INCOME

8% CUT IN PORTLAND FRANCHISE FEES

	EXPENSES:									EXPENSES:
7020	Full-Time Salaries	\$ 275,067	\$ 325,645	\$ 380,142	\$ 398,825	\$ 447,512	\$ 437,871	\$ 524,231		Full-Time Salaries
7030	Part-Time Salaries	117,501	92,904	75,400	67,808	53,645	68,409	17,842		Part-Time Salaries
7050	Taxes & Fringe Benefits	91,222	96,742	102,024	111,602	109,528	121,507	130,098		Taxes & Fringe Benefits
	Total Personal Services	\$ 483,790	\$ 515,291	\$ 557,566	\$ 578,235	\$ 610,685	\$ 627,787	\$ 672,171		Total Personal Services
6020	Accounting	\$ 3,086	\$ 3,462	\$ 4,278	\$ 5,391	\$ 7,735	\$ 5,800	\$ 11,500		Accounting
6030	Books	504	230	700	184	485	400	500		Books
6041	Consulting	12,220	13,184	17,054	32,477	13,168	17,500	15,000		Consulting
6051	Dues & Subscriptions	5,394	6,697	9,030	7,428	8,688	8,900	9,400		Dues & Subscriptions
6060	Educational Program Acquisition	0	1,785	1,710	475	1,406	1,750	1,500		Educational Program Acquisition
6061	Education & Travel				0					Education & Travel
6061	Education & Training	9,560	12,214	12,725	10,304	15,642	11,000	11,000		Education & Training
6063	Ed. Tuition Reimbursement		189		0	542	200	600		Ed. Tuition Reimbursement
6062	Business Meals/Related	1,259	2,111	1,754	1,986	2,397	1,400	1,000		Business Meals/Related
6064	Events			605	365	250	1,000	1,000		Events
6070	Food	2,996	7,938	4,961	6,173	4,459	5,000	4,500		Food
6080	Graphics	1,670	1,580	1,431	0	0	1,250	500		Graphics
6100	Insurance	25,453	24,313	25,976	31,807	26,215	33,397	28,837		Insurance
6110	Janitorial	7,994	7,980	7,980	7,315	8,645	8,966	9,414		Janitorial
6130	Legal	7,993	25,440	9,466	2,354	8,830	12,500	12,500		Legal
6131	Local Travel & Mileage	4,651	3,297	2,552	3,676	4,304	3,800	4,800		Local Travel & Mileage
	Transfer To LO	1,113								Transfer To LO
6140	Maintenance Supplies	6,978	10,680	9,933	8,610	5,297	12,500	10,000		Maintenance Supplies
6160	Office Supplies	7,362	5,210	6,361	6,235	8,236	7,000	8,500		Office Supplies
6161	Operation Supplies	4,794	8,820	14,205	9,269	8,825	11,500	9,000		Operation Supplies
6170	Personnel Recruitment	11,962	2,554	651	2,485	1,251	1,000	1,000		Personnel Recruitment
6171	Phones	4,363	5,049	5,739	5,571	6,314	7,150	7,800		Phones
6172	Postage	5,713	7,992	7,828	8,764	8,176	9,500	10,500		Postage
6173	Printing	9,084	12,656	11,172	10,172	14,380	15,000	16,000		Printing
6174	Marketing/Promotion	5,923	6,747	7,264	7,851	6,530	7,500	7,500		Marketing/Promotion
6190	Repairs & Maintenance	7,579	2,265	6,288	5,202	4,167	9,500	6,500		Repairs & Maintenance
6200	Rent, Utilities, Maintenance	17,992	17,494	21,922	21,216	21,734	23,202	24,362		Rent, Utilities, Maintenance
6211	Travel	1,366	7,007	9,348	6,552	2,794	6,750	2,500		Travel
6230	Vehicle Maintenance	2,028	862	1,485	1,050	1,914	1,750	2,000		Vehicle Maintenance
6231	Videotape	9,641	8,506	11,856	4,993	7,994	6,000	8,500		Videotape
	Total Materials & Services	\$ 178,678	\$ 206,262	\$ 214,274	\$ 207,905	\$ 200,378	\$ 231,215	\$ 226,213		Total Materials & Services

8% CUT IN PORTLAND FRANCHISE FEES

8020	Building				220,290				Building
8030	Leasehold Improvements	27,480	0	0	0	0	2,500	1,000	Leasehold Improvements
8040	Office Equipment	6,167	14,607	3,516	1,413	8,282	2,500	1,000	Office Equipment
8050	Office Furnishings	1,288	852	801	7,748	1,259	1,000	1,000	Office Furnishings
8060	Production & Maintenance Equip.	48,968	38,465	11,221	10,950	24,693	7,916	3,311	Production & Maintenance Equip.
	Total Capital	\$ 83,903	\$ 53,924	\$ 15,538	\$ 240,401	\$ 34,234	\$ 13,916	\$ 6,311	Total Capital
9000	Savings to Endowment**					\$ 192,855	\$ 252,798	\$ 316,069	Savings to Endowment**
	TOTAL OPERATING EXPENSES	\$ 746,371	\$ 775,477	\$787,378	\$1,026,541	\$ 1,048,355	\$ 1,125,716	\$ 1,220,763	TOTAL OPERATING EXPENSES
	Unexpended Balance:								Unexpended Balance:
	Equipment Replacement Fund*				172,072	172,072			Equipment Replacement Fund*
	TOTAL EXPENSES				\$ 1,198,613	\$ 1,220,427			TOTAL EXPENSES
	Operating Expenses	\$ 746,371	\$ 775,477	\$ 787,378	\$ 806,251	\$ 845,297	\$ 872,919	\$ 904,694	Operating Expenses
								904,694	

14.5% CUT IN PORTLAND FRANCHISE FEES

		ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	BUDGET	PROPOSED	
		1991-92	1992-93	1993-94	1994-95	1995-96	1996-97	BUDGET	
								1997-98	
	INCOME:								INCOME:
	Carry-Over								Carry-Over
4152	Access Support	\$ 370,000	\$ 407,000	\$423,000	\$451,200	\$ 496,320	\$ 561,000	\$ 636,000	Access Support
4130	Franchise Fees, Multnomah	351,892	367,330	335,174	318,306	339,941	333,181	343,175	Franchise Fees, Multnomah
4140	Franchise Fees, Portland	61,898	122,535	118,257	160,245	191,335	186,535	164,112	Franchise Fees, Portland
4090	Interest	21,709	16,933	20,211	25,366	12,203	5,000	5,000	Interest
4270	Activity Fees/Fees for Service						5,000	11,000	Activity Fees/Fees for Service
4200	Other	25,857	5,100	7,324	10,527	68,482	15,000	29,000	Other
4120	Administration-LO	24,600	25,000	20,000	20,000	20,000	20,000	20,000	Administration-LO
4280	Building				158,548				Building
	TOTAL OPERATING INCOME	\$ 855,956	\$ 943,898	\$ 923,966	\$ 1,144,192	\$ 1,128,281	\$ 1,125,716	\$ 1,208,287	TOTAL OPERATING INCOME
	Funds:								Funds:
	Equipment Replacement Fund				\$ 172,072	\$ 172,072			Equipment Replacement Fund
	TOTAL INCOME				\$ 1,316,264	\$ 1,300,353			TOTAL INCOME

14.5% CUT IN PORTLAND FRANCHISE FEES

	EXPENSES:								EXPENSES:
7020	Full-Time Salaries	\$ 275,067	\$ 325,645	\$ 380,142	\$ 398,825	\$ 447,512	\$ 437,871	\$ 524,231	Full-Time Salaries
7030	Part-Time Salaries	117,501	92,904	75,400	67,808	53,645	68,409	17,842	Part-Time Salaries
7050	Taxes & Fringe Benefits	91,222	96,742	102,024	111,602	109,528	121,507	130,098	Taxes & Fringe Benefits
	Total Personal Services	\$ 483,790	\$ 515,291	\$ 557,566	\$ 578,235	\$ 610,685	\$ 627,787	\$ 672,171	Total Personal Services
6020	Accounting	\$ 3,086	\$ 3,462	\$ 4,278	\$ 5,391	\$ 7,735	\$ 5,800	\$ 11,500	Accounting
6030	Books	\$ 504	\$ 230	\$ 700	\$ 184	\$ 485	\$ 400	\$ 500	Books
6040	Cable Installations				0				Cable Installations
6041	Consulting	12,220	13,184	17,054	32,477	13,168	17,500	13,000	Consulting
6051	Dues & Subscriptions	5,394	6,697	9,030	7,428	8,688	8,900	9,400	Dues & Subscriptions
6060	Educational Program Acquisition	0	1,785	1,710	475	1,406	1,750	1,500	Educational Program Acquisition
6061	Education & Travel				0				Education & Travel
6061	Education & Training	9,560	12,214	12,725	10,304	15,642	11,000	11,000	Education & Training
6063	Ed. Tuition Reimbursement		189		0	542	200	400	Ed. Tuition Reimbursement
6062	Business Meals/Related	1,259	2,111	1,754	1,986	2,397	1,400	1,000	Business Meals/Related
6064	Events			605	365	250	1,000	1,000	Events
6070	Food	2,996	7,938	4,961	6,173	4,459	5,000	4,500	Food
6080	Graphics	1,670	1,580	1,431	0	0	1,250	0	Graphics
6100	Insurance	25,453	24,313	25,976	31,807	26,215	33,397	28,837	Insurance
6110	Janitorial	7,994	7,980	7,980	7,315	8,645	8,966	6,699	Janitorial
6130	Legal	7,993	25,440	9,466	2,354	8,830	12,500	10,000	Legal
6131	Local Travel & Mileage	4,651	3,297	2,552	3,676	4,304	3,800	4,800	Local Travel & Mileage
	Transfer To LO	1,113							Transfer To LO
6140	Maintenance Supplies	6,978	10,680	9,933	8,610	5,297	12,500	10,000	Maintenance Supplies
6160	Office Supplies	7,362	5,210	6,361	6,235	8,236	7,000	8,500	Office Supplies
6161	Operation Supplies	4,794	8,820	14,205	9,269	8,825	11,500	9,000	Operation Supplies
6170	Personnel Recruitment	11,962	2,554	651	2,485	1,251	1,000	1,000	Personnel Recruitment
6171	Phones	4,363	5,049	5,739	5,571	6,314	7,150	7,800	Phones
6172	Postage	5,713	7,992	7,828	8,764	8,176	9,500	10,500	Postage
6173	Printing	9,084	12,656	11,172	10,172	14,380	15,000	16,000	Printing
6174	Marketing/Promotion	5,923	6,747	7,264	7,851	6,530	7,500	7,500	Marketing/Promotion
6190	Repairs & Maintenance	7,579	2,265	6,288	5,202	4,167	9,500	6,500	Repairs & Maintenance
6200	Rent, Utilities, Maintenance	17,992	17,494	21,922	21,216	21,734	23,202	24,362	Rent, Utilities, Maintenance
6211	Travel	1,366	7,007	9,348	6,552	2,794	6,750	2,500	Travel
6230	Vehicle Maintenance	2,028	862	1,485	1,050	1,914	1,750	2,000	Vehicle Maintenance
6231	Videotape	9,641	8,506	11,856	4,993	7,994	6,000	8,500	Videotape
	Total Materials & Services	\$ 178,678	\$ 206,262	\$ 214,274	\$ 207,905	\$ 200,378	\$ 231,215	\$ 218,298	Total Materials & Services

14.5% CUT IN PORTLAND FRANCHISE FEES

8020	Building				220,290				Building
8030	Leasehold Improvements	27,480	0	0	0	0	2,500	250	Leasehold Improvements
8040	Office Equipment	6,167	14,607	3,516	1,413	8,282	2,500	250	Office Equipment
8050	Office Furnishings	1,288	852	801	7,748	1,259	1,000	250	Office Furnishings
8060	Production & Maintenance Equip.	48,968	38,465	11,221	10,950	24,693	7,916	1,000	Production & Maintenance Equip.
	Total Capital	\$ 83,903	\$ 53,924	\$ 15,538	\$ 240,401	\$ 34,234	\$ 13,916	\$ 1,750	Total Capital
9000	Savings to Endowment**					\$ 192,855	\$ 252,798	\$ 316,069	Savings to Endowment
	TOTAL OPERATING EXPENSES	\$ 746,371	\$ 775,477	\$787,378	\$1,026,541	\$ 1,048,355	\$ 1,125,716	\$ 1,208,287	TOTAL OPERATING EXPENSES
	Unexpended Balance:								Unexpended Balance:
	Equipment Replacement Fund*				172,072	172,072			Equipment Replacement Fund
	TOTAL EXPENSES				\$ 1,198,613	\$ 1,220,427			TOTAL EXPENSES
	Operating Expenses	\$ 746,371	\$ 775,477	\$ 787,378	\$ 806,251	\$ 845,297	\$ 872,919	\$ 892,218	Operating Expenditures

25% CUT IN PORTLAND FRANCHISE FEES

		ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	BUDGET	PROPOSED	
		1991-92	1992-93	1993-94	1994-95	1995-96	1996-97	BUDGET	
								1997-98	
	INCOME:								INCOME:
	Carry-Over								Carry-Over
4152	Access Support	\$ 370,000	\$ 407,000	\$423,000	\$451,200	\$ 496,320	\$ 561,000	\$ 636,000	Access Support
4130	Franchise Fees, Multnomah	351,892	367,330	335,174	318,306	339,941	333,181	343,175	Franchise Fees, Multnomah
4140	Franchise Fees, Portland	61,898	122,535	118,257	160,245	191,335	186,535	143,959	Franchise Fees, Portland
4090	Interest	21,709	16,933	20,211	25,366	12,203	5,000	5,000	Interest
4270	Activity Fees/Fees for Service						5,000	11,000	Activity Fees/Fees for Service
4200	Other	25,857	5,100	7,324	10,527	68,482	15,000	29,000	Other
4120	Administration-LO	24,600	25,000	20,000	20,000	20,000	20,000	20,000	Administration-LO
4280	Building				158,548				Building
	TOTAL OPERATING INCOME	\$ 855,956	\$ 943,898	\$ 923,966	\$ 1,144,192	\$ 1,128,281	\$ 1,125,716	\$ 1,188,134	TOTAL OPERATING INCOME
	Funds:								Funds:
	Equipment Replacement Fund				\$ 172,072	\$ 172,072			Equipment Replacement Fund
	TOTAL INCOME				\$ 1,316,264	\$ 1,300,353			TOTAL INCOME

25% CUT IN PORTLAND FRANCHISE FEES

	EXPENSES:								EXPENSES:
7020	Full-Time Salaries	\$ 275,067	\$ 325,645	\$ 380,142	\$ 398,825	\$ 447,512	\$ 437,871	\$ 507,996	Full-Time Salaries
7030	Part-Time Salaries	117,501	92,904	75,400	67,808	53,645	68,409	17,824	Part-Time Salaries
7050	Taxes & Fringe Benefits	91,222	96,742	102,024	111,602	109,528	121,507	126,197	Taxes & Fringe Benefits
	Total Personal Services	\$ 483,790	\$ 515,291	\$ 557,566	\$ 578,235	\$ 610,685	\$ 627,787	\$ 652,017	Total Personal Services
6020	Accounting	\$ 3,086	\$ 3,462	\$ 4,278	\$ 5,391	\$ 7,735	\$ 5,800	\$ 11,500	Accounting
6030	Books	504	230	700	184	485	400	500	Books
6040	Cable Installations				0				Cable Installations
6041	Consulting	12,220	13,184	17,054	32,477	13,168	17,500	13,000	Consulting
6051	Dues & Subscriptions	5,394	6,697	9,030	7,428	8,688	8,900	9,400	Dues & Subscriptions
6060	Educational Program Acquisition	0	1,785	1,710	475	1,406	1,750	1,500	Educational Program Acquisition
6061	Education & Travel				0				Education & Travel
6061	Education & Training	9,560	12,214	12,725	10,304	15,642	11,000	11,000	Education & Training
6063	Ed. Tuition Reimbursement		189		0	542	200	400	Ed. Tuition Reimbursement
6062	Business Meals/Related	1,259	2,111	1,754	1,986	2,397	1,400	1,000	Business Meals/Related
6064	Events			605	365	250	1,000	1,000	Events
6070	Food	2,996	7,938	4,961	6,173	4,459	5,000	4,500	Food
6080	Graphics	1,670	1,580	1,431	0	0	1,250	0	Graphics
6100	Insurance	25,453	24,313	25,976	31,807	26,215	33,397	28,837	Insurance
6110	Janitorial	7,994	7,980	7,980	7,315	8,645	8,966	6,699	Janitorial
6130	Legal	7,993	25,440	9,466	2,354	8,830	12,500	10,000	Legal
6131	Local Travel & Mileage	4,651	3,297	2,552	3,676	4,304	3,800	4,800	Local Travel & Mileage
	Transfer To LO	1,113							Transfer To LO
6140	Maintenance Supplies	6,978	10,680	9,933	8,610	5,297	12,500	10,000	Maintenance Supplies
6160	Office Supplies	7,362	5,210	6,361	6,235	8,236	7,000	8,500	Office Supplies
6161	Operation Supplies	4,794	8,820	14,205	9,269	8,825	11,500	9,000	Operation Supplies
6170	Personnel Recruitment	11,962	2,554	651	2,485	1,251	1,000	1,000	Personnel Recruitment
6171	Phones	4,363	5,049	5,739	5,571	6,314	7,150	7,800	Phones
6172	Postage	5,713	7,992	7,828	8,764	8,176	9,500	10,500	Postage
6173	Printing	9,084	12,656	11,172	10,172	14,380	15,000	16,000	Printing
6174	Marketing/Promotion	5,923	6,747	7,264	7,851	6,530	7,500	7,500	Marketing/Promotion
6190	Repairs & Maintenance	7,579	2,265	6,288	5,202	4,167	9,500	6,500	Repairs & Maintenance
6200	Rent, Utilities, Maintenance	17,992	17,494	21,922	21,216	21,734	23,202	24,362	Rent, Utilities, Maintenance
6211	Travel	1,366	7,007	9,348	6,552	2,794	6,750	2,500	Travel
6230	Vehicle Maintenance	2,028	862	1,485	1,050	1,914	1,750	2,000	Vehicle Maintenance
6231	Videotape	9,641	8,506	11,856	4,993	7,994	6,000	8,500	Videotape
	Total Materials & Services	\$ 178,678	\$ 206,262	\$ 214,274	\$ 207,905	\$ 200,378	\$ 231,215	\$ 218,298	Total Materials & Services

25% CUT IN PORTLAND FRANCHISE FEES

8020	Building				\$ 220,290				Building
8030	Leasehold Improvements	\$ 27,480	\$ 0	\$ 0	0	\$ 0	\$ 2,500	\$ 250	Leasehold Improvements
8040	Office Equipment	6,167	14,607	3,516	1,413	8,282	2,500	250	Office Equipment
8050	Office Furnishings	1,288	852	801	7,748	1,259	1,000	250	Office Furnishings
8060	Production & Maintenance Equip.	48,968	38,465	11,221	10,950	24,693	7,916	1,000	Production & Maintenance Equip.
	Total Capital	\$ 83,903	\$ 53,924	\$ 15,538	\$ 240,401	\$ 34,234	\$ 13,916	\$ 1,750	Total Capital
9000	Savings to Endowment**					\$ 192,855	\$ 252,798	\$ 316,069	Savings to Endowment**
	TOTAL OPERATING EXPENSES	\$ 746,371	\$ 775,477	\$ 787,378	\$ 1,026,541	\$ 1,048,355	\$ 1,125,716	\$ 1,188,133	TOTAL OPERATING EXPENSES
	Unexpended Balance:								Unexpended Balance:
	Equipment Replacement Fund*				172,072	172,072			Equipment Replacement Fund*
	TOTAL EXPENSES				\$ 1,198,613	\$ 1,220,427			TOTAL EXPENSES
	Operating Expenses	\$ 746,371	\$ 775,477	\$ 787,378	\$ 806,251	\$ 845,297	\$ 872,919	\$ 872,064	Operating Expenses

PROPOSED LO BUDGET -- FY 1997-98

		ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	BUDGET	PROPOSED	
		1990-91	1991-92	1992-93	1993-94	1994-95	1996-97	1997-98	
	INCOME:								INCOME:
	LO Capital Carry-Over					\$ 5,326			LO Capital Carry-Over
	Operating Carry-Over						\$ 76,065	\$ 38,251	Operating Carry-Over
4153	Special Access Funding	\$ 117,000	\$ 123,000	\$ 129,000	\$ 128,748	\$ 131,400	148,800	156,000	Special Access Funding
4087	Interest Income	5,039	4,997	2,299	2,621	4,840	2,500	1,000	Interest Income
4200	Other/Fund Raising		1,113	500	532	3,220			Other/Fund Raising
4155	Outside Contract Services				152				Outside Contract Services
4156	Capital (Equipment)	232,143			48,334				Capital (Equipment)
	TOTAL OPERATING INCOME	\$ 354,182	\$ 129,110	\$ 131,799	\$ 180,387	\$ 144,786	\$ 227,365	\$ 195,251	TOTAL OPERATING INCOME
	Funds:								Funds:
	New Equipment					43,008			New Equipment
	Equipment Replacement Fund					59,985			Equipment Replacement Fund
	TOTAL INCOME					\$247,779			TOTAL INCOME

PROPOSED LO BUDGET -- FY 1997-98

	EXPENSES:								EXPENSES:
7021	Full-Time Salaries	\$ 27,452	\$ 52,858	\$ 69,566	\$ 77,329	\$ 62,444	\$ 87,223	\$ 103,329	Full-Time Salaries
7031	Part-Time Salaries	692	8,537	601	0				Part-Time Salaries
7051	Taxes & Fringe Benefits	7,181	15,267	15,778	18,004	17,904	21,806	25,832	Taxes & Fringe Benefits
	Total Personal Services	\$ 35,325	\$ 76,662	\$ 85,945	\$ 95,333	\$ 80,348	\$ 109,029	\$ 129,161	Total Personal Services
6020	Accounting		1,200	1,300	1,743	\$ 2,102	2,400	3,200	Accounting
6022	Administrative-MCTV	23,400	24,600	25,000	20,000	20,000	20,000	20,000	Administrative-MCTV
6030	Books				14	0			Books
6041	Consulting	8,900	6,900		3,300	12,250	3,500	0	Consulting
6051	Dues & Subscriptions	239	855	973	595	925	800	900	Dues & Subscriptions
6061	Education & Travel	2,025	3,499	84	0	0	0		Education & Travel
6061	Education & Training				13	180	0		Education & Training
6063	Ed/Tuition Reimbursement				0	0	200	200	Ed/Tuition Reimbursement
6062	Business Meals/Related	19	144	153	75	20	75	75	Business Meals/Related
	Events					1,983	0	0	Events
6070	Food	42	21		0	24	50	50	Food
6080	Graphics	1,672			0	0	0	0	Graphics
6100	Insurance	3,654	6,518	5,647	6,013	5,883	7,159	7,517	Insurance
6110	Janitorial	455	1,690	1,560	1,560	1,430	1,696	1,781	Janitorial
6130	Legal	46	285		0	0	0	0	Legal
6131	Local Travel & Mileage	407	731	825	541	508	824	600	Local Travel & Mileage
6140	Maintenance Supplies	1,318	758		0	0	100	100	Maintenance Supplies
6160	Office Supplies	1,446	625	406	255	565	650	700	Office Supplies
6161	Operation Supplies	1,799	593	202	254	94	250	300	Operation Supplies
6170	Personnel Recruitment	598	196	418	0	251	200	0	Personnel Recruitment
6171	Phones	1,647	2,557	2,711	3,230	2,958	3,675	3,932	Phones
6172	Postage	32	79	127	95	167	200	225	Postage
6173	Printing	1,195	256	1,799	135	248	350	350	Printing
6174	Marketing/Promotion	82	315	103	349	95	1,000	1,000	Marketing/Promotion
6190	Repairs & Maintenance	674	343	268	1,282	846	1,250	1,250	Repairs & Maintenance
6200	Rent, Utilities, Maintenance	7,115	8,387	8,819	9,059	8,895	10,521	11,047	Rent, Utilities, Maintenance
6211	Travel				0	0	0	0	Travel
6230	Vehicle Maintenance	56	676	801	969	5	1,250	1,000	Vehicle Maintenance
6231	Videotape	1,225	1,443	1,825	923	1,391	2,000	1,500	Videotape
	Total Material & Services	\$ 58,046	\$ 62,671	\$ 53,021	\$ 50,405	\$ 60,820	\$ 58,150	\$ 55,727	Total Material & Services

PROPOSED LO BUDGET -- FY 1997-98

8130	Leasehold Improvements	\$915	\$0	\$0	\$0	\$0				Leasehold Improvements
8140	Office Equipment	10,009	416	130	0	559	\$500	\$125		Office Equipment
8150	Office Furnishings	4,298	0	125	0	0	500	125		Office Furnishings
8160	Production & Maintenance Equipmer	100,436	46,534	1,877	1,827	306	20,935	7,000		Production & Maintenance Equipmer
	Total Capital	115,658	46,950	2,132	1,827	\$865	\$21,935	\$7,250		Total Capital
	TOTAL OPERATING EXPENSES	\$209,029	\$186,283	\$141,098	\$147,565	\$142,033	\$189,114	\$192,138		TOTAL OPERATING EXPENSES
	Operating Carry-Over:						\$38,251	\$3,113		Operating Carry-Over:
	New Equipment					43,008				New Equipment
	Equipment Replacement Fund					\$59,985				Equipment Replacement Fund
	TOTAL EXPENSES	\$209,029	\$186,283	\$141,098	\$147,565	\$245,026	\$227,365	\$195,251		TOTAL EXPENSES

MULTNOMAH COMMUNITY TELEVISION

FY 1997 - 98 LO BUDGET

LINE ITEM EXPLANATION

INCOME:

4153 Special Access Funding

Portion of Settlement Funds from the sale of Rogers Cable to Paragon.
Received from Mt. Hood Cable Regulatory Commission.

4090 Interest

Earned by DCIA and checking accounts and investments.

4200 Other

Tape duplication, refunds, special events, underwriting.

EXPENSES:

7021 Full-time Salaries.

Salaries for full-time employees. Includes the following staff:

	Salary Range
News Producer	\$16,414-23,473
News Producer	\$16,414-23,473
News Producer	\$16,414-23,473
News Producer	\$16,414-23,473

7031 Part-time Salaries

Figure represents no part-time employees.

7050 Taxes & Benefits

Figured as 25% of full-time salaries. (Includes pension plan contribution, medical and dental insurance, life and disability insurance, employer-contributed FICA, Tri-Met tax, and state unemployment tax.)

6020 Accounting

Cost of annual audit.

6022 Administrative

Pass through to PEG MCTV for administrative, engineering and marketing and promotional services.

6030 Books

Training books, videos, and other books.

6041 Consulting

Annual community needs assessment.

6051 Dues and Subscriptions

Cable, magazine and newspaper subscriptions, memberships in professional organizations.

6061 Education and Training

Training and travel at industry conferences, seminars and workshops.

6062 Business Meals/Related

Meals purchased for business-related purposes.

6064 Events

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

6063 Education/Tuition Reimbursement

Staff tuition reimbursement.

6080 Graphics

Video and print services used in connection with promotional items.

6100 Insurance

Includes automobile, and equipment insurance and any additional insurance requirements in the Locally Oriented Programming agreement.

6110 Janitorial

Janitorial services.

6130 Legal

Attorney's fees for consultation and advice.

6131 Local Travel and Mileage

Employee reimbursement for business-related mileage and parking.

6140 Maintenance Supplies

Supplies used to repair and maintain equipment.

6160 Office Supplies

Items that are less than \$100 that are not production-related and are used primarily in an office setting (e.g., pencils, paper, clipboards, bulletin boards)

6161 Operation Supplies

Items that are less than \$100 that are production-related (e.g., adapters, duct tape, lamps)

6170 Personnel Recruitment

Advertising for position openings.

6171 Phones

Includes regular and cellular service.

6172 Postage:

All outgoing mail, stamps, express services, parcel shipping and other shipping.

6173 Printing

Business cards and print promotial materials.

6174 Promotion

For print advertising and billboards.

6190 Repairs and Maintenance

Routine and emergency maintenance.

6200 Rent, Utilities and Maintenance

Rent, utility bills, garbage collection, alarm service.

6230 Vehicle Maintenance

Includes lube and maintenance for two vehicles.

6231 Videotape

Blank videotape (VHS, SVHS, 3/4", 3/4" SP).

8140 Office Equipment

Office equipment in excess of \$100 (e.g., computers, copiers, fax machines). Includes software upgrades, RAM upgrades, new software.

8150 Office Furnishings

Items in excess of \$100 (e.g., desks, chairs, cabinets, bookcases, files cabinets)

8160 Production and Maintenance Equipment:

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

MEETING DATE: MAY 22 1997
AGENDA NO: R-5
ESTIMATED START TIME: 9:50 am

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Notice of Intent to Apply for Federal Grant for Jail Diversion Study Project

BOARD BRIEFING: DATE REQUESTED: _____
REQUESTED BY: _____
AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: _____
AMOUNT OF TIME NEEDED: 10 minutes

DEPARTMENT: DCFS DIVISION: Behavioral Health
CONTACT: Norma Jaeger TELEPHONE #: x26436
BLDG/ROOM #: 166/600

PERSON(S) MAKING PRESENTATION: Norma Jaeger and Cathy Horey

ACTION REQUESTED:

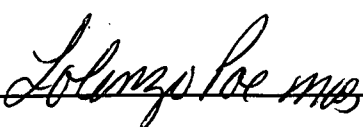
☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

SUGGESTED AGENDA TITLE:

Approval of a Notice of Intent to Apply to the Federal Department of Substance Abuse and Mental Health Services Administration (SAMHSA) for a Grant of \$1,470,669 (Over Three Years) to Study the Impact of the Crisis Triage Center on Jail Diversion for Persons with Co-Occurring Mental Illness and Substance Abuse Disorders

A copy of the grant application is on file with the Board Clerk.

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____
(OR)
DEPARTMENT
MANAGER: 

BOARD OF
COUNTY COMMISSIONERS
97 MAY 15 PM 12:36
MULTNOMAH COUNTY
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ 248-3277



MULTNOMAH COUNTY OREGON

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES
OFFICE OF THE DIRECTOR
421 SW SIXTH AVENUE, SUITE 700
PORTLAND, OREGON 97204
PHONE (503) 248-3691
FAX (503) 248-3379 TDD (503) 248-3598

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

MEMORANDUM

TO: Board of County Commissioners

FROM: Lorenzo T. Poe, Jr., Director *Lorenzo Poe mub*
Department of Community and Family Services

DATE: May 14, 1997

RE: Notice of Intent to Apply for Grant

I. Recommendation/Action Requested:

Recommend retroactive approval of Federal Substance Abuse and Mental Health Services Administration (SAMHSA) grant application for \$1,470,669 over three years (\$454,128 for the first year) to evaluate the effectiveness of the Multnomah County Crisis Triage Center (CTC) as a pre-booking jail diversion program.

II. Background/Analysis:

This grant offers Multnomah County an opportunity to apply a rigorous, externally funded evaluation of the Crisis Triage Center. The evaluation will determine whether persons with dual diagnosis (mental illness and substance abuse disorders) who are taken to the CTC experience better outcomes than similar persons who are taken to jail. Outcome measures will include criminal recidivism, time incarcerated, psychiatric hospitalization, functional status, treatment continuity, psychiatric status, homelessness, substance abuse rates, and emergency medical treatment. Special attention will be focused on racial/cultural minorities and women/women with children. The populations for this study will include persons taken to the Crisis Triage Center by Portland and surrounding police jurisdictions, including specially trained Crisis Intervention Officers (law enforcement) as well as persons who are admitted to the Crisis Triage Center because their mental illness and substance use behavior is out of control who otherwise would have gone to jail for probation or parole violations.

The grant will allow for modest enhancement of the Crisis Triage Center program, including a case manager to work particularly with women admitted for probation or parole violations related to their mental illness/substance abuse, a boundary spanner to improve coordination among the behavioral health treatment system, the courts, adult community justice and jail systems and the broader supportive social services system, increased cross training for all system stakeholders, and advanced training for Crisis Intervention Officers.

The evaluation was designed in cooperation with the Memphis, Tennessee Crisis Triage System, which is also applying for such a grant, and Northwest professional Consortium, Inc., who would direct the evaluation. Further, SAMHSA has designed this initiative to be a multi-site evaluation effort looking at the relative effectiveness of several jail diversion models in approximately eight cities in the country which will develop a common evaluation data collection and analysis plan.

III. Financial Impact:

First-year funding will provide \$12,804 in indirect costs to the County. \$124,744 will provide for service enhancements, including increased case management, a boundary spanner, and agency cross trainings and advanced CIT training for law enforcement. The balance will fund the evaluation component.

IV. Legal Issues:

None identified.

V. Controversial Issues:

None identified.

VI. Link to Current County Policies:

This application is in line with ongoing County efforts to address concerns about unmet mental health needs in the criminal justice population, specifically relating to recommendations from the Public Safety Coordinating Council's Work Group on the Mental Health Treatment Needs of Offenders. Through focus on intervention with offenders on probation who have mental health and substance abuse problems, we anticipate reducing jail days now used to stabilize these offenders who commit probation violations.

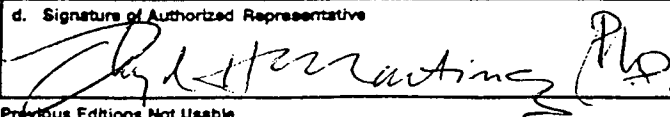
VII. Citizen Participation:

The project, if funded, would establish an advisory board to include stakeholder and consumer input.

VIII. Other Government Participation:

The project will include police jurisdictions which are involved with Crisis Triage Center clients, and Adult Community Justice.

APPLICATION FOR
FEDERAL ASSISTANCE

1. TYPE OF SUBMISSION: Application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction Preapplication <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		2. DATE SUBMITTED 4-10-97	Applicant Identifier														
		3. DATE RECEIVED BY STATE	State Application Identifier														
		4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier														
5. APPLICANT INFORMATION																	
Legal Name: Multnomah County		Organizational Unit: Behavioral Health Division															
Address (give city, county, state, and zip code): 421 SW 6th Ave., Suite 600 Portland, Multnomah, Oregon 97204		Name and telephone number of the person to be contacted on matters involving this application (give area code): Floyd H. Martinez, Ph.D. (503) 248-5464 ext. 26436															
6. EMPLOYER IDENTIFICATION NUMBER (EIN): 93-6002309		7. TYPE OF APPLICANT: (enter appropriate letter in box) <table style="width: 100%;"> <tr> <td>A. State</td> <td>H. Independent School Dist.</td> </tr> <tr> <td>B. County</td> <td>I. State Controlled Institution of Higher Learning</td> </tr> <tr> <td>C. Municipal</td> <td>J. Private University</td> </tr> <tr> <td>D. Township</td> <td>K. Indian Tribe</td> </tr> <tr> <td>E. Interstate</td> <td>L. Individual</td> </tr> <tr> <td>F. Intermunicipal</td> <td>M. Profit Organization</td> </tr> <tr> <td>G. Special District</td> <td>N. Other (Specify):</td> </tr> </table>		A. State	H. Independent School Dist.	B. County	I. State Controlled Institution of Higher Learning	C. Municipal	J. Private University	D. Township	K. Indian Tribe	E. Interstate	L. Individual	F. Intermunicipal	M. Profit Organization	G. Special District	N. Other (Specify):
A. State	H. Independent School Dist.																
B. County	I. State Controlled Institution of Higher Learning																
C. Municipal	J. Private University																
D. Township	K. Indian Tribe																
E. Interstate	L. Individual																
F. Intermunicipal	M. Profit Organization																
G. Special District	N. Other (Specify):																
8. TYPE OF APPLICATION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es): A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration Other (specify):		9. NAME OF FEDERAL AGENCY: SAMHSA - CMHS/CSAT															
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 93-230 title: Criminal Justice Diversion Program		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: Jail Diversion for Persons with Co-Occurring Disorders															
12. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.): Portland, Multnomah County																	
13. PROPOSED PROJECT: Start Date: 9-30-97 Ending Date: 9-30-2000		14. CONGRESSIONAL DISTRICTS OF: a. Applicant: First and Second Districts b. Project: First and Second Districts															
15. ESTIMATED FUNDING: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>a. Federal</td> <td>\$ 454,128 .00</td> </tr> <tr> <td>b. Applicant</td> <td>\$.00</td> </tr> <tr> <td>c. State</td> <td>\$.00</td> </tr> <tr> <td>d. Local</td> <td>\$.00</td> </tr> <tr> <td>e. Other</td> <td>\$.00</td> </tr> <tr> <td>f. Program Income</td> <td>\$.00</td> </tr> <tr> <td>g. TOTAL</td> <td>\$ 454,128 .00</td> </tr> </table>		a. Federal	\$ 454,128 .00	b. Applicant	\$.00	c. State	\$.00	d. Local	\$.00	e. Other	\$.00	f. Program Income	\$.00	g. TOTAL	\$ 454,128 .00	16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS? a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON: DATE _____ b. NO <input type="checkbox"/> PROGRAM IS NOT COVERED BY E.O. 12372 <input checked="" type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED STATE FOR REVIEW State no longer reviewing	
a. Federal	\$ 454,128 .00																
b. Applicant	\$.00																
c. State	\$.00																
d. Local	\$.00																
e. Other	\$.00																
f. Program Income	\$.00																
g. TOTAL	\$ 454,128 .00																
		17. IS APPLICATION DELINQUENT ON ANY FEDERAL DEBT? <input type="checkbox"/> YES If "Yes," attach an explanation. <input type="checkbox"/> No															
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED																	
a. Typed Name of Authorized Representative Floyd H. Martinez, Ph.D.		b. Title Manager, Behavioral Health Division	c. Telephone number 503-248-5464														
d. Signature of Authorized Representative 		e. Date Signed 4-10-97															

ABSTRACT

Multnomah County Behavioral Health Division has developed, in consortium with Oregon Health Science University, Northwest Professional Consortium, Inc. , Providence Health Systems, the Multnomah County Alliance for the Mentally Ill, Multnomah County Department of Juvenile and Adult Community Justice and the Portland Police Bureau, a pre-booking, criminal justice diversion study project to determine the differences in outcomes for diverted and non-diverted persons with co-occurring mental illness and substance use disorders. The study will analyze project impact on jail days and episodes, subsequent criminal charges, functional status, psychiatric hospitalization days, frequency of substance abuse, cost-effectiveness of alternatives to incarceration, entitlement enrollment, homelessness and service coordination of 600 project participants served in a twenty four month period at the Crisis Triage Center as an alternative to incarceration. The comparison group will include 600 matched individuals booked into the Multnomah County Detention Center. Enhancements to the current system of pre-booking diversion will include increased case management through the Crisis Triage Center; a boundary spanner and expanded and advanced training for police and other stakeholder system personnel. The study will focus special attention on racial/cultural minorities and women, including women with children.

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BUDGET INFORMATION - Non-Construction Programs

OMB Approval No. 0348-0044

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. Crim. Justice Diversion Prog	93-230	\$	\$	\$ 454,128	\$	\$ 454,128
2.						
3.						
4.						
5. TOTALS		\$	\$	\$	\$	\$

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	Crim. Justice (1) Diversion Prog	(2)	(3)	(4)	
a. Personnel	\$ 69,895	\$	\$	\$	\$ 69,895
b. Fringe Benefits	21,124				21,124
c. Travel	972				972
d. Equipment	-0-				-0-
e. Supplies	960				960
f. Contractual	346,280				346,280
g. Construction	-0-				-0-
h. Other postage 893 trainings 800 printing 300	2,093				2,093
i. Total Direct Charges (sum of 6a - 6h)	441,324				441,324
j. Indirect Charges	12,804				12,804
k. TOTALS (sum of 6i and 6j)	\$ 454,128	\$	\$	\$	\$ 454,128
7. Program Income	\$ -0-	\$	\$	\$	\$ -0-

Program Narrative

A. Project Background and Goals

Multnomah County is the major urban center in Oregon with a population of 605,000. Portland, the largest city in Multnomah County and the State has a population of 458,275. The greater Portland metropolitan area is the state's fastest-growing region, primarily due to in-migration. The city's location in the northwestern corner of the state, at the confluence of the Columbia and Willamette rivers, supports a large and diversified economy including manufacturing, retail, service occupations, and high-technology companies. Demographic information for the City of Portland is outlined below:

Sex:	Male	Female			
	48.4%	51.6%			
Race:	White	African-Amer.	Native Amer.	Asian-Amer.	Hispanic-Amer.
	84.8%	7.5%	1.3%	5.2%	3%
Age:	0-4	5-17	18-39	40-64	65+
	6.4%	13.7%	43.9%	22.7%	13.3%

Among the nations' urban communities, characterized by diverse populations in terms of socioeconomic and ethnic/cultural backgrounds, Portland is an ideal site for exploring the impact of co-occurring diagnosis of mental illness and substance abuse has on individuals as well as the system. In fact Neal Pierce (a nationally syndicated newspaper columnist on urban affairs and editor of the National Journal, a magazine published in Washington, D.C.) has singled out Portland as an ideal "test site" for examining comprehensive solutions to complex national problems. Pierce notes that while Portland's problems mirror those found in both larger and smaller urban areas, the city does not yet have the widespread public apathy or institutional gridlock which can cripple attempts to work cooperatively. Since jail diversion will require a great deal of cooperation, this community characteristic will be a major asset to this project.

Another advantage to conducting this project in Portland is the opportunity to examine managed care's impact on such jail diversion efforts. Currently, the Oregon Health Plan, (managed Medicaid) is on the brink of full integration of mental health and chemical dependency services into the health plan. Analyzing the interaction of two such significant public policy efforts (jail diversion of mentally ill and managed care) will contribute potentially useful information to the public behavioral health field.

Multnomah County administers a large, publicly funded behavioral health care system of over thirty community agencies offering a comprehensive continuum of mental health and substance abuse treatment services with strong linkages to other public human services including public health and community justice services. The Behavioral Health Division of its Community and Family Services Department is the local behavioral health authority. In addition to administration of State, Federal and locally funding for behavioral health services, the Behavioral Health Division plays a major role in the management of Medicaid managed behavioral health care through the Oregon Health Plan, Oregon's Medicaid waiver program. As a major element of the service continuum, Multnomah County designed a new crisis mental health system which (now implemented) replaced a decentralized and fragmented crisis system with a comprehensive system anchored by a Crisis Triage Center. The center can assess, intervene in the immediate crisis and stabilize the person and then place them in appropriate community treatment. This system is the centerpiece of this proposal, serving as a major pre-booking jail diversion program for mentally ill persons with substance use disorders.

Overall Project Goals

In Healthy People 2000 the goals of U. S. Department of Health and Human Services centers around reducing the disparities in health services among Americans. The goals promote prevention and target underserved populations such as persons with low incomes, women, cultural minorities, and jail/prison inmates. Healthy People 2000 recognizes that economic, community and cultural issues have resulted in a disparity of services and challenges the nation to use the goals listed to raise the standard of health in the nation. In Multnomah County such disparities have resulted in disproportionate incarceration rates for minorities, substantially lengthier jail stays for mentally ill offenders and multiple jail episodes for female offenders for technical violations related to their co-occurring disorders rather than for new crimes.

Through rigorous evaluation of the operation and impact of the Crisis Triage Center, which will receive some enhancement, on jail diverted persons having co-occurring mental illness and substance use disorders, this project will address the goals of the CMHS/CSAT collaborative program and **(1) determine differences in outcomes for non- diverted and diverted individuals with co-occurring disorders, (2) provide data to determine the relative effectiveness of this pre-booking diversion program compared to post booking diversion models, and (3) disseminate the knowledge gained about the effectiveness of this pre-booking program, its components, methods and outcomes to the field.**

This project offers a particularly exciting opportunity for multi-site comparison, even within the local evaluation design, because we are working with the Crisis System in Memphis, Tennessee (who will also be an applicant under this RFA). Memphis operates a very similar program model which has been in operation for eight years. We are designing our local evaluation to use comparable measures and evaluation design to the evaluation being developed in Memphis. This will give us added depth to our evaluation results in being able to compare our results as a relatively new program to a longstanding program based upon the same model of pre-booking diversion.

Project Specific Objectives

The specific objectives of our project include:

1. Reduce the number of jail days used by *persons (*with co-occurring mental illness and substance use disorders) who are diverted compared to a comparison group who are not diverted through the pre-booking program.
2. Reduce the number of episodes of jail incarceration in a two year period for *persons diverted compared to those not diverted.
3. Reduce the incidents of criminal behavior as measured by criminal charges filed against those *persons diverted compared to those not diverted.
4. Improve the functional status of those *persons diverted compared to those not diverted.
5. Reduce the psychiatric hospitalization days for those *persons diverted compared to those not diverted.
6. Reduce the frequency of substance abuse for those *persons diverted compared to those not diverted.

7. Demonstrate a cost-effective alternative to incarceration for persons with co-occurring mental illness and substance use disorders.
8. Increase enrollment in supportive entitlements for those*persons diverted compared to those not diverted, particularly enrollment in the Oregon Health Plan.
9. Reduce homelessness in those *persons diverted compared to those not diverted.
10. Improve the coordination of services and criminal justice system involvement for *persons diverted compared to those not diverted.

Review of the Literature

While there is a substantial body of research literature on post-booking models for jail diversion, there is a relative paucity of information available on pre-booking models and their effectiveness, particularly measured in the comprehensive manner anticipated for this project. The issue of co-morbidity of mental illness and substance use disorders in the jail population is only recently receiving focused attention

Prevalence of Co-Occurring Mental Illness and Substance Use Disorders

Developing clear, accurate prevalence data for substance use disorders and mental illness in the jail population is challenging. Fortunately, Multnomah county has access to well documented, local studies and collected data as well as general access to national comparative data. For substance abuse alone, we have identified that 66 % of males and 72% of females test positive for drugs at the time of booking. (Finigan, 1996) However, even more striking is that 46% of the males and 42% of the females met diagnostic criteria for substance dependence. (Finigan, 1996) The long running Drug Use Forecasting Study conducted in Portland since 1987 confirms this picture quite consistently at an average of 70% of booked inmates testing positive for one or more illegal drugs. Mental Illness in American Prisons(CSAT 93) identifies that the rate of jail detainees who have a history of substance abuse is between 60 and 70%. A survey conducted by the Bureau of Justice in 1993 found 80% of state prisoners reported a history of substance abuse. Interestingly, local data from the Multnomah County Jail finds the rate of substance abuse among the identified mentally ill population to mirror that of the general jail population. Seventy two percent (72%) of persons placed on psychiatric alert in the Multnomah County Jail had substance abuse problems. (Carlson, 1996) Contrary to common wisdom, neither drug abuse nor mental illness is a predictor of arrest. The most significant predictor of arrests was alcohol abuse rather than a diagnosis of major mental illness. The significance of substance abuse in the arrest was pointed out by McFarland, Faulkner, Bloom, Hallaux, and Bray (89).

Steadman (93) reported that there are more mentally ill persons in jail, if for no other reason than, there are more people in jail than ever before. The report goes on to say that 6.6% of U. S. jail detainees have been diagnosed with a serious mental illness. With the increase in the jail population and the over all population increase of those with a mental illness the rough estimates are 3 to 11% of those in the criminal justice system are likely to have a mental illness. (Chiles, 90) In 1995, Carlson examined data from the Multnomah County Jail. Seven percent (7%) of all inmates booked in the Justice Center were placed on a psychiatric alert, based on either a prior known history of mental problems or assessment carried out by jail or corrections health personnel. For 41% of the alerts (Carlson, 1996) there was a diagnosis of major mental illness. Twenty-five percent were diagnosed with schizophrenia and 75% with affective disorder. Only 35% were enrolled in a community mental health service and only 30% were enrolled in A&D

treatment. The report cites an inverse relationship between number of violent felonies with the number of days involved in a publicly funded alcohol and drug treatment program.

The picture of co-morbidity is somewhat less clear. In an article by Leshner (95) co-morbidity was defined as "the co-occurrence of substance abuse and one or more mental disorders. Those with a major mental illness diagnosis as well as an alcohol and drug abuse or dependency disorder was about 72%. In another national study, 79% reported a co-occurring disorder. In a paper by Abram and Teplin (91), the authors found the number of inmates with a psychiatric diagnosis and a substance abuse disorder to range from 38% to 83%. Carlson found in the Multnomah County Jail, of inmates placed on Psychiatric alert, 75% had co-occurring disorders. (Carlson, 1996)

Impact of Co-Occurring Mental Illness and Substance Use Disorders

In the SAMHSA report(95) the executive summary states that persons with mental illness who get into the criminal justice system are particularly vulnerable. The combination of a mental illness and being arrested can exacerbate symptoms associated with mental illness. This population has a tendency to disrupt jail procedures, are vulnerable to abuse by other inmates, have a high suicide risk, and difficulty in communication medical needs. The likelihood of proper detection and treatment of mental illness in most jails in the nation is limited due to shortages of trained staff and adequate funding for in jail programs (Dvoskin & Steadman, 89) and (Palermo, Smith & Liska, 91). In a Solmon, Draine, Marcenko, and Myerson (92) study, the impact of jail goes beyond the psychological issues. Those with a mental illness spend more time in jail. Axeson (13) found prisoners who were diagnosed with a psychosis did not get access to pretrial liberty as often as non-psychotic prisoners. This result held even when controlling for severity of the offense. This finding was confirmed in our own data (Carlson, 1996). In a local census taken at the Multnomah County Detention Center (the maximum security facility of the Multnomah county Jail system) of Class C Felonies, average length of stay from July 94 through November 95 showed that those in the general jail population stayed in jail 15.95 to 20.69 days while those with a psychiatric alert stayed in 28.69 to 40.59 days. This experience has clinical, cost and civil rights implications.

There are several factors influencing jail recidivism including mental illness, previous criminal arrest, homelessness and substance abuse. Jail recidivism was related to a lowered quality of life. Recidivism decreased when case management services were increased (Draine and Solomon 94). The author's definition of recidivism was returning to jail was within one year of the study. Solomon, Draine and Meyersons (94) found that jail recidivism (returning to jail within 6 months of the study) was related to failure of the mentally ill person to receive the variety of services that promoted independent living. Solomon and Draine (94) found that patients receiving more case management services in their homes were less likely to return to jail. An individual's perception of a positive quality of life was related to decreased recidivism. Dvoskin and Steadman (94) discuss the importance of case management services and a variety of support services to reduce the violence committed by the mentally ill in the community, obviously of major public safety concern.

Homelessness among the mentally ill seems to play a significant role in involvement with the criminal justice system. Many people with a diagnosis of severe mental illness are homeless. In Portland the Housing Authority estimates that at least 19,000 people are homeless in the county, giving Portland one of the highest per capita homeless populations in the nation. Based on a "snap shot survey" of local shelters the estimated rate of substance abuse is at 70% among homeless males, and at a range of 40-70% among homeless single women or women with

children. It is estimated that about 30% of the homeless are mentally ill. Arce, Tadlock, Bergare, and Shapiro (83) and Lamb and Shaner (93) suggest that the number of homeless may have increased and many young adults who are mentally ill are ending up homeless. Solomon, Draine, Marcenko, and Myerson (92) found that 31% of a sample of mentally ill urban jail inmates were homeless at the time of arrest. However, a study conducted by Palmero, Smith, & Kiska (91) seems to indicate that involvement with the police is usually misdemeanor arrests for trespassing, disorderly conduct and disturbing the peace.

Implications for Program Development and Intervention Design

The SAMHSA(95) report states that while appropriate care for those with co-occurring mental illness and substance use disorders faces many obstacles, lack of coordination between criminal justice and mental health programs is a major one. Steadman (94) reported that "information obtained by mail and telephone survey indicated that only 52 U. S. jails with a capacity of fifty or more detainees had formal mental health diversion programs that fit the definition developed by the authors. The SAMHSA (95) report identifies that law enforcement officers are frequently the first providers in the criminal justice system to have contact with a mentally ill person in crisis. In developing mental health crisis response system, police should have available to them proper training on how to evaluate a person with mental illness, accurate knowledge of services in the mental health system and how to access them. The mental health system should develop 24 hour response capability, have a mobile crisis team, and be able to communicate with the officer on the scene. At time of booking there should be process to identify those with mental illness and co-morbid diagnosis, ability to stabilize the crisis, and linkages to the community service network. Those detained in jail should have access to a full range of inpatient and out patient modalities, and those under community corrections should also have available to them a full range of services from outpatient case management, medication monitoring, and housing. In a document (17) Titled "Jail Diversion: Creating Alternatives For Persons With Mental Illness" the basic step for developing a jail diversion program include identifying key agencies, regular meetings, specific known pathways for diversion process, designation of specific responsibilities among participating agencies, and planning for collection of basic data. In 1995 abstract Steadman (18) reports on the key factors of developing a successful jail diversion. One key factor is the development of a position titled "Boundary Spanner." The position directly manages the interaction among corrections, mental health, and judicial personnel and services.

B. Project Approach / Plans

General Program Approach

Multnomah County is proposing to evaluate the effectiveness of a pre-booking jail diversion model for mentally ill substance abusing persons. Project participants will be those whose needs can be met in appropriate community based treatment and whose risk of criminal activity can best be managed by effectively addressing their clinical needs. These individuals are accommodated through a pre-booking program, the Crisis Triage Center. In the center they receive a comprehensive assessment, crisis intervention and stabilization. If needed, they can receive up to 14 days of respite care in addition to referral to appropriate community based treatment. The program provides medication assessment and adjustment and thirty day case management. The program which was in planning and development for eighteen months began full operation in January 1997.

Clients, from whom this project's study participants will be selected, currently access the Crisis Triage Center in four primary ways. (1) Specially trained Crisis Intervention Team police officers bring individuals to the center, (2) other police officers bring in individuals, (3)

probation/parole officers who are authorized to place hold orders on offenders who are in violation of terms of community supervision can arrange for admission and (4) the Crisis Mobil Response Team from the Center can bring people to the center. There are voluntary admissions to the center but they are not expected to account for a significant part of the project/study population as they are not being diverted from jail.

During the initial period of operation (3 months) the Crisis Triage Center served 1,556 persons. Of these 22% (344) were brought in by the police. We estimate that 40% (137) of these admissions would meet criteria for inclusion in our project/study (550 to 600 annualized). We also believe that a similar number of referrals will come from probation and parole officers. This would result in an annual number of potential study participants of 1100 to 1200. From this potential group we will select 600 designated project participants. They will receive the enhanced case management and the intensive initial and ongoing follow-up evaluation, as well as detailed follow up analysis through available public data bases of criminal justice information, health services, and public entitlement records. These participants will also receive referrals to appropriate community treatment and needed ancillary support services as a usual and customary part of Crisis Triage Center services.

An integral part of the program design is the Crisis Intervention Team (CIT) within the Portland Police Bureau and Gresham Police Department (suburban Multnomah County). The CIT program was developed in response to community concern in preventing injuries and other negative client outcomes for those mentally ill persons who come in contact with law enforcement personnel. The CIT program has been in operation for about 18 months and now brings individuals to the Crisis Triage Center for the mental health/substance abuse evaluation. These CIT officers complete 40 hours of specialized training which includes understanding mental illness, the prevalence of co-occurring diagnosis, crisis intervention and assessment skills, suicide prevention training, information about community based services, and on site visits to treatment programs. There are currently 80 CIT trained officers scheduled throughout the five Portland precincts and Gresham and available on every shift. These officers are dispatched to the scene through 911 when there is a person in crisis or someone is arrested who exhibits signs of mental illness or substance abuse. These CIT officers work closely with the Crisis Triage Center staff to coordinate appropriate intervention including officer back-up for the mobile team. Further training through the project enhancements for CIT officers will focus on special needs of women, including domestic violence and post traumatic stress disorder issues, increased cultural awareness and sensitivity, dual disorder issues and advanced non-violent crisis intervention strategies.

Planned Program Enhancements

The current program will be enhanced through this cooperative agreement in three basic ways; (1) increased case management (2) a boundary spanner and (3) expanded training. The enhanced case management is designed to address barriers to effective participation in community treatment and address basic needs and enrollment or reinstatement in entitlement programs, particularly the Oregon Health Plan. The Oregon Health Plan is a critical component because it will provide for a payment stream for much of the ongoing community based mental health and substance abuse treatment needed. Non covered mental health and substance abuse treatment will be provided through County contracted services which are financed outside of Medicaid. The boundary spanner will serve to link the behavioral health system, community corrections and courts to establish effective service plans and improve the coordination among system agencies, collect data on service gaps. The boundary spanner will also identify needs for increased training and organize such training. The final program enhancement will include expanding training in

working with clients with co-occurring mental illness and substance use disorders for mental health, substance abuse and community corrections personnel and providing additional, advanced training for police officers who have received the basic, forty hour Crisis Intervention Training.

Special Focus Populations for the Project

Cultural Competency of Services

Portland is 84% Caucasian population but, the African-American and Hispanic population is over represented in the criminal justice system. In a random sample of 200 cases seen at the Crisis Triage Center, 19% were African American and Hispanic, a slight over representation as well. The staff of the Crisis Triage Center and CIT officers have participated in initial cultural diversity training with special emphasis on responding to those in crisis. During the initial project period, while the evaluation team is refining the research design to accommodate cross site evaluation plans, we will be further analyzing the utilization demographics as well as the management and disposition of clients presenting for services to determine specific program design modifications and training needs to assure cultural competency and accessibility of the program.

Special Needs of Women

A specialized emphasis for the enhanced case management will be the special needs and issues of women and women with children. Although women make up only a small fraction of those held in prison Steadman (95) states there is data (Prins 80) that suggest that they exhibit a higher rate of psychological disturbance. Among women with a psychiatric diagnosis women are more likely to be victims of abuse, especially sexual abuse. Brown & Backer (88) found that women with multiple problems (co-occurring drug abuse and psychological diagnosis, health problems, HIV infection and homelessness) were less likely to stay in treatment programs. We believe that case management can address this problem. Within the community treatment system and the corrections system, there are several specialized programs to address the specific needs of women and women with children. However, there are a significant number of women who are being returned to jail for probation violations because it is seen as a way to intervene in their acute mental illness and substance abuse. The project will focus on building program bridges for this population to increase their use of the Crisis Triage Center as an alternative to incarceration. Case management and respite care will be of particular relevance for this group. The case management will also be used to identify those women who have children who come into the Crisis Triage Center and provide linkage and advocacy for services, including specific attention to child custody and protective services coordination.

Consumer Involvement in Planning of Program and Project

As early as 1994, Multnomah County Adult Mental Health Program began working in conjunction with County Commissioners, Community Corrections Department, the District Attorney and the public defenders office, Portland police and consumers, family members and the Multnomah County Alliance for the Mentally Ill to plan for an effective jail diversion program for mentally ill persons. At the same time the Multnomah Council on Chemical Dependency, a citizens advisory and planning body identified dual diagnosis services as a priority unmet need in the community. In addition there was a major public planning process to redesign the mental health crisis system, including pre-booking jail diversion services. This planning involved substantial input from consumers, families and the Alliance for the Mentally Ill. This proposed pre-booking diversion project has grown out of these public planning processes and will continue the well established model of consumer/advocate involvement through establishing

a specific project steering committee to guide and oversee the implementation of the study project and the program enhancements. Representatives of the target population as well as family members and the organized advocacy community will be integrally involved with this steering committee.

C. Project Study Design and Analysis Plan

(We would like to express our appreciation for the assistance of Dr. Randy DuPont and Dr. Andy Bush for their cooperation in developing this research design.)

Goals and Objectives of the Evaluation Plan

This study proposes to document and assess the impact of a local pre-booking jail diversion program on samples from a population of dual diagnosed mentally ill persons with criminal justice contact in Multnomah County (Portland), Oregon. Beginning in January of 1997, Multnomah County has implemented a pre-booking Crisis Triage Center for the mentally ill who are identified through a criminal justice contact. The total population served by this center is estimated to be about 9,000 mentally ill individuals per year. In addition, there are an estimated 1,500 or more who are incarcerated and tagged with a Psych Alert while in jail.

The proposed outcome measures for the study include (1) criminal recidivism, (2) time incarcerated, (3) psychiatric hospitalization, (4) functional status, (5) treatment continuity, (6) psychiatric status, (7) homelessness state, (8) substance abuse rate, and (9) emergency treatment utilization.

Sample Selection

An experimental design with random assignment cannot be used to achieve equivalent study groups in the environment of the proposed study in part because it would require the withholding of treatment to clients. Therefore, a quasi-experimental design will be used involving a comparison of Triage Center clients with a similar non-diverted population. Since most mentally ill individuals implicated in misdemeanor incidents involving police contact are currently taken to the Triage Crisis Center, the number of those with misdemeanor incidents who are not diverted is small. We propose, therefore, to use as a comparison group individuals who have either misdemeanor or "C" class felony charges (as a group are likely to have similar criminal history background to the diverted misdemeanor group), who were not diverted, are in jail, and are placed on Psych Alert (i.e., categorized as having a mental health problem).

Our sampling strategy involves two stages. First a large pool of subjects from the diverted and non-diverted groups will be selected. Second, a matched sample from these two pools will be developed for a rigorous comparative study. Developing the larger pool first not only enables a successful matching process for the study sample, but also allows a more complete picture of both diverted and non-diverted populations who contact the justice system.

Sampling pool

Beginning at six months into the study, two groups of individuals will be targeted for the sampling pool. The first group will consist of the next 600 mentally ill men and women who are diverted by the police or referred by probation officers to the Crisis Triage Center and have substance abuse disorders. We estimate that about 150 individuals a month are taken to the Crisis Triage Center as a result of this process. We believe that this sampling process will take from six to nine months. We have included an additional six month window at the end of the study which allows for additional time as needed for the subject attainment phase, the follow up phase, or data analysis/evaluation phase. The second group will consist of the next 600 persons with mental illness, substance abuse disorders, and misdemeanor or "C" class felony charges who become incarcerated in the Multnomah County Jail system. Based upon

annual incarceration rate figures, this process should consume nearly six months. This will allow a 12 month period for subject follow up procedures with a six month additional study period to address any unforeseen difficulties.

Individuals from both sampling pools will be interviewed by trained evaluation personnel stationed both in the Triage Center and in the jail on a 24 hour basis for the six month data collection period. (These personnel will come from Portland State University and Oregon Health Sciences University and will be trained in both research and clinical issues.) Initial baseline interview data and existing database search data will be collected for both the 600 member diverted sample pool and the 600 member non-diverted sample pool. For sample selection purposes and for later analysis, these individuals will be characterized by gender, race, age, and severity level of prior arrest record.

Matched Study Sample

A systematic random sample of 300 individuals will be selected from the diverted sampling pool. That sample will then be computer matched by race, gender, severity of arrest record, and age within 5 years with individuals from the non-diverted pool and a final matched sample produced for intensive study. It is expected that this process will produce 200-300 persons in the diverted group and 200-300 in the non-diverted group.

Enhancements sample

An additional matched sample will be developed to examine the effects of the enhancements implemented by the grant. The enhancements target women with co-occurring disorders who are under criminal supervision in the criminal justice system. The strategy detailed above for the main study sample will be used to develop a matched sample of 100 females who have been diverted by the enhancement strategy (sent to the Triage center as a diversion from jail for a probation violation) and 100 similar women who are jailed.

The matched sample of 200-300 diverted and 200-300 non-diverted individuals as well as the enhancement samples will be systematically tracked for one year with intensive follow-up interviews and existing database searches at the three, six and 12 month period. Locator follow-ups will be made each month to verify the subject's presence in the community and to update current arrest and treatment profiles. In this manner, all subjects can be certified to have had unbroken opportunity for recidivism throughout the study period. If, during the first two months of study, a subject is discovered to have relocated outside the community or refuses cooperation with study personnel, a replacement with the same characteristics will be drawn from the initial pool as outlined above.

The sampling strategy is summarized in the following table:

Sample	Diverted group	Non-diverted group	Data collected
Six months sample pool	600	600	BI EDB, EDF
Matched main sample	200-300	200-300	BI, FI EDB, EDF
Matched enhancement sample	100	100	BI, FI EDB, EDF

Legend: BI = Baseline Interviews
 FI = Follow-up Interviews
 EDB = Existing database: baseline
 EDF = Existing database: follow-up

Informed Consent

At baseline, all subjects will be presented with an informed consent form describing the purposes of the study and assuring the protection of the confidentiality of client records.

Data Collection Strategies

Two major data collection methods will be used in this study.

1) INTERVIEWS (BASELINE AND FOLLOW-UP)

Time points: The 200-300 diverted and 200-300 non-diverted individuals in the main study and the 200 in the enhancement matched samples will be interviewed at baseline, three months, six months, and one year. The pool of 1200 from which they were taken (600 from each group) will also be interviewed at baseline and their baseline data will be available for comparison to the study groups.

Measurement instruments

The chief purpose of the interview is to assess the psychiatric and functional status of the individual as well as alcohol and drug use, abuse, and dependency measures. This study intends to use three well validated instruments of known psychometric properties to examine these issues.

The Multnomah Community Ability Scale (CAS)

The Multnomah Community Ability Scale (Barker, Barron, McFarland, & Bigelow, 1994) is a 17-item instrument designed to measure the level of functioning of the chronically mentally ill. This measure will be utilized in the project to determine the overall level of functioning for individuals identified as persistently and chronically mentally ill who have a co-occurring disorder of substance abuse. The measure considers four broad areas—interference with functioning, adjustment to living, social competence, and behavioral problems.

The test yields a total score along with four separate subscale scores. Higher scores indicate better overall functioning. The first subscale, interference with functioning, includes questions about physical health, intellectual functioning, thought processes, mood abnormality, and response to stress and anxiety. The second subscale, adjustment to living, includes ability to manage money, independence in daily life, and acceptance of illness. The third subscale, social competence, includes questions about social acceptability, social interest, social effectiveness, social network, and participation in meaningful activity. The fourth subscale, behavioral problems, includes questions about medication compliance, cooperation with treatment providers, alcohol/drug abuse, and impulse control.

The initial study conducted by Barker, Barron, McFarland, and Bigelow (1994) found good inter-rater and test-retest reliability. The inter-rater reliability for the total score was .85 while test-retest reliability was .83. The inter-rater reliability for each subscale ranged from .70 to .78 while test-retest reliability ranged from .70 to .83 for each of the four subscales.

Barron, McFarland, Bigelow, and Carnahan (1994) used the scale in a study of 634 chronically mentally ill individuals in urban and rural areas and found that the measure is sensitive to differences among individuals in this population. The population for this study was made up of people from various ethnic groups including Latino-Americans, Indian-Americans, European-Americans, Asian-Americans, and African-Americans. A later study conducted by Zani, McFarland, Wachal, Barker, and Barron (1996)

used the Multnomah Community Ability Scale with 2,487 clients of community mental health programs in the state of Oregon. This study found that lower scores on the scale were predictive of subsequent psychiatric hospitalization. Dr. Nancy Barron works for Multnomah County and will be available to consult with us on the use of this instrument.

Two separate measures will be used to assess the severity of substance dependence in the sample, one for alcohol dependence and the other for drug dependence. Both measures rate the severity of problems related to alcohol or drug use on one of five levels: none reported/no evidence, low, moderate, substantial, and severe. Each instrument can be administered in less than 10 minutes in either a self-report or interview format. Training needed to administer these instruments is minimal.

Alcohol Dependence Scale (ADS) The first measure is the Alcohol Dependence Scale (ADS) (Skinner & Horn, 1984), a 25-item questionnaire based on the concept of an alcohol dependence syndrome. The initial reliability and validity estimates of the ADS are based on studies using an earlier 29-item version; however, the 29-item and the 25-item versions are highly correlated ($r=.96$ to $.99$) (Skinner & Horn, 1984). Studies have shown that the ADS has high internal consistency. Skinner and Horn (1984) reported alpha coefficients of .90 and .91 for two samples they studied, and they estimated a one-week test-retest reliability of .92, based on data from an earlier study by Wanberg et al. (1977). Other studies reported internal consistency coefficients of .92 (Kivlahan, Sher, & Donovan, 1989; Skinner & Allen, 1982), and .94 for a sample of incarcerated offenders (Hodgins & Lightfoot, 1989). Construct validity also has been demonstrated by a number of studies (Kivlahan et al., 1989; Learnard, Howard, & Blane (1988); Ross, Gavin, & Skinner, 1990; Skinner & Allen, 1982). The diagnostic accuracy of the ADA was shown in the study by Ross et al. (1990), in which 88% of their sample were accurately classified as having or not having a current diagnosis of alcohol disorder according to the DSM-III criteria.

Drug Abuse Screening Test (DAST) The second measure is the Drug Abuse Screening Test (DAST) (Skinner, 1982). It is a 20-item questionnaire that was normed on a sample of 501 patients who were representative of those seeking treatment in Toronto, Ontario. The sample was 52 percent male and 48 percent female, with a mean age of 34.7 years ($SD = 10.9$). Fifty percent were unemployed, 45 percent had graduated from high school, and 9 percent had a college degree. The racial/ethnic distribution of this sample was not reported. The majority had a current DSM-III alcohol disorder, and 36% had a current DSM-III drug disorder. The DAST attained 85% overall accuracy in classifying patients according to the DSM-III diagnosis. In a subsequent study (Gavin, Ross, & Skinner, 1989) involving a sample of 256 drug or alcohol abuse clients, an internal consistency of .92 was obtained. Adequate concurrent or convergent validity was reportedly demonstrated by correlation of the DAST scores with frequency of drug use during the preceding 12 months. The DAST scores were found to be only moderately correlated with scores for social desirability and denial (Center for Substance Abuse Treatment, 1994).

Additional questions

In addition to the above three instruments, data will be collected on client living situation (including homelessness), client contact with the criminal justice system, treatment continuity and emergency utilization, education level, employment history, and extensive locator information.

Strategies for data collection, subject retention, and follow up

Data collection under crisis conditions is a complex task. A study by Dupont & Rosenthal (1992) in an emergency room setting showed that passive data collection techniques such as reliance on nursing or physician staff results in an unacceptable level of data completion (under 50% of targeted subjects). However, use of active data collection techniques (on-site research assistants) raised the completion rate to over 90%.

Desmond, Maddux, Johnson, and Confer (1995) reviewed the literature on follow-up methodology. They suggested the need to (1) collect locator information on-site with the subject present, (2) inform subjects of the intent to follow-up, (3) provide adequate incentive, (4) choose suitable staff, (5) document detailed follow up activities, (6) use institutional information sources, (7) make the follow-up interview brief, (8) conduct the follow up interview on-site or by phone, (9) provide adequate resources for field work and (10) allow ample time for field work. All of these have been incorporated in our plans for follow-up. Initial locator information is crucial as well as utilizing existing institutional databases as sources of information for follow-up. Direct contact with family resources and documentation of methods to access these resources are critical.

2) EXISTING DATABASE ANALYSIS

The second major source for data collection in this study will be the use of existing databases in Multnomah County and Oregon. The primary purpose of this collection will be to assess criminal justice recidivism issues for individuals in the samples. However, additional issues that can be assessed from these databases include substance abuse treatment completion, emergency room medicaid claims, and use of public assistance.

Criminal recidivism data sources

Three primary sources of recidivism data are victimization surveys, offender self-reports, and criminal justice records, each having its advantages and limitations.

Victimization surveys are useful in assessing the number of crimes not reported to police but are not useful in assessing the criminal career of an individual who is part of a study sample. These surveys are also subject to the limitations of a victim's memory and telescoping of time periods for events. (Bureau of Justice Assistance, 1994)

Offender self-reports are useful in the assessment of criminal activity that does not always result in arrest. Some researchers have found self-reports reasonably reliable and valid in their estimation of criminal activity, (O'Malley, Bachman, and Johnston, 1983) but there is also evidence of significant under-reporting of criminal activity and drug use. (Hser and Anglin, 1992).

Criminal justice system reports (e.g., booking records) are useful in assessing the impact of a program on the criminal justice system and do not have the limitations of memory and under-reporting inherent in self-reports. However, they are subject to data-entry errors and sometimes fail to record certain types of criminal activity. The most significant limitation, however, is that the data in the criminal justice system are partly a function of local policy driven arrest patterns. (Sacco, Vincent, and Kennedy, 1996)

A key issue in choosing the right measure of criminal recidivism is understanding the purpose of the recidivism assessment. In this study, the purpose of the assessment is to evaluate the impact of diversion on subsequent client contact with the criminal justice system. For this evaluation the best recidivism measures will come from criminal justice system databases and will include subsequent arrests and bookings by type of crime, and incarceration periods. Since data will be gathered for both the diverted and non-diverted groups from criminal justice databases, changes in police arrest patterns as well as changes in system incarceration patterns will apply to both groups and will be assessed and controlled. In addition, the issues of database errors will be common to both groups. An added benefit of using these measures is the possibility of the development of an assessment of criminal justice costs avoided by diversion. For this study, using existing databases from the criminal justice system in Oregon is the best means of gathering data on criminal recidivism.

Defining recidivism

For this study, criminal recidivism will include the following outcomes:

- A return to the Triage Center.
- The first subsequent arrest or citation.
- The time elapsed to the first subsequent arrest or citation.
- All subsequent arrests, convictions, and incarcerations.
- Time period of all subsequent incarcerations.
- Time elapsed between criminal justice episodes.
- Supervision failures (e.g., technical violations, revocations, absconds).

Other existing database collected outcome measures

In addition to criminal recidivism measures, existing databases will be searched for other outcomes as well. These include treatment continuity and treatment completion, medicaid emergency room and other medical claims, and public assistance use. Northwest Professional Consortium has extensive experience in data collection from Oregon's diverse existing databases and can provide that expertise to this project.

Cost estimates

Using existing databases, the above measures of recidivism, as well as the other existing database collected outcome measures can be collected for both diverted and non-diverted study group members, allowing a complete examination of the impact of the program on criminal recidivism and an estimation of the cost impact of diversion on the criminal justice system and other publicly funded systems. In a study of substance abuse treatment completion in Oregon, (Finigan, 1996) found that while the greatest impact of treatment completion was in the avoidance of costs to the criminal justice system, there were cost avoidances in other public assistance systems as well.

Data Sources

The databases available in Oregon for this project include the following:

- **Multnomah County Booking Records (SWIS system)**
Multnomah County Sheriff's Office recently placed on-line a new computerized booking records system which will allow the collection of data for both the diverted and non-diverted samples on the initial booking charge (arrest that brought the client into the study sample) and all subsequent booking charges, incarceration days, and services provided while incarcerated.
- **LEDS (Law Enforcement Data System)**
This is perhaps the best source for statewide recidivism measures. All arrests statewide are reported through this system. It also provides the most accurate data in the state on prior criminal history.
- **DCC supervision files (ISIS)**
The ISIS system contains files on supervision episodes of clients from the diverted and non-diverted groups. Included would be data on violations of probation or parole.
- **Offender Profile System**
This system provides a reliable source of information about the offender and the offense including data on recidivism issues such as revocation and incarceration. It supplies accurate demographic information as well as inmate risk assessments.

- **The Client Process Monitoring System**

All state licensed alcohol and/or drug abuse treatment programs are required to report intake and exit data on all clients to the Office of Alcohol and Drug Abuse Programs.

- **The Oregon Mental Health database**

All state licensed mental health programs are required to report intake and exit data on all clients.

- **Oregon Medical Assistance Program Database**

This database carries information about Medicaid and other medical assistance claims.

- **Adult and Family Services**

This database contains information about the amount and type of monetary assistance provided to clients in specific time periods.

Time periods for assessment and time at risk

Assessing the time period for criminal recidivism is an important methodological issue. Choosing a time period too far removed from the program may reveal recidivism unrelated to the program. Choosing a period too soon after the program may not allow enough time for recidivism to occur and be detected by the system. The approach we will use for this study will be to take a time period of at least 12 months subsequent to program contact for the diverted group and to take an equivalent criteria date for the comparison group. However, all recidivism events will be recorded by the date of occurrence, allowing an analysis of the data for any time period within the 12 months.

Another significant issue in assessing recidivism is the time a client is at risk in the community. An offender who is incarcerated for any time during the subsequent 12 months of the study period will show little or no recidivism during the incarceration period. A person must be in the community to be eligible to recidivate. In this study, recidivism rates will be adjusted to reflect the days that an individual is at risk in the community (not incarcerated or institutionalized).

Outcome Measures

The major proposed outcome measures and the methods by which they will be collected are summarized in the table below:

Outcome measure	Data collection method
Criminal recidivism	Existing database
Days incarcerated	Existing database
Psychiatric status	Interviews
Functional status	Interviews
Treatment continuity	Existing database and Interviews
Homelessness	Interviews
Emergency treatment utilization	Existing database and Interviews
Frequency of substance abuse	Existing database and Interviews

Strategies for data processing, control and storage, and client record confidentiality

Experience in this area suggests the need for redundant data quality control systems. Our strategy in past studies has been to assign a confidential code number to all client encounters. A separate client register is kept to allow identification of clients in other databases. However, only the client confidential code is associated with any client data. The confidentiality of client records is therefore preserved. Data is transcribed from original sources (existing records, assessment instruments) on to paper and pencil data code sheets or directly into laptop computers. Data is then transcribed to computerized database systems with copies kept on backup disks within a specified work period.

Study personnel will create and maintain a database using SPSS (Statistical Package For the Social Sciences) software. The data structure will be created and in place well prior to data collection. Whenever new information is gathered on a study subject from records it will be immediately entered into this system. Clients within the combined database will be identified only by their assigned code to protect client confidentiality. Backup copies will be kept in a different location. The database system will be programmed to detect aberrant numbers as a quality control measure. Each phase of data transfer will be re-checked by a research coordinator with supervisor capacity.

At the conclusion of the study, an accurate, comprehensive demographic, medical and arrest database will have been safely constructed and preserved for subsequent data analysis.

Strategies for data analysis

Throughout the following discussion, a maximum 20% loss to follow-up attrition rate will be assumed. The research team thinks that this is likely to be a considerable overestimate but has adopted it to be conservative during the discussion of statistical power. Although the data set to be gathered is rich with respect to analytic possibilities and the team fully expects to have many new ideas as the project develops, the primary analytic strategy has been created and is presented below.

For each of the study's continuous outcome variables, the fundamental vehicle of analysis will be a split-plot analysis of variance (ANOVA) with diversion factor (i.e., baseline diversion versus incarceration) as the primary between-subjects variable and equally spaced observation intervals (every 3 months) the repeated factor. Given that the design contains five repeated levels, tests for linear and quadratic trend will be easily conducted. These tests will be conducted with at least 200 subjects in each level of the diversion factor producing large denominator degrees of freedom that will enhance the power of the design.

Under the repeated measures ANOVA design arrangement, a main effect test for the diversion factor will possess over 90% power when conducted at the .05 level of significance for an effect size as small as .17 standard deviations, a classically small or hard to detect effect. Similarly, main effect tests on the repeated measure will possess over 90% power at the .05 level of significance for effects as small as .10 standard deviations, an even smaller effect. Simple main effects for the diversion factor at each level of the repeated factor after identification of a significant interaction in the ANOVA model will be testable with over 90% power at the .05 level for effects as small as .38 (also a small effect). Larger effects than these are expected and should lead to even greater power.

Since the project is focused on gathering complete data on at least 400-600 subjects in the main matched sample, missing data problems are not expected. However, if isolated missing instances (< 5%) do occur, median replacement will be used to balance the design.

In addition to the ANOVA described above, conditional regression methods will be used to model longitudinal change in the continuous outcome variables. It should be noted that the conditional regression strategy not only increases information yield by modeling change, it also offers protection against the impact of missing data since it effectively pairs data no matter how many intervals apart thereby eliminating total loss of case data due to one missing value.

Although there is no a priori reason to suspect that underlying data assumptions will be violated in these analyses, the ANOVA assumptions will be systematically tested. In addition, non-parametric randomization tests will also be used to supplement the ANOVA. This strategy will provide supporting evidence for the ANOVA results and will also offer a backup data analysis mechanism should the ANOVA data assumptions prove untenable. Although the study's large sample size mitigates against employing exact permutation tests in these circumstances, Monte Carlo sampling of permutations (offered by the exact statistics component of SPSS) is an effective method that will provide a quality alternative to the traditional split-plot ANOVA.

Outcomes to be analyzed in these manners include (1) total incarceration time, (2) average elapsed time between arrests, (3) length of treatment continuity, (4) degree of alcohol dependency and drug abuse, and (5) measures of functional status. If outcome differences by diversion group are present in these variables, the team is comfortable that the effects will be detected by the proposed procedures.

The basic design can be extended to incorporate categorical factors such as diagnosis classification as fixed between-subjects variables along with continuous variables such as education level and length of time holding a job as covariates to test the ability of such factors to increase information yield and increase power. These extensions will be tried and the results reported.

In addition to these analyses, logistic regression models will be constructed and tested for examining the effect of the diversion factor on the study's binary outcome measures. These models will permit examination of main and interactive effects and will, where appropriate, be supplemented by the Mantel-Haenszel procedure for comparison of results. These procedures will be conducted with sufficient

sample size to detect relative odds ratios as small as 2.3 with power of 90% when conducted at the .05 level of significance.

Example study outcome measures to be examined with this methodology include whether or not subjects (1) are hospitalized in a given time period (or over the entire study time span), (2) voluntarily accepted referral or follow-up, (3) were in treatment for a short versus a long time, (4) used emergency room services, (5) developed drug problems during the study, (6) are homeless, (7) sleep in public places, (8) have been evicted, (9) stay in emergency shelters, and (10) have jobs.

Additionally, the study proposes to use Cox proportional hazard models to estimate diversion group differences with respect to time to first arrest following initiation of the study. Mental illness diagnosis classifications, gender, race, and age will be incorporated into the design to increase information yield. Power should be comparable to that of the logistic regression models described above. The procedure will be repeated for time to second and third or later arrest if appropriate.

Finally, the team will attempt to structure a recursive path analytic model linking diversion group, sex, race, gender, age, severity of crimes, number of diversions, number of arrests, average time elapsed between arrests, and total incarceration time over the two year study period. All total, direct, and indirect effects will be assessed. We estimate that model links representing correlations as small as .19 should be detectable with power of 90% given study sample size.

Strategies for documentation of implementation of the project

On-going review and documentation of progress is critical in implementation of any large-scale project. Part of the research effort will be a monitoring of the implementation of the project and enhancements. We will also monitor the events and policy decisions occurring in the various public systems that impact the study. We plan to interview key leaders and key informants on a regular basis. We will produce reports on a monthly basis for internal and external distribution. The reports will be available to the coordinating site as needed. This strategy allows for informal problem solving and networking and also provides the structure in the form of written reports to allow for accountability.

D. Management Plan and Staffing

Multnomah County Behavioral Health Division will assume primary responsibility for the conduct of the project and serve as the primary point of contact between SAMHSA CMHS/CSAT and the project collaborators. The Behavioral Health Division has had substantial experience in implementing, managing and participating in such collaborative evaluation projects. The Division is currently managing the Portland Target City Project, a five year, 12 million dollar, CSAT funded systems improvement demonstration. This project includes a major in-jail intervention component. The In Jail Intervention Project is part of a current multi-site evaluation and is demonstrating significant impact on reducing recidivism for both male and female offenders participating in pre-treatment readiness and referral to the community treatment system. Prior projects have included collaboration on a NIDA HIV Outreach Demonstration Research project, a HRSA/CSAT Substance Abuse-Primary Care Linkage Project and CSAP Pregnant and Post Partum Project for pregnant / parenting women in jail. All of these efforts have included intensive partnership with the Department of Juvenile and Adult Community Justice, the local community corrections management agency. Adult Community Justice has had extensive experience in managing major, Federal criminal justice demonstration projects including several pre-trial release projects and alternative sanction projects, such as the Portland Drug Court project, a national model, post booking diversion program. This project will draw upon successful experience in interfacing with the criminal justice system to demonstrate effective offender management strategies. The Target City Project and the NIDA HIV project (5 million dollar overall award) were both cooperative agreements and multi-site evaluation models. Thus the Division has had extensive

experience with the special needs presented by such national collaborative projects for knowledge development and dissemination.

The Behavioral Health Division (a part of the County Department of Community and Family Services) and the Department of Juvenile and Adult Community Justice are peer County government units, under the Multnomah County Chair. Through several linkages to manage offenders at the community level and assure their access to a wide range of human services necessary to support rehabilitation and community stability goals these Departments work very closely. This collaboration will grow even further with the advent of managed Medicaid mental health and substance abuse services which are critical to the needs of many offenders in community supervision.

The scientific integrity, structure and management of the evaluation project will be the primary responsibility of Northwest Professional Consortium, Inc., Dr. Michael Finigan with consultation from the Psychiatry Department of Oregon Health Sciences University and Dr. Randy DuPont of Tennessee Medical Center of Memphis Tennessee, Principal Investigator on a sister application being submitted in response to this RFA. Dr. Finigan has extensive experience with criminal justice system / substance abuse evaluation and research efforts in Oregon including specific analysis of recidivism, use of public human services and entitlements by offenders participating in treatment and analyzing costs and cost offsets of behavioral health services.

Providence Health Systems, the contractor for the operation of the Crisis Triage Center will be responsible for the operation of the intervention program. This organization is a major health care institution in the community with extensive experience in service delivery and in institutional research as well. While the Crisis Triage Center is a newly implemented service, Providence Health Systems has long standing, successful experience in operating a continuum of inpatient and outpatient behavioral health programs and is fully committed to this opportunity to rigorously evaluate the impact of the crisis triage program as a pre-booking jail diversion strategy.

Project Key Staffing

The Project Director will be Floyd Martinez, Ph.D., Director of the Multnomah County Behavioral Health Division. He will interface directly with CMHS/CSAT for negotiations regarding the overall cooperative agreement and exercise administrative control over all project elements. He will devote .10 FTE to this responsibility as currently anticipated. There will be a Project Coordinator within the Behavioral Health Division who will provide day to day coordination and communications for the project under the cooperative agreement. She will staff the Steering Committee and facilitate any appropriate activities to coordinate the intervention operations with the project evaluation activities. She will devote .50 FTE to the project. The balance of her full time position will be funded by Multnomah county and will be a continuation of her duties overseeing the Providence Health Systems subcontract. Glenn Maynard is the Director of the Crisis Triage Center at Providence. He will provide direct management of the intervention, the Crisis Triage Center, which operates under contract to Multnomah County. He will assure all on site coordination between intervention operations and the data collection and client study enrollment activities. These duties will not be funded through the cooperative agreement. The Case Manager will be employed by Providence Health System in the Crisis Triage Center and will provide specialized case management to persons coming to the Center through probation/parole officers, particularly the women referred to the program. The boundary spanner will work for Multnomah County at 1.00 FTE and will be responsible to Dr. Martinez for general design of the coordination and linkage associated with the project and to Cathy Horey for the operation of the linkage and coordination activities.

The Study Evaluation Director will be Michael Finigan, Ph.D. He will be responsible for all aspects of the evaluation design and implementation, for data analysis and overseeing documentation and reports. He will manage the involvement of the Evaluation Consultation Team made up of Dr. Randy DuPont, from the University of Tennessee Medical Center and Dr. Dale Walker from Oregon Health Sciences University, Department of Psychiatry who will consult on evaluation design and clinical evaluation aspects of the project.

Management Plan and Project Timelines

Time Frame	Key Personnel	Activity
Phase I.		
9 / 30 / 1997	Martinez	Notice of Grant Award
10/1/- 12/1/97	Horey	Formalize and implement local project Steering Committee
10/1 - 4/1/1998	Finigan	Formalize multi-site research design Participate in Coordinating Center meetings Contribute to cross site code books and data maps
10/1/- 4/1/1998	Finigan	Negotiate adjustments in local research design
10/1 - 4/1/1998	Finigan	Refine local research design
	Finigan	Pilot selected assessment instruments
	Finigan	Conduct reliability analyses on chosen / designed instruments
	Finigan	Format data collection instruments and protocols
	Martinez	Finalize project agreements with CMHS/CSAT project officer
1/1/ - 4/1/98	Finigan	Complete IRB Review
3/1 - 6/1//1998	Finigan	Collect preliminary baseline data for local evaluation
3/1/ - 6/1/1998	Finigan	Train assessment interviewers
4/1/ - 6/1/1998	Maynard	Hire case manager
4/1 - 6/1/1998	Martinez	Modify MIS collection capability to track needed data
Phase II		
4 / 1 / 1998	Finigan	Initiate study participant selection / enrollment
	Finigan	Initiate comparison group selection / enrollment
	Maynard	Begin delivery of intervention
	Horey	Begin regular monthly oversight meetings of Steering Committee
	Finigan	Begin data submissions on agreed upon schedule with Coordinating Center
	Finigan	Begin documentation of intervention
5/1/ - 10/1/1998	Horey	Conduct trainings designed as part of system enhancement

7/1/1998	Finigan	Initial three month follow-up evaluation begins
12 / 30 / 1998	Finigan	All project study participants have been enrolled
12 / 30 / 1999	Finigan	Final twelve month follow up evaluation completed
Phase III		
1/1/ - 6/30/1999	Finigan	Complete all data entry and submission and analysis
6 / 30 / 1999	Finigan	Complete reports

Relevant Resources

This project, building on substantial existing program resources of the Multnomah County Behavioral Health Division and Providence Health System will have access to all necessary infrastructure including personnel systems, legal assistance, computer and other office automation technology and fiscal management and grant accountability. The Crisis Triage Center contract is an integral part of the ongoing portfolio of the Behavioral Health Division and as such will receive ongoing oversight and technical assistance without cost to this cooperative agreement. The data developed through the Target City Project on client process and outcomes from treatment in the public substance abuse system will also provide for a rich resource for further comparative analysis.

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F. Budget Justification

Detailed, line item budget information for all three years of the project follow.

Other support

There is no other support for project activities funded under this cooperative agreement.

H. Confidentiality/Protection of Human subjects

1. Target Population

The target population for this group ranging in age from 18+. The population consists of approximately 51.6 % females and 48.4% males and the racial breakdown being 84% Caucasian, 7.5% African-American, 5.2 Asian-American, 3% Hispanic-American, and 1.3% Native-American. About 36% of the population has been diagnosed needing services due to DSM IV diagnosis in one of 12 categories, everyday function is impaired, or depression. Another 2% have received a diagnosis of schizophrenia, mania, major mental illness, or cognitive impaired.

The criteria for inclusion in the study will be met when an individual comes in to contact with the Portland Police Department Crisis Intervention Team or regular officer, other surrounding community's police departments and is either diverted to the Crisis Triage Center or taken to jail and placed on a psychiatric alert. Second type of referral is to the Crisis Triage Center by a probation officer as alternative to jail due to escalation of mental illness/substance abuse symptoms. Specific populations for the study will be women, cultural minorities, prisoners, homeless, those on probation and the chronically mentally ill. All of these populations have in common, barriers that make accessing community based services. Women have difficulty entering treatment because of child care, pregnancies, or services specifically designed for men. The prominent barrier for the homeless is the lack of connection with the system due to unstable and inconsistent housing situations.

The specialized needs of the prison population has been researched and the conclusion is screening, crisis intervention, evaluation and monitoring, suicide risk assessment and prevention, alcohol and drug treatment, and community liaison upon their release into the community are necessary to reduce recidivism. Many of these needs are not met because of lack of funding, staff training and structured programs within the jail.

The mentally ill do not have as immediate access to institutionalization since the move to community based services. The traditional problems within this population are maintaining finances, medication, housing and independent living activities.

2. Recruitment, selection, and Consent Procedures

The recruitment for this study will take place in two different areas, the Crisis Triage Center and the Multnomah County Detention Center. Those individuals who may be potential participants in the study will be asked upon admission to the Crisis Triage Center if they would be willing to participate in research project to determine the impact of community-based interventions. Consent will take place in a written form which the individual will sign if they agree and it can be determined they are competent to sign. The consent will be sought by the Crisis Triage Staff who are present 24 hours a day. The staff consists of psychiatrists, psychologists, masters level mental health professionals and psychiatric nurse practitioners. The explanation will be brief, but will include an explanation of how the study is to show the impact of psychiatric intervention for populations that present with

psychiatric symptoms and/substance abuse problems. We will include that the study will consider multiple factors in the case such as jail incarceration, homelessness, substance abuse, arrest history, psychiatric treatment history and emergency room visits. Consent will be documented by having the patients sign a written consent form (See appendix 5 for "Sample Consent Forms").

Potential subjects in the jail will be screened during the intake process and once it has been determined that they do have a mental illness and substance abuse problem they will be asked to consider being a participant in the study and sign a written consent form. Jail staff, including mental health professional, will obtain the consent at the time of intake.

All subjects will be adults over the age of 18+, there fore, age will not present a problem with consent. If there is a legal guardian, we will obtain consent from the legal guardian or obtain assent from the patient.

3. Data Collection

Data collection will be obtained at the point of entry into the crisis system. Sources of information will include interviews of the client s at the Crisis Triage Center and the Multnomah County Detention Center, measures of psychiatric functioning and substance abuse rates completed by the mental health professionals, previous psychiatric records from the State information system and jail/arrests records.

Other information may be obtained by family, friends, and case managers with permission of the client. Those individuals with suspected or known alcohol and drug use will have information regarding results of urine drug screens and blood alcohol level tests available on their charts. Therefore, information regarding specimens will be drawn from existing records than specifically being ordered for the sole purpose of this research project.

4. Potential Risks

Potential risks for this research could include invasion of privacy, mild psychological discomfort when responding to questions, and possible embarrassment in responding to questions about arrest and substance abuse rats. Physical risks and legal risks are not evident.

5. Protection from Potential Risks

Invasion of privacy will be kept to a minimum in attempting to obtain all the information necessary from the patient themselves rather than relying heavily on other informants. Sensitivity to clients needs during staff questioning will be maintained at all times and information gathered from the study will only be used for purposes of research and not for legal, psychological, or physical sanctions. All information gathered will be coded and specific individual's names will not be used in data collection. Records will remain in a safe, locked, confidential site, and only staff with access will be those directly involved in the research project. If at any time during the study an individual has been identified as needing medical or mental health, or other professional intervention as a result of adverse affects of the study every effort will be made to ensure that those needs are met. Subjects will be allowed to withdraw from the study at any time without penalty. The treatment course and accessibility will not be negatively altered as a result of participation or declining participation in the study. All operations of the Multnomah County study will adhere strictly to the requirements set forth in title 45, Part 46, of the code of regulations and 42 CFR Part 2, "Confidentiality of Alcohol and Drug Abuse Patient Records." In addition all project plans and procedures affecting participants

will be submitted for review to the Multnomah County Institutional Review Committee and their findings and recommendations will be integrated into project development. The project will seek guidance from SAMHSA staff in further development of participant protection protocols, policies, and procedures.

6. Risk Benefit Discussion

The minimal risks associated with participation in this study will be out weighed by the multiple benefits not only to this individual but to these underserved populations in general. Those in the study will have an opportunity to be provided with access to mental health services, community resources, and crisis intervention. Those who are diverted from the jail will not suffer the negative consequences of prison time, abuse of inmates, stigmatization of a prison record, and neglect of treatment needs. The individuals in the jail system will benefit by detected as mentally ill and steps can be taken to provide treatment, monitoring, and follow up services upon release.

**Budget Justification,
Existing Resources
and Other Support**

CRIM. JUST. DIVERSION EXPENDIT.

EXPENDITURES SUMMARY

CRIMINAL JUSTICE DIVERSION INTERVENTION PROJECT	Agency/Organization:		Prepared by:	
	MULTNOMAH COUNTY		N. Jaeger & G. Wang	
	Behavioral Health			
	Fund:	Agency:	Org:	Date:
	156	010		4/10/97
Object Detail	Yr 01	Yr 02	Yr 03	Total
5100 Permanent	69,895	74,089	78,534	222,518
5200 Temporary	0	0	0	0
5300 Overtime	0	0	0	0
5400 Premium Pay	0	0	0	0
5500 Fringe	12,416	12,416	12,416	37,248
Direct Personnel Costs	82,311	86,505	90,950	259,766
5550 Insurance Benefits	8,708	8,708	8,708	26,124
TOTAL PERSONAL SERVICES	91,019	93,975	97,107	282,101
6050 County Supplements	0	0	0	0
6060 Pass Through Payments	344,080	448,339	344,557	1,136,976
6110 Professional Services	2,200	0	0	2,200
6120 Printing	300	150	150	600
6170 Rentals	0	0	0	0
6180 Repair and Maintenance	0	0	0	0
6190 Maintenance Contracts	0	0	0	0
6200 Postage	75	75	75	225
6230 Supplies	960	960	960	2,880
6310 Education & Training	900	0	0	900
6330 Local Travel	972	972	972	2,916
6520 Insurance	0	0	0	0
6620 Dues & Subscriptions	0	0	0	0
Direct Materials & Services	349,487	450,496	346,714	1,146,697
7100 Indirect Cost	12,804	13,502	13,111	39,417
7150 Telephone Services	0	0	0	0
7200 Data Processing Services	0	0	0	0
7300 Motor Pool Services	0	0	0	0
7400 Building Management Services	0	0	0	0
7500 Other Internal Services	0	0	0	0
7560 Distribution/Postage	818	818	818	2,454
Internal Svc Reimbursements	13,622	14,320	13,929	41,871
TOTAL MATERIALS & SERVICES	363,109	464,816	360,643	1,188,568
8400 Equipment	0	0	0	0
TOTAL CAPITAL OUTLAY	0	0	0	0
A TOTAL BUDGET	454,128	558,791	457,750	1,470,669

EXPENDITURE DETAIL

Yr 01

SUMMARY OF EXPENDITURES

PERSONNEL (Detail attached)
 MATERIALS & SERVICES (includes PSA's)
 PASS-THROUGH (6060-see contracts detail attached)
 INDIRECT (.7% on pass-through, 10.69% on direct costs)
 CAPITAL OUTLAY

TOTAL

91,020
6,225
344,080
12,804
0
454,128

REVENUES REQUESTED FOR GRANT

TOTAL

454,128

MATERIALS & SERVICES				DBH
6060	Pass-Through (See contracts detail)		6060	344,080
	Program enhancement: case management at Providence CTC	27,500		
	NW Professional Consortium evaluation services	316,580		
6110	Professional Services (See contracts detail)		6110	2,200
	AMI assistance in training development & presentation.			
6120	Printing		6130	300
	Forms and miscellaneous			
6180	Repair & Maintenance (not via maint. agreements)		6180	0
6200	Postage		6200	75
	For Federal Express, and stamps from petty cash			
6230	Supplies		6230	960
	1.6 FTE @ \$50/month per FTE (1.6 x \$50 x 12 = \$960)			
6310	Travel and Training		6310	900
	Miscellaneous expenses to arrange two CIT-advanced trainings for CIT officers and four cross-trainings for related community service providers. Includes room rental, materials, and coffee; estimate \$150 per training over and above AMI PSA.			
6330	Local Travel and Mileage		6330	972
	270 miles/month @ \$.30 per mile (270 x \$.30=81 x 12 months=\$972)			
6620	Dues and Subscriptions		6620	0
SERVICE REIMBURSEMENT OBJECT CODES				DBH
7100	Indirect Costs		7100	12,804
	10.69% Indirect on operations budget, plus .7% on pass-through (6060)			
7150	Telecommunications		7150	0
	Paid for through County's service contract with Providence CTC.			
7200	Data Processing (via ISD)		7200	0
7300	Motor Pool	See local travel, above.	7300	0
7400	Building Management		7400	0
	Office space at CTC for County staff is provided for in county's service contract with Providence CTC.			
7560	Mail/Distribution		7560	818
	10 pieces of mail daily @ \$.32 for 6 months = \$584			
	Administrative mail of 2 daily for 12 months = \$234.			
CAPITAL OUTLAY (OVER \$2,000)				0

CRIM. JUST. DIVERSION CONTRACTS

CONTRACTS and PSA's

CONTRACTS and PSAs				
YR 01	Organization: MULTNOMAH COUNTY		Date Prepared: 4/10/97	
		Fund:	Prepared by: N. Jaeger & G. Wang	
	LGFS CODES:	156		
Object		Contact	Revenue	
Code	Contract Description	Person	Source	Amount
	PSA's:			
6110	Alliance for the Mentally Ill	N. Jaeger		\$2,200
	20 hrs in training development, plus			
	4 hrs presentation in each of six			
	2-day trainings, @ \$50/hour.			
	Pass-through contracts:			
6060	Providence Crisis Triage Center	N. Jaeger		\$27,500
	Covers salary of one case manager			
	plus materials & supplies. Space and			
	phone are already covered in the			
	existing County-Providence contract.			
	Yr 01 start-up is month 7 of the project.			
6060	Northwest Professional Consortium	N. Jaeger		\$316,580
	Mike Finigan, Director			
	Pass-through funds cover the evaluation			
	component of the project. See the			
	Consortium's attachment for detail of			
	evaluation expenditures.			
6110	TOTAL PERSONAL SERVICE AGREEMENTS			\$2,200
6060	TOTAL PASS-THROUGH FUNDS			\$344,080
	TOTAL CONTRACTS			\$346,280

CRIM. JUST. DIVERSION PERSONNEL

PERSONNEL

[illegible]

EXPENDITURE DETAIL
Yr 02

SUMMARY OF EXPENDITURES

PERSONNEL (Detail attached)
MATERIALS & SERVICES (includes PSA's)
PASS-THROUGH (6060-see contracts detail attached)
INDIRECT (.7% on pass-through, 10.69% on direct costs)
CAPITAL OUTLAY

TOTAL

93,975
2,975
448,339
13,502
0
558,791

REVENUES REQUESTED FOR GRANT

TOTAL

558,791

MATERIALS & SERVICES				DBH
6060	Pass-Through (See contracts detail)		6060	448,339
	Program enhancement: case management at Providence CTC	55,000		
	NW Professional Consortium evaluation services	393,339		
6110	Professional Services		6110	0
6120	Printing		6130	150
	Forms and miscellaneous			
6180	Repair & Maintenance (not via maint. agreements)		6180	0
6200	Postage		6200	75
	For Federal Express, and stamps from petty cash			
6230	Supplies		6230	960
	1.6 FTE @ \$50/month per FTE (1.6 x \$50 x 12 = \$960)			
6310	Travel and Training		6310	0
	Cross trainings will be completed in first year.			
6330	Local Travel and Mileage		6330	972
	270 miles/month @ \$.30 per mile (270 x \$.30=81 x 12 months=\$972)			
6620	Dues and Subscriptions		6620	0
SERVICE REIMBURSEMENT OBJECT CODES				
7100	Indirect Costs		7100	13,502
	10.69% Indirect on operations budget, plus .7% on pass-through (6060)			
7150	Telecommunications		7150	0
	Paid for through County's service contract with Providence CTC.			
7200	Data Processing (via ISD)		7200	0
7300	Motor Pool	See local travel, above.	7300	0
7400	Building Management		7400	0
	Office space at CTC for County staff is provided for in county's service contract with Providence CTC.			
7560	Mail/Distribution		7560	818
	10 pieces of mail daily @ \$.32 for 6 months = \$584			
	Administrative mail of 2 daily for 12 months = \$234.			
CAPITAL OUTLAY (OVER \$2,000)				0

CRIM. JUST. DIVERSION PERSONNEL

PERSONNEL

[illegible]

CRIM. JUST. DIVERSION CONTRACTS

CONTRACTS and PSA's

CONTRACTS and PSAs		Date Prepared:	
YR 02	Organization:	4/10/97	
	MULTNOMAH COUNTY	Prepared by:	
		Fund:	N. Jaeger & G. Wang
	LGFS CODES:	156	
Object	Contact	Revenue	
Code	Person	Source	Amount
6110	PSA's:		\$0
6060	Pass-through contracts: Providence Crisis Triage Center Covers salary of one case manager plus materials & supplies. Space and phone are already covered in the existing County-Providence contract. Case management is for full year in Yr 02.	N. Jaeger	\$55,000
6060	Northwest Professional Consortium Mike Finigan, Director Pass-through funds cover the evaluation component of the project. See the Consortium's attachment for detail of evaluation expenditures.	N. Jaeger	\$393,339
6110	TOTAL PERSONAL SERVICE AGREEMENTS		\$0
6060	TOTAL PASS-THROUGH FUNDS		\$448,339
	TOTAL CONTRACTS		\$448,339

EXPENDITURE DETAIL

Yr 03

SUMMARY OF EXPENDITURES

PERSONNEL (Detail attached)
 MATERIALS & SERVICES (includes PSA's)
 PASS-THROUGH (6060-see contracts detail attached)
 INDIRECT (.7% on pass-through, 10.69% on direct costs)
 CAPITAL OUTLAY

TOTAL

97,107
2,975
344,557
13,111
0
457,750

REVENUES REQUESTED FOR GRANT

TOTAL

457,750

MATERIALS & SERVICES				DBH
6060	Pass-Through (See contracts detail)		6060	344,557
	Program enhancement: case management at Providence CTC	27,500		
	NW Professional Consortium evaluation services	317,057		
6110	Professional Services		6110	0
6120	Printing		6130	150
	Forms and miscellaneous			
6180	Repair & Maintenance (not via maint. agreements)		6180	0
6200	Postage		6200	75
	For Federal Express, and stamps from petty cash			
6230	Supplies		6230	960
	1.6 FTE @ \$50/month per FTE (1.6 x \$50 x 12 = \$960)			
6310	Travel and Training		6310	0
	Cross trainings will be completed in first year.			
6330	Local Travel and Mileage		6330	972
	270 miles/month @ \$.30 per mile (270 x \$.30=81 x 12 months=\$972)			
6620	Dues and Subscriptions		6620	0
SERVICE REIMBURSEMENT OBJECT CODES				
7100	Indirect Costs		7100	13,111
	10.69% Indirect on operations budget, plus .7% on pass-through (6060)			
7150	Telecommunications		7150	0
	Paid for through County's service contract with Providence CTC.			
7200	Data Processing (via ISD)		7200	0
7300	Motor Pool	See local travel, above.	7300	0
7400	Building Management		7400	0
	Office space at CTC for County staff is provided for in county's service contract with Providence CTC.			
7560	Mail/Distribution		7560	818
	10 pieces of mail daily @ \$.32 for 6 months = \$584.			
	Administrative mail of 2 daily for 12 months = \$234.			
CAPITAL OUTLAY (OVER \$2,000)				0

CRIM. JUST. DIVERSION PERSONNEL

PERSONNEL

[illegible]

CRIM. JUST. DIVERSION CONTRACTS

CONTRACTS and PSA's

YR 03	Organization: MULTNOMAH COUNTY		Date Prepared: 4/10/97	
		Fund: 156	Prepared by: N. Jaeger & G. Wang	
	LGFS CODES:			
Object		Contact	Revenue	
Code	Contract Description	Person	Source	Amount
6110	PSA's:			\$0
	Pass-through contracts:			
6060	Providence Crisis Triage Center	N. Jaeger		\$27,500
	Covers salary of one case manager			
	plus materials & supplies. Space and			
	phone are already covered in the existing			
	County-Providence contract. In Yr 03			
	case management closes in 12th month.			
6060	Northwest Professional Consortium	N. Jaeger		\$317,057
	Mike Finigan, Director			
	Pass-through funds cover the evaluation			
	component of the project. See the			
	Consortium's attachment for detail of			
	evaluation expenditures.			
6110	TOTAL PERSONAL SERVICE AGREEMENTS			\$0
6060	TOTAL PASS-THROUGH FUNDS			\$344,557
	TOTAL CONTRACTS			\$344,557

F. Budget Justification
Northwest Professional Consortium, Inc.

	Line Item Budget		
	Year1	Year2	Year 3
<u>Personnel</u>			
Director of Evaluation (Finigan) (.75) (4% each yr col)	61,000	63,960	66,518
Senior evaluator to be named \$50,000 (.50) (4% each yr col)	25,000	26,000	27,040
Project manager 1.00 (4% each yr col)	36,000	37,440	38,983
Fringe benefits .28	34,300	35,672	37,099
Research assistants baseline and follow-up interviews \$15/hr	48,600 (4400 hrs)	72,000 (4800 hrs)	36,000 (2400 hrs)
Research assistants existing database and general \$14/hr	61,600 (4400 hrs)	98,000 (7000 hrs)	63,000 (4500 hrs)
Database entry and clerical \$9/hr (4% each yr col)	4680 (520 hrs)	4867 (520 hrs)	5062 (520 hrs)
Consultants			
Walker 300 hrs/yr	15000	15000	15000
Dupont 100 hrs/yr	5000	5000	5000
Bush 100 hrs/yr	5000	5000	5000
subtotal	296,680	362,939	298,657

Narrative: Senior evaluation is at 1.25 FTE to cover all phases of the project. Most of the money is in hiring by the hour skilled research assistants (Northwest professional Consortium has a pool of experienced personnel, Oregon Health Sciences University and Portland State University also have available skilled personnel. Dr. Walker from OHSU will provide clinical consulting and Dr. Dupont and Dr Bush will provide methodological and statistical consulting. Altogether five Ph.D.'s will be involved in the project. Northwest Professional Consortium has addition expertise available if needed.

Travel

4 trips to WA DC 1 person airfare hotel per diem @\$900 X 4 trips 2 trips in yr 2+3	3600	1800	1800
2 trips for two consultants @900 X 4	3600	3600	3600
subtotal	7200	5400	5400

Narrative: travel is per agreements.

Equipment

Desktop computer
system with
printer

cost \$4500 X 1 4500

Laptop computer
system for data entry

cost \$2500 X 2 5000

Narrative: computer station is needed to be dedicated to the project.
Laptops are for data collection in the field.

subtotal 9500

Supplies

office supplies and printing	3200	1000	1000
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Narrative: Supplies include printing survey instruments and data collection instruments.

<u>Incentives</u> for follow-up interviews 800 subjects X \$15 X 3 follow-up periods		24,000	12,000
subtotal	0	24,000	12,000

Narrative: Incentives will consist of a gift certificate to Fred Meyer Stores (groceries and household products). No tobacco or alcohol will be allowed to be purchased.

TOTAL	\$316,580	\$393,339	317,057
TOTAL 3 YRS	1,026,976		

Appendix 1

Commitment from Partner Agencies

Crisis Triage Center

5228 N.E. Hoyt
Building B
Portland, Oregon
97213-2967

Tel 503.215.2566
Fax 503.215.0900

April 9, 1997

Dr. Floyd Martinez
Multnomah County Community Family Services
Adult Behavioral Health Division
421 SW 6th Avenue, Suite 600
Portland, Oregon 97204

Dear Floyd:

This letter is to express support and partnership with Providence Portland Crisis Triage Center and Multnomah County in the development of a cooperative research project on the effectiveness of a pre-booking program for individuals with a co-occurring diagnosis of mental illness and substance abuse.

The Providence Crisis Triage Center and staff will be working with the research project to identify appropriate individuals for the project and providing case management services.

We believe this project is vital to the continued development of specific diversion type programs for those individuals involved in the criminal justice system, which have a dual diagnosis.

Sincerely,



Glenn Maynard

GM:md

AMI ALLIANCE FOR THE MENTALLY ILL of Multnomah County

Our mission is to improve the quality of life for family members and loved ones of those with mental illness, and the mentally ill, by offering support and information, providing education and outreach to the community, and advocating for improved services and research.

April 10, 1997

Floyd Martinez
Behavioral Health Program Manager
Multnomah County Community and Family Services
421 S.W. Sixth Avenue
Suite 600
Portland, Oregon 97204

Dear Floyd:

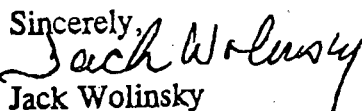
AMI of Multnomah County fully supports Multnomah County Behavioral Health Division in its pre-booking criminal justice diversion study project.

The participating groups in the consortium are well qualified and will be bringing a wealth of information and experience that will make this project a great success.

Past studies have shown that the chronic mentally ill will best be served if a definite program is initiated that will provide the needed treatment, support, and housing to keep them out of the jail system. This will lighten the load on the whole mental health system in the county and cannot but save money.

AMI of Multnomah County has been helping the families and educating the community regarding chronic mental illness for twenty years. We know the frustration of not having an efficient system for taking care of the many ill who need help.

It is our strong belief that a system can be put in place, with the help of the interested groups, to keep those ill persons out of the jail system who don't belong there.

Sincerely,

Jack Wolinsky
Executive Director



CITY OF
PORTLAND, OREGON
BUREAU OF POLICE

VERA KATZ, MAYOR
Charles A. Moose, Chief of Police
1111 S.W. 2nd Avenue
Portland, Oregon 97204

April 1, 1997

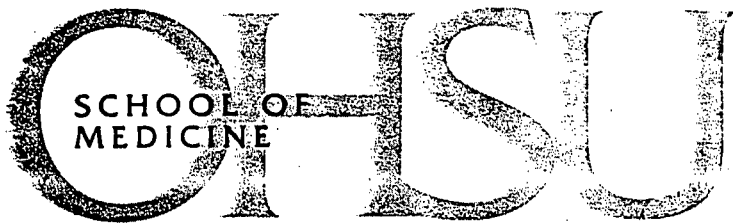
Floyd Martinez, Ph.D
421 SW 6th Ave
Suite 600
Portland, OR. 97204

Dr. Martinez,

This letter shall act as confirmation of the Portland Police Bureau's involvement in the Multnomah County Research Project for pre-booking jail diversion programs. We understand that the length of the project is three years. As Coordinator of our Crisis Intervention Team, I am aware of the expectations of the project, and support the effort to develop diversion programs for the mentally ill population who are also involved (at a misdemeanor level) in the criminal justice system.

Sincerely,

Sara Westbrook
Coordinator, Crisis Intervention Team
Portland Police Bureau



OREGON HEALTH
SCIENCES UNIVERSITY

DEPARTMENT OF PSYCHIATRY
3181 S.W. SAM JACKSON PARK RD.
MAIL CODE UHN80
PORTLAND, OR 97201-3098
TEL 503-494-8144
FAX 503-494-6152

April 8, 1997

Dr. Floyd Martinez, Manager
Multnomah County
Community and Family Services
Behavioral Health Division
421 S.W. Sixth, Suite 600
Portland, OR 97204

This letter is written to express the interest of the Department of Psychiatry at Oregon Health Sciences Center to work in partnership with Multnomah County Behavioral Health Division and Providence Health Systems to research the relative effectiveness of prebooking diversion programs for individuals with co-occurring mental illness and substance abuse.

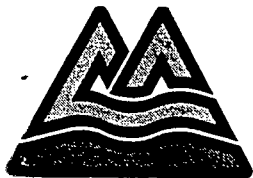
Research is very strong at OHSU and the Department of Psychiatry has experience working with the population involved in this study. We continue to be interested in developing options for this identified population and support this extensive study.

We look forward to working with you.

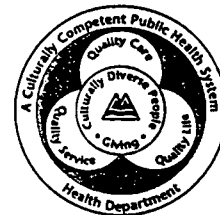
Sincerely,

A handwritten signature in cursive script that reads "R. Dale Walker, M.D.".

R. Dale Walker, M.D.
Professor and Chairman
ACOS for Addictions, VAMC



MULTNOMAH COUNTY OREGON



HEALTH DEPARTMENT
DETENTION CENTER, CORRECTIONS HEALTH
1120 S.W. THIRD AVENUE, 4TH FLOOR
PORTLAND, OREGON 97204
(503) 248-3976 FAX (503) 248-3975

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

April 8, 1997

Dr. Floyd Martinez, Manager
Multnomah County
Community and Family Services, Behavioral Health Division
421 S.W. Sixth Suite 600
Portland, OR 97204

Dear Dr. Martinez:

This letter is to inform you of the Multnomah County Corrections Health Division agreement to work in partnership with Multnomah County Behavioral Health Division, Oregon Health Science University, and Providence Health Systems to research the relative effectiveness of pre-booking diversion programs for individuals with co-occurring mental illness and substance abuse.

Corrections Health staff will participate in the research by working with research staff to identify those individuals who would qualify for the control groups used in the 24 month study.

We will lend our support to this outstanding project.

Sincerely,

Kathy Page, Director
Corrections Health Division

Appendix 2

Letters of Coordination/Support



MULTNOMAH COUNTY OREGON

JUVENILE AND ADULT COMMUNITY JUSTICE
ADULT COMMUNITY JUSTICE
ELYSE CLAWSON, DIRECTOR
421 S.W. 5TH, SUITE 600
PORTLAND, OREGON 97204
(503) 248-3701 FAX (503) 248-3990

BEVERLY STEIN
COUNTY CHAIR

April 8, 1997

Floyd Martinez, Ph.D., Director
Behavioral Health Division
Department of Community and Family Services
166/600
INTEROFFICE MAIL

Dear Dr. Martinez:

The Multnomah County Department of Juvenile and Adult Community Justice is pleased to support your proposal for a Jail Diversion Project utilizing the recently implemented Mental Health Crisis Triage Center as an alternative to taking mentally ill persons to jail. We are particularly supportive of plans to identify mentally ill and alcohol/drug dependent female offenders who can be diverted to appropriate community-based services. This population has been difficult for us to work with primarily because of the lack of an accessible center for triage, assessment, and respite services. In addressing these issues, the Crisis Triage Center will become a valuable part of our community service system. We believe that integrating our community supervision with a jointly developed case plan will result in the best possible outcomes. The Jail Diversion Project is consistent with our numerous past collaborations and we look forward to assisting in its development, oversight, and evaluation.

Sincerely,

Bob Grindstaff
Deputy Director

Appendix 3

Letter to
Single State Agency
(SSA)



MULTNOMAH COUNTY OREGON

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES
BEHAVIORAL HEALTH PROGRAM
ADULT MENTAL HEALTH PROGRAM
421 SW SIXTH, SUITE 600
PORTLAND, OREGON 97204
(503) 248-5464 FAX (503) 248-3926
TDD (503) 248-3598

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

April 9, 1997

Berry Kast, director
Office of Mental Health Services
2575 Bittern St., NE
Salem, Oregon 97310-0520

Dear Berry

This letter is to notify you of Multnomah County Community and Family Services Behavioral Health Division's proposal for the grant Criminal Justice Diversion Program. The grant will be a cooperative effort between Multnomah County, Oregon Health Sciences University, Providence Health System, Portland Police, Northwest Profession Consortium Inc. and Multnomah County Alliance for the Mentally Ill. The grant will be a three year study of the effectiveness of a pre-booking jail diversion program for an identified population of individuals who have a dual diagnosis of mental illness and substance abuse and have some involvement with the criminal justice system. A copy of the abstract is attached. Should you desire a complete copy please let us know.

If you wish to comment on the proposal please send your comments no later than 60 days after April 12, 1997 which is deadline date for receipt of application. Address comments to:

Office of Extramural Activities Review
Substance Abuse and Mental Health Services Administration
Parklawn Building, Room 17-89
5600 Fishers Lane
Rockville, MD 20857
ATTN: SSA - GFA No. SM 97-006

Thank you for your support in this matter

Sincerely


Norma Jaeger, Operations Manager



MULTNOMAH COUNTY OREGON

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES
BEHAVIORAL HEALTH PROGRAM
ADULT MENTAL HEALTH PROGRAM
421 SW SIXTH, SUITE 600
PORTLAND, OREGON 97204
(503) 248-5464 FAX (503) 248-3926
TDD (503) 248-3598

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

April 9, 1997

Barbara Cimaglo, Assistant Administrator
Department of Human services
Office of Alcohol and Drug Abuse Program
500 Summer, NE
Salem, Oregon 97310-1016

Dear Barbara

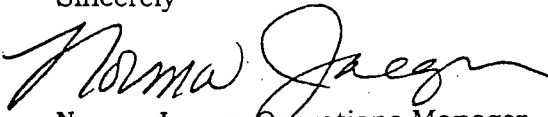
This letter is to notify you of Multnomah County Community and Family Services Behavioral Health Division's proposal for the grant Criminal Justice Diversion Program. The grant will be a cooperative effort between Multnomah County, Oregon Health Sciences University, Providence Health System, Portland Police, Northwest Profession Consortium Inc. and Multnomah County Alliance for the Mentally Ill. The grant will be a three year study of the effectiveness of a pre-booking jail diversion program for an identified population of individuals who have a dual diagnosis of mental illness and substance abuse and have some involvement with the criminal justice system. A copy of the abstract is attached. Should you desire a complete copy please let us know.

If you wish to comment on the proposal please send your comments no later than 60 days after April 12, 1997 which is deadline date for receipt of application. Address comments to:

Office of Extramural Activities Review
Substance Abuse and Mental Health Services Administration
Parklawn Building, Room 17-89
5600 Fishers Lane
Rockville, MD 20857
ATTN: SSA - GFA No. SM 97-006

Thank you for your support in this matter

Sincerely


Norma Jaeger, Operations Manager

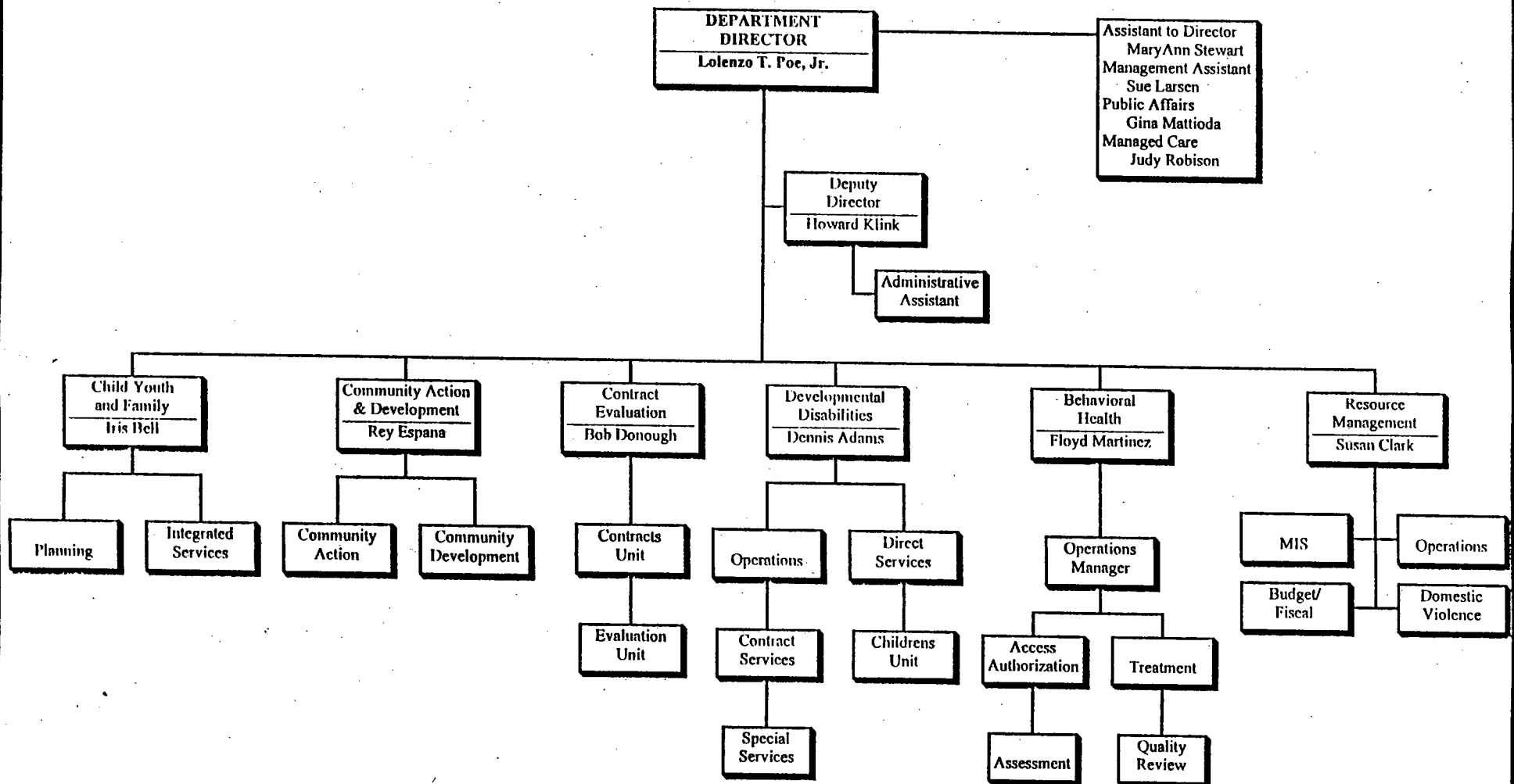
Appendix 4

**Organizational Structure/
Timelines/
Staffing Patterns/
Charts**

MULTNOMAH COUNTY DEPARTMENT OF COMMUNITY AND FAMILY SERVICES

Organizational Chart

January, 1996



ADULT

DIRECTOR'S OFFICE
Elyse Clawson, Director
Jimmy Brown, Executive Assistant

PLANNING, POLICY & BUSINESS SERVICES
Meganne Steele

JUVENILE JUSTICE SERVICES
Joanne Fuller, Deputy

COMMUNITY JUSTICE SERVICES
Deputy - Vacant
Cary Harkaway, 1145 Implementation & Community Relations

CUSTODY SERVICES
Rich Scott

COUNSELING SERVICES
Bill Morris

INFORMATION SERVICES, Juvenile
Jann Brown

DETENTION REFORM INITIATIVE
Rick Jensen

COURT/FAMILY SERVICES
Hugh McIsaac

DIAGNOSTIC CENTER
Judith Duncan

WEST DISTRICT
Michael Haines

NORTH/NORTHEAST DISTRICT
Bill Jackson

MID COUNTY/EAST DISTRICT
Jim Rood

SOUTHEAST DISTRICT
Horace Howard

INFORMATION SERVICES, Adult
Aki Noma

MULTNOMAH COUNTY DEPARTMENT OF JUVENILE AND ADULT COMMUNITY JUSTICE

The merger of the Departments of Community Corrections and Juvenile Justice Services creates the Department of Juvenile and Adult Community Justice. In the next several months, the following issues will be addressed in the creation of this new Department.

- A Deputy Director will be appointed to oversee the day to day operations of the adult services.
- Planning, contracting, program evaluation and business functions of the two former Departments will be merged. Information Systems will begin to coordinate functions while maintaining two separate systems linked to State systems.
- On January 1, 1997, the HB1145 legislation became effective. The implementation of this legislation in collaboration with the Sheriff and the Oregon Department of Corrections will continue. The Department will carefully monitor use of funding and the numbers of offenders served under HB1145 and report regularly to the Board on progress.
- Review recent Multnomah County Auditor's Office Audit of Community Corrections and implement necessary programmatic changes including: policy and procedure development in adult services, refine existing supervision standards for offenders on probation/parole supervision, increased staff accountability to standards and increased use of structured sanctions.
- Implement a participatory Budget development process for adult services and continue participatory process for juvenile services including staff participation in identifying potential service changes and cuts to meet Ballot Measure 47 cutbacks.
- Continue community and victim awareness efforts in both juvenile and adult services and increase these efforts with the passage of Ballot Measure 40.
- Continue Local Public Safety Coordinating Council and Commission on Children and Families planning processes for juvenile services system. Work with the Oregon Youth Authority and the Governor's Office to coordinate these processes with the Governor's juvenile justice proposals.
- Continue the development of collaborative partnerships for earlier intervention in the lives of troubled youth.
- Explore the creation of additional sanctions for both adult and juvenile offenders and develop structured sanctions and incentives system for youth on juvenile probation and parole.

FF

Principal Investigator/Program Director (Last, first, middle): McFarland, Bentson H.**BIOGRAPHICAL SKETCH**

Provide the following information for the key personnel in the order listed on Form Page 2.
Photocopy this page or follow this format for each person.

NAME Floyd H. Martinez		POSITION TITLE Co-Investigator	
EDUCATION/TRAINING (Begin with baccalaureate or other initial professional education, such as nursing, and include postdoctoral training).			
INSTITUTION AND LOCATION	DEGREE (if applicable)	YEAR(s)	FIELD OF STUDY
University of New Mexico, New Mexico	B.S.	1964	Psychology/Biology
University of New Mexico, New Mexico	M.S.	1966	Psychology
Texas Tech University, Lubbock, Texas	Ph.D.	1969	Psychology

RESEARCH AND PROFESSIONAL EXPERIENCE: Concluding with present position, list, in chronological order, previous employment, experience, and honors. Include present membership on any Federal Government public advisory committee. List, in chronological order, the titles, all authors, and complete references to all publications during the past three years and to representative earlier publications pertinent to this application. If the list of publications in the last three years exceeds two pages, select the most pertinent publications. **DO NOT EXCEED TWO PAGES.**

Professional Experience:

1969-1970 Clinical Psychologist, Fort Logan Mental Health Center, Denver, Colorado
 1970-1972 Director of Outreach Program, Department of Mental Health, Santa Barbara County, California
 1972-1974 Program Coordinator, National Institute of Mental Health, Department of Health, Education, and Welfare, Rockville, Maryland
 1974-1975 Community Mental Health Program Coordinator, Colorado Department of Institutions, Division of Mental Health, Colorado
 1975-1981 Executive Director, Mental Health Center of Boulder County, Inc., Boulder County, Colorado
 1981-1987 Deputy Director, Los Angeles County Department of Mental Health, Los Angeles, California
 1987-1996 Executive Director/CEO, La Frontera, Inc., California
 1996-present Director, Behavioral Health Division, Multnomah County, Portland, Oregon

Selected Publications:

Martinez FH. Mental health services and the Spanish-speaking. Raza Lobbyist, Publication of Raza Association of Spanish Surnamed Americans, Washington, D.C., Oct. 1973.
 Martinez, FH. Mental health services for La Raza. Agenda, Publication of National Council of La Raza, Washington, D.C., Spring, 1974.
 Martinez, FH. Impact of management issues on clinical services for Hispanics. In: Mental Health and Hispanic Americans, Becerra, Karno, and Escobar (editors), Grune & Stratton, Inc., New York, 1983
 Martinez, FH Community mental healthcare research in the era of managed care. In: Collaborative Mental Health Services Research: Models of Public-Academic Linkage. WICHE, May 1983.
 Martinez, FH. Impact of managed care on community based providers. In: Managed Care and Finance Reform in Public Mental Health, WICHE Publications, November, 1993.

FF

Principal Investigator/Program Director (Last, first, middle):

McFarland, Bentson H.

BIOGRAPHICAL SKETCH

Provide the following information for the key personnel in the order listed on Form Page 2.
Photocopy this page or follow this format for each person.

NAME R. Dale Walker, MD		POSITION TITLE Co-Investigator	
EDUCATION/TRAINING (Begin with baccalaureate or other initial professional education, such as nursing, and include postdoctoral training).			
INSTITUTION AND LOCATION	DEGREE (if applicable)	YEAR(s)	FIELD OF STUDY
University of Oklahoma, Oklahoma City, OK	B.S.	1968	Microbiology
University of Oklahoma, College of Medicine	M.D.	1972	Medicine
University of California, San Diego, School of Medicine	Residency	1977	Psychiatry

RESEARCH AND PROFESSIONAL EXPERIENCE: Concluding with present position, list, in chronological order, previous employment, experience, and honors. Include present membership on any Federal Government public advisory committee. List, in chronological order, the titles, all authors, and complete references to all publications during the past three years and to representative earlier publications pertinent to this application. If the list of publications in the last three years exceeds two pages, select the most pertinent publications. **DO NOT EXCEED TWO PAGES.**

PROFESSIONAL EXPERIENCE:

1976-1977 Chief Resident, Department of Psychiatry, University of California School of Medicine, San Diego, CA

1977-1978 Instructor, Department of Psychiatry and Behavioral Sciences, University of Washington School of Medicine, Seattle, WA

1978-1983 Assistant Professor, Department of Psychiatry and Behavioral Sciences, University of Washington School of Medicine, Seattle, WA

1981-1993 Chief, Addictions Treatment Center, Veteran's Affairs Medical Center, Seattle WA

1983-1988 Associate Professor, Department of Psychiatry and Behavioral Sciences, University of Washington School of Medicine, Seattle, WA

1984-1996 Director, Division of Social and Cultural Psychiatry, Department of Psychiatry and Behavioral Sciences, University of Washington School of Medicine, Seattle, WA

1987-1996 Director, Division of Addictions, Department of Psychiatry and Behavioral Sciences, University of Washington School of Medicine, Seattle, WA

1988-1996 Professor, Department of Psychiatry and Behavioral Sciences, University of Washington School of Medicine, Seattle, WA

1994-1996 Associate Chief of Staff for Addictions, Addictions Treatment Center, Veterans Affairs Medical Center, Seattle, WA

1996-present Associate Chief of Staff for Addictions, Veterans Affairs Medical Center, Portland, OR

1995-present Professor and Chair, Department of Psychiatry, School of Medicine, Oregon Health Sciences University, Portland, OR

HONORS AND AWARDS:

1971 Fellowship in Public Health, Andrija Stampar School of Public Health, Zagreb, Yugoslavia

1971-1972 Fellowship in Gastroenterology, Royal Free Hospital, London, England

1981-1982 Secretary, Association of American Indian Physicians

1982-1984 Chair, Committee of American Indian and Alaska Native Psychiatrists, APA

1984-1986 Chair, Committee of Minority Representatives, American Psychiatric Association

1985 Award of Outstanding Service, Seattle Indian Health Board

1985 Invited Participant, Surgeon General's Workshop on Violence and Public Health

1989 Physician of the Year, Association of American Indian Physicians

FF

Principal Investigator/Program Director (Last, first, middle): McFarland, Bentson H.

BIOGRAPHICAL SKETCH

Give the following information for the key personnel and consultants and collaborators. Begin with the principal investigator/program director. Photocopy this page for each person.

NAME Bentson H. McFarland, M.D. Ph.D.	POSITION TITLE Professor of Psychiatry, Public Health and Preventive Medicine		
EDUCATION (Begin with baccalaureate or other initial professional education, such as nursing, and include postdoctoral training.)			
INSTITUTION AND LOCATION Yale University, New Haven, Connecticut California Institute of Technology, Pasadena University of Washington, Seattle University of Washington, Seattle University of London, England	DEGREE B.S. M.S. M.D. Ph.D. M.Sc.	YEAR CONFERRED 1970 1972 1979 1979 1984	FIELD OF STUDY Biochemistry Biology Medicine Biostatistics Epidemiology

RESEARCH AND PROFESSIONAL EXPERIENCE: Concluding with present position, list, in chronological order, previous employment, experience, and honors. Key personnel include the principal investigator and any other individuals who participate in the scientific development or execution of the project. Key personnel typically will include all individuals with doctoral or other professional degrees, but in some projects will include individuals at the masters or baccalaureate level provided they contribute in a substantive way to the scientific development or execution of the project. Include present membership on any Federal Government public advisory committee. List, in chronological order, the titles, all authors, and complete references to all publications during the past three years and to representative earlier publications pertinent to this application. DO NOT EXCEED TWO PAGES.

Experience:

Psychiatry Resident, Oregon Health Sciences University (OHSU), Portland, Oregon, 1979-1983.
 Clinical Epidemiology Scholar, Institute of Psychiatry, London, England, 1983-1985.
 Assistant / Associate / Professor of Psychiatry, Public Health & Preventive Medicine, OHSU, 1985-present.
 Adjunct Investigator, Kaiser Permanente Center for Health Research, 1989-1994

Honors:

Diplomate, American Board of Psychiatry and Neurology, (Psychiatry, 1986; Geriatric Psychiatry, 1991)
 Member, Initial Review Group on Services Research, National Institute of Mental Health, 1990-1994.

Selected publications:

McFarland BH, Freeborn DK, Mullooly JP, Pope CR. Utilization patterns among long term enrollees in a prepaid group practice health maintenance organization. Medical Care 23:1221-1233, 1985.
 McFarland BH, Freeborn DK, Mullooly JP, Pope CR. Utilization patterns and mortality of HMO enrollees. Medical Care 24:200-208, 1986.
 McFarland BH, Faulkner LR, Bloom JD, Hallaux R, Bray JD. Chronic mental illness and the criminal justice system. Hospital and Community Psychiatry, 40:718-723, 1989.
 McFarland BH, Faulkner LR, Bloom JD. Family members' opinions about civil commitment. Hospital and Community Psychiatry, 41:537-540, 1990.
 McFarland BH, Faulkner LR, Bloom JD. Predicting involuntary patients' length of stay: effects of diagnosis and facility type. Administration and Policy in Mental Health, 17:139-151, 1990.
 McFarland BH. With or whither the state hospital. Community Mental Health Journal 26:233-234, 1990.
 Bigelow DA, McFarland BH, Olson MM. Quality of life of community mental health program clients: validating a measure. Community Mental Health Journal, 27:43-55, 1991.
 Bigelow DA, McFarland BH, Gareau MJ, Young DJ. Implementation and effectiveness of a bed reduction program. Community Mental Health Journal, 27:125-133, 1991.
 Johnson RE, Mullooly JP, Valanis BG, McFarland BH, Andrews EB, Tilson HH. Method of examining oral acyclovir use for adverse events. Journal of Clinical Research and Pharmacoepidemiology 5:331-346, 1991.
 Cutler DL, Bigelow D, McFarland B. Cost of fragmented mental health financing: is it worth it? Community Mental Health Journal 28:121-133, 1992.
 McFarland BH. Discontinuing clozapine: an example of explicit health care rationing. Administration and Policy in Mental Health, 19:399-416, 1992.
 McFarland BH, Brunette M, Steketee K, Faulkner LR, Bloom JD. Long-term follow-up of rural involuntary clients. Journal of Mental Health Administration, 20:46-57, 1993.
 Johnson RE and McFarland BH. Antipsychotic drug exposure in a Health Maintenance Organization. Medical Care 31:432-444, 1993.
 McFarland B, DiBlasio FA, and Belcher JR. Collaborative research in mental health. Administration and Policy in Mental Health 20: 421-436, 1993.

FF

Principal Investigator/Program Director (Last, first, middle): McFarland, Bentson H.

Biographical Sketch, Bentson H. McFarland, M.D. Ph.D. (continued)

- McFarland BH, George RA, Pollack DA, and Angell RH. Mental health in the Oregon Health Plan: a model managed mental health care system. In: Managed Mental Health. Goldman W. and Feldman S. (editors), New Directions for Mental Health Services 59: 41-54. Jossey-Bass, San Francisco, 1993.
- Johnson RE, McFarland BH, Corelle CA, and Woodson GT. Estimating daily dose for pharmacoepidemiologic studies: alprazolam as an example. Pharmacoepidemiology and Drug Safety 3:139-145, 1994.
- McFarland BH. Health maintenance organizations and persons with severe mental illness. Community Mental Health Journal, 30:221-242, 1994.
- Pollack DA, McFarland BH, George RA, and Angell RH. Prioritization of mental health services in Oregon. Milbank Quarterly, 72:515-550, 1994.
- Barker S, Barron N, McFarland BH, Bigelow DA, and Carnahan T. A community ability scale for chronically mentally ill consumers: Part I. reliability and validity. Community Mental Health Journal, 30:363-383, 1994.
- Barker S, Barron N, McFarland BH, and Bigelow DA. A community ability scale for chronically mentally ill consumers: Part II. applications. Community Mental Health Journal, 30:459-472, 1994.
- Johnson RE and McFarland BH. Treated prevalence rates of severe mental illness among HMO members. Hospital and Community Psychiatry 45:919-924, 1994.
- Backlar P and McFarland BH. Ethics committees in state mental hospitals: a national survey. Hospital and Community Psychiatry 45:576-580, 1994.
- McFarland BH, Bigelow DA. Financial aspects of the Psychiatric Security Review Board. In: The Management and Treatment of Insanity Acquiesces: a Model for the 1990s. JD Bloom and MH Williams (editors). American Psychiatric Press, Washington, D.C., 1994.
- Bigelow DA and McFarland BH. Financing Canada's mental health services. In: Mental Health in Canada. LL Bachrach, P Goering, D Wasylenki (editors). New Directions for Mental Health Services 61: 63-72. Jossey-Bass, San Francisco, 1994.
- McFarland BH and Blair G. Evaluation of services for homeless mentally ill offenders. Psychiatric Services 46:179-181, 1995.
- McFarland BH, Smith JC, Bigelow DA, and Mofidi A. Unit costs of community mental health services. Administration and Policy in Mental Health 23:27-42, 1995.
- McFarland BH and George RA. Ethics and managed care. Child and Adolescent Psychiatric Clinics of North America 4:885-901, 1995.
- George RA, McFarland BH, and George CR. Managed care and health care rationing. Child and Adolescent Psychiatric Clinics of North America 4:869-883, 1995.
- McFarland BH, Bigelow DA, Smith JC, Hornbrook MC, Mofidi A, and Payton P. A capitated payment system for involuntary mental health clients. Health Affairs 14:187-196, 1995.
- Brown JB, Shye D, and McFarland BH. The paradox of guideline implementation: How AHCPR's depression guideline was adapted at Kaiser Permanente Northwest Region. Joint Commission Journal on Quality Improvement 21: 5-21, 1995.
- McFarland BH. Ending the millennium (editorial). Community Mental Health Journal, 32: 219-222, 1996.
- McFarland BH. Economic implications of involuntary treatment for schizophrenia. In: Handbook of Mental Health Economics and Health Policy. Volume I. Schizophrenia. (Moscarelli M, Rupp A, and Sartorius N, editors). John Wiley and Sons, 1996.
- McFarland BH. New drug class for comorbid depression. American Journal of Managed Care, 2: 721-725, 1996.
- McFarland BH. Comparing period prevalences with application to drug utilization. Journal of Clinical Epidemiology 49: 473-482, 1996.
- Johnson RE and McFarland BH. Lithium use and discontinuation in an HMO. American Journal of Psychiatry 153:993-1000, 1996.
- McFarland BH, Johnson RE, Hornbrook MC. Length of enrollment, service use, and costs of care for severely mentally ill members of a health maintenance organization. Archives of General Psychiatry 53:938-944, 1996.
- Backlar P and McFarland BH. A survey on use of advance directives for mental health treatment in Oregon. Psychiatric Services 47: 1387-1389, 1996.
- McFarland BH. Utilization management. In Managed Mental Health Care in the Public Sector: a Survival Manual, edited by K. Minkoff and D. Pollack, Harwood Academic Publishers, 1996.
- McFarland BH. Automated pharmacy data as a quality of care indicator. In: Special Issue of Evaluation Review on Quality Indicators, edited by Len Bickman, in press.
- Johnson RE, McFarland BH, and Nichols G. Changing patterns of antidepressant use in an HMO. Pharmacoeconomics 11:274-286, 1997.
- McFarland BH, Smith JC, Bigelow DA, and Mofidi A. Community mental health program efficiency. Administration and Policy in Mental Health in press.
- McFarland BH. Health maintenance organizations. In: Administrative Psychiatry, second edition, J Talbott (editor), American Psychiatric Press, in press.

BIOGRAPHICAL SKETCH

Provide the following information for the key personnel in the order listed on Form Page 2.
Photocopy this page or follow this format for each person.

NAME	POSITION TITLE
Glenn C. Maynard	Co-Investigator

EDUCATION/TRAINING Begin with baccalaureate or other initial professional education such as nursing, and include postdoctoral training.)

INSTITUTION AND LOCATION	DEGREE	YEAR(s)	FIELD OF STUDY
Portland State University, Portland, OR	B.S.	1971	Sociology
Lewis and Clark College, Portland, OR	M.Ed.	1977	Counseling

RESEARCH AND PROFESSIONAL EXPERIENCE: Concluding with present position, list, in chronological order, previous employment, experience, and honors. Include present membership on any Federal Government public advisory committee. List, in chronological order, the titles, all authors, and complete references to all publications during the past three years and to representative earlier publications pertinent to this application. If the list of publications in the last three years exceeds two pages, select the most pertinent publications. DO NOT EXCEED TWO PAGES.

PROFESSIONAL EXPERIENCE:

1972-1974 Welfare Assistance Worker, Public Welfare Division, Portland, Oregon
1974-1978 Caseworker, Adult and Family Services Division, Portland, Oregon
1976-1978 Program Executive/Adult Service Supervisor, Adult and Family Services Division, Portland, Oregon
1978-1979 Mental Health Counselor, Washington County Mental Health, Hillsboro, Oregon
1979-1981 Housing Coordinator/LINC Program Supervisor, Clackamas County Mental Health, Marylhurst, Oregon
1981-1987 Director, LINC/Gladstone Day Center, Clackamas County Mental Health, Gladstone, Oregon
1989-1991 Director, Dual Diagnosis Services, Providence Medical Center, Portland, Oregon
1991-1995 Director, Addictions Treatment Service, Providence Medical Center, Portland, Oregon
1995-present Director, Acces/Triage Services, Providence Health System, Portland, Oregon

HONORS AND AWARDS:

Who's Who Registry, 1992
Meritorious Service Award, Mental Health Association in Oregon, 1981

SELECTED PUBLICATIONS:

None

BIOGRAPHICAL SKETCH

Provide the following information for the key personnel in the order listed on Form Page 2.

Photocopy this page or follow this format for each person.

NAME	POSITION TITLE
Michael W. Finigan, Ph.D.	Director of Project Evaluation

EDUCATION/TRAINING Begin with baccalaureate or other initial professional education such as nursing, and include postdoctoral training.)

INSTITUTION AND LOCATION	DEGREE	YEAR(s)	FIELD OF STUDY
Occidental College, Los Angeles, CA	B.A.	1968	Education
University of Oregon, Eugene, OR	M.A.	1974	Sociology
University of Oregon, Eugene, OR	Ph.D.	1979	Sociology

RESEARCH AND PROFESSIONAL EXPERIENCE: Concluding with present position, list, in chronological order, previous employment, experience, and honors. Include present membership on any Federal Government public advisory committee. List, in chronological order, the titles, all authors, and complete references to all publications during the past three years and to representative earlier publications pertinent to this application. If the list of publications in the last three years exceeds two pages, select the most pertinent publications. DO NOT EXCEED TWO PAGES.

PROFESSIONAL EXPERIENCE:

1982-1984 Founder of the Social Science Research Center, University of Wisconsin, La Crosse, WI
 1984-1990 Assistant Professor of Sociology, Willamette University, Salem, OR
 1994-1997 State Evaluation Consultant, CSAT, Target Cities Project, Portland, OR
 1989-1997 Co-founder and Director of Research, Northwest Professional Consortium

SELECTED PUBLICATIONS:

Societal Outcomes and Cost Savings of Drug and Alcohol Treatment in the State of Oregon, Office of Alcohol and Drug Abuse Programs (1996)

An Analysis of the Jailed Inmates Substance Abuse Dependency Data with an Estimation of Treatment Needs at Each Site, Office of Alcohol and Drug Abuse Programs (1996)

Oregon Public School Drug Use Survey, Office of Alcohol and Drug Abuse Programs (1996)

Evaluation of Three Prison Pre-Release Programs for Substance Abusers, Community Programs Division, Oregon Department of Corrections (1996)

Evaluation of the Oregon Parole Transition Projects, Community Programs Division, Oregon Department of Corrections (1993)

Oregon Public School Drug Use Survey, Office of Alcohol and Drug Abuse Programs (1995)

Oregon Public School Drug Use Survey, Office of Alcohol and Drug Abuse Programs (1992)

Portland Drug Use Forecasting (DUF) Quarterly Reports (Multnomah County), National Institute of Justice, January, April, July, October (1989-1992)

Portland Drug Use Forecasting (DUF) Semi-Annual Reports (Non-Urban areas), Criminal Justice Services Division (1991-1992)

Implementation evaluation of programs in the Oregon Drug Control Package, Criminal Justice Services Division (1991)

BIOGRAPHICAL SKETCH

Provide the following information for the key personnel in the order listed on Form Page 2.
Photocopy this page or follow this format for each person.

NAME	POSITION TITLE
Sara Westbrook	Co-Investigator

EDUCATION/TRAINING Begin with baccalaureate or other initial professional education such as nursing, and include postdoctoral training.)

INSTITUTION AND LOCATION	DEGREE	YEAR(s)	FIELD OF STUDY

Police Officer Certification, Oregon State Board on Public Safety Standards and Training, June 1994
Police Officer Certification, Washington State Criminal Justice Training Commission, December 1995

RESEARCH AND PROFESSIONAL EXPERIENCE: Concluding with present position, list, in chronological order, previous employment, experience, and honors. Include present membership on any Federal Government public advisory committee. List, in chronological order, the titles, all authors, and complete references to all publications during the past three years and to representative earlier publications pertinent to this application. If the list of publications in the last three years exceeds two pages, select the most pertinent publications. DO NOT EXCEED TWO PAGES.

PROFESSIONAL EXPERIENCE:

1985-1991 Deputy Sheriff, Thurston County Sheriff's Office, Olympia, Washington
1992-1993 Police Officer, Tumwater Police Department, Tumwater, Washington
1993-present Police Officer, Portland Police Bureau, Portland, Oregon
Crisis Intervention Team Coordinator, Portland Police Bureau, Portland, Oregon

SELECTED PUBLICATIONS:

None

G. Biographical Sketches/Job Descriptions

BIOGRAPHICAL SKETCH

Randolph Thomas Dupont, Ph.D.

Education

- 1981 University of Texas at Austin
Doctor of Philosophy - Clinical Psychology
- 1973 Loyola University of the South - New Orleans, LA
Bachelor of Arts Degree - Psychology

Professional
Experience

- 1995-
Present Memphis Police Critical Incident Services, Clinical Director
- 1989-
Present Critical Incident Stress Debriefing, Memphis: Director
- 1989-
Present University of Tennessee, Memphis, Associate Professor (tenured)
Clinical Psychologist
- 1989-
Present Regional Medical Center at Memphis, Memphis
Director Psychiatric Services
- 1981-
1988 Private Practice, Memphis: Clinical Psychologist
- 1983-
Present Computer Consultation, Memphis: Consultant
- 1978-
1981 Frayser-Millington Community Mental Health Center, Memphis:
Staff Psychologist
- 1977-
1978 Rhodes College, Memphis: Counseling Center Director and Counselor
- 1976-
1977 University of Tennessee College of Medicine Internship, Memphis: Clinical
Psychology Intern

Honors

Psi Chi (Psychology National Honor Society, AlphaSigma Nu, Cum Laude -
Loyola University, National Institute of Mental Health Trainee Fellowship,
Who's Who in the South and Southwest, Who's Who in Emerging Leaders in
America, TN Psychologist of the Year, West TN Provider of the Year.
Past President, Tennessee Psychological Association.

Publications

- 1993 Arnold, V.K., Rosenthal, T.L., Dupont, R.T., & Hilliard, A.
A readily observable marker for schizophrenia in the psychiatric emergency
room population. Journal of Behavior Therapy and Experimental Psychiatry,
24, 45- 47.
- 1988 Dupont R.T. & Prentice, N.M. The relation of defensive style and thematic
content to children's enjoyment and comprehension of joking riddles, American Journal
of Orthopsychiatry, 58, 249-259.
- 1988 Dupont, R.T. Strategies for state associations. Psychotherapy in Private Practice,G,
135-140.

National and
Regional Invited
Presentations

- 1997 American Association of Suicidology National Conference, Memphis, TN
- 1997 Arkansas Forensic Conference, Little Rock, AR
- 1996 National Alliance For The Mentally Ill, Nashville, TN
- 1996 Missississippi Alliance For The Mentally Ill, Jackson, MS
- 1995 National Institute of Mental Health Conference On Cooperative Efforts Between
Law Enforcement and Mental Health, Albuquerque, NM
- 1995 Mississippi Task Force On Emergency Treatment of Mental Illness, Jackson, MS

BIOGRAPHICAL SKETCH

Andrew J. Bush, Ph.D.

Education

- 1976 Ohio State University
Doctor of Philosophy - Research Methodology/Statistics
- 1971 Wright State University
Master of Science - Personnel Counseling
- 1966 Ohio State University
Bachelor of Science - Comprehensive Science

Professional
Experience

- 1995-
Present University of Tennessee, Memphis: Associate Professor, Department
of Preventive Medicine, Div. of Biostatistics & Epidemiology
- 1994-
1995 Independent Healthcare Research Consultant, Memphis: Consult for
Baptist Memorial Health Care, St. Jude Children's Research Hospital
University of Tennessee, Physiotherapy Associates, private foundations
- 1993-
1994 Baptist Memorial Hospital, Memphis: Director, Dept. of Clinical Data
Management
- 1984-
1995 The University of Memphis, Memphis: Adjunct Faculty
- 1985-
1993 Baptist Memorial Hospital, Memphis: Deputy Director, Department of
Health Services Research
- 1984-
1985 Baptist Memorial Hospital, Memphis: Associate Director, Department
of Health Services Research
- 1982-
1984 Baptist Memorial Hospital, Memphis: Research Scientist, Department of
Health Services Research
- 1980-
1984 Memphis State University, Memphis: Associate Professor,
Research Methodology and Statistics
- 1976-
1980 Memphis State University, Memphis: Assistant Professor, Research
Methodology and Statistics

- 1974-
1976 Ohio State University, Columbus, OH: Graduate Research Associate
1972-
1974 Beavercreek Board of Education, Dayton, OH: Instructor Statistics and Research Design
1971-
1972 Wright State University, Dayton, OH: Academic Advisor
1968-
1971 Beavercreek Board of Education, Dayton, OH; Teacher of Mathematics
1969-
1974 Green County Sheriff's Department, Xenia, OH: Patrolman and later promoted to Sergeant.

Honors

Kappa Delta Pi Honor Society, Phi Delta Kappa Research Award, Award for Research and Creative Achievement, Ohio State Organization of Flesher Fellows, Tennessee Health Management Systems Society, Distinguished Teaching Award, Memphis State University

Recent Publications

- 1996 Davies, K.G., Hermann, B.P., Dohan, F.C., Bush, A.J., Foley, K.T., & Wyler, A.R. Relationship of hippocampal sclerosis to duration and age of onset of epilepsy and childhood febrile seizures in temporal lobectomy patients. Epilepsy Research, 24, 119-126.
- 1995 Koo, W.W.K., Waiters, J., & Bush, A.J. Technical considerations of dual x-ray absorptiometry-based bone mineral measurements for pediatric studies. J Bone Miner Research, 10, 1988-2004.
- 1992 Hermann, B.P., Wyler, A.R., Bush, A.J., & Tabatabai, F.R. Differential effects of left and right anterior temporal lobectomy on verbal learning and memory performances. Epilepsia, 33, 289-297..
- 1988 Bush, A.J. A perspective on applications of maximum likelihood and weighted least squares in the context of categorical data analysis. Multiple Linear Regression Viewpoints, 16, 1-35.
- 1985 Kennedy, J.J. & Bush, A.J. Introduction to the Design and Analysis of Experiments in Behavioral Research. University Press of America.
- 1981 Bush, A.J. Teacher clarity: A quick glimpse from a personal perspective. Practical Applications of Research, 3, 1-4.
- 1980 Ross, S.M. & Bush, A.J. Effects of abstract and educationally oriented learning contexts on achievement and attitudes of preservice teachers. Journal of Educational Research, 74, 19-22..

BIOGRAPHICAL SKETCH

Charles Turner Hopkins

Education

1970-
1971 Memphis Theological Seminary - Theology

1966-
1967 Memphis State University - Accounting Major

1961-
1963 Baptist Theological Seminary - Theology

1952-
1955 University of Arkansas
Bachelor of Arts Degree - Accounting

1948-
1949 Georgia Tech - Accounting Major

Professional
Experience

1992-
1995 Arthur Anderson & Company, Memphis: Certified Public Accountant
Manager in Health Care Field

1963-
1973 Missionary, Nigeria: New Orleans Baptist Church

1955-
1957 Clyde Andrews & Company, Mariana, AR: Certified Public Accountant
Health Care Field

1952-
1954 Russell Brown Company, Little Rock, AR: Staff Accountant

Other
Relevant
Experience

1995-
Present Memphis Police Department Crisis Intervention Team, Memphis: Trainer
1994-
Present Spectra Behavioral Health Center, Memphis: Board Member
1991-
1997 Department of Mental Health and Mental Retardation, Nashville:
Board of Trustees Member
1992-
1997 Alliance for the Mentally ill, Memphis: Member and President in
1993-1994
1973-
1985 United Way, Memphis: Volunteer

BIOGRAPHICAL SKETCH

Jim Y. Wan, Ph.D.

Education

- 1987 Yale University
Doctor of Philosophy - Statistics
- 1983 Yale University
Masters of Philosophy - Statistics
- 1983 Yale University
Masters of Art - Statistics
- 1981 Chinese University of Hong Kong
Bachelors in Science - Mathematics

Professional
Experience

- 1994-
Present University of Tennessee, Memphis: Assistant Professor, Department
of Preventive Medicine
- 1989-
1993 University of Michigan, Ann Arbor: Assistant Research Scientist,
Department of Biostatistics
- 1990-
1993 University of Michigan, Ann Arbor: Assistant Research Scientist,
School of Nursing
- 1987-
1989 University of Alabama, Birmingham: Postdoctoral Fellow, Department of
Epidemiology
- 1983-
1987 Yale University: Data Analyst, Department of Economics; Project Assistant,
Department of Computer Science; Statistical Consultant, School of Forestry
and Environmental Studies; Statistician, Institute for Social and Policy Studies
Statistical Consultant, Law School; Teaching/Research Assistant, Department
of Statistics

Relevant Publications

- 1991 Ostrow, D.G., Whitaker, R.E.D., Frasier, K., Cohen, C., Wan, J.Y., Frank, C., & Fisher, E. Racial differences in social support and mental health in men with HIV infection: A pilot study. AIDS Care, 3, 55-62.
- 1993 Kennedy, C.A., Skurnick, J., Wan, J.Y., Quattrone, G., Sheffet, A., & Louria, D.B. Psychological distress, drug and alcohol use as correlates of condom use in HIV serodiscordant heterosexual couples. AIDS, 11, 1493-1499
- 1994 DeHovitz, J.A., Kelly, P., Feldman, J., Sierra, M.F., Clarke, L., Bromberg, J., Wan, J.Y., Vermund, S.H. & Landsman, S. Sexually transmitted diseases, sexual behavior, and cocaine use in inner-city women. American Journal of Epidemiology, 140, 1125-1134.

Major Collaborative and Consulting Activities

Southeast Consortium on Racial Differences in Stroke Mental Health Service
Needs in Children of HIV Positive
Child/Adolescent Health Behavior Research Center
Midwest AIDS Biobehavioral Research Center
Evaluation of the Health Care for the Uninsured Program

BIOGRAPHICAL SKETCH

Lt. Sam Cochran

Education

- 1974 University of Southern Mississippi
Masters of Science Degree - Political Science & Criminal Justice
- 1972 University of Southern Mississippi
Bachelors Degree - Criminal Justice

Professional Experience

- 1974 -
1997 Memphis Police Department: Uniform Patrol Division, Investigative Division,
Training Academy, Planning and Research, School Security, Courts

Lectures Presentations

- March
1997 Arkansas Department of Human Services: Fourth Annual Forensic Conference
- September
1996 Albuquerque Alliance for the Mentally III Conference
- September
1996 Arkansas Forensic Consortium
- July
1996 NAMI's 16th Annual Convention
- June
1996 Albuquerque, NM Police Department and University of Albuquerque Mental Health
Center
- May
1996 Police/Mobile Mental Health Crisis Meeting
- March
1996 Mississippi Alliance for the Mentally III: State Conference
- October
1995 Alliance for the Mentally III, Tennessee Department of Mental Health: "New
Approaches to Mentally III in Crisis" Jackson, TN

- September
1995 National Community Policing Conference: "Making a Difference

on the Street" Portland, OR.

September

1995 Alliance for the Mentally Ill : Cleveland, OH

August

1995 Alliance for the Mentally Ill: Jackson, MS

July

1995 National Institute of Mental Health Conference "Improving Collaboration Between Mental Health and the Criminal Justice Systems in Community Care for Persons with a Severe Mental Illness" Albuquerque, NM

May

1992 Alliance for the Mentally Ill Conference: Crisis Intervention Team.
Montgomery, AL

May

1990 Department of Mental Health and Mental Retardation, State of Alabama
"Psychiatric Crisis Response"

April

1990 California Alliance for the Mentally Ill, "Building a Stronger Alliance"
Spring Conference: Sacramento, CA

BIOGRAPHICAL SKETCH

Bridget Truman, Ph.D.

Education

- 1996 The University of Memphis
Doctorate of Philosophy - Counseling Psychology
- 1989 Northeastern State University - Tahlequah, OK
Masters of Science Degree - Counseling Psychology
- 1987 Northeastern State University - Tahlequah, OK
Bachelor of Arts Degree - Psychology

Professional
Experience

- 1996-
Present The University of Tennessee, Memphis: Postdoctoral Fellow in Psychiatric
Emergency Services
- 1995-
1996 The University of Kansas School of Medicine, Wichita, KS: Counseling
Psychology Intern
- 1992-
1995 Victim's Assistance Program, Frayser-Millington Mental Health Center,
Memphis: Therapist
- 1992 Victim's Assistance Program, Frayser-Millington Mental Health Center,
Memphis: Program Director
- 1991-
1992 Frayser-Millington Mental Health Center, Memphis: Therapist
- 1989-
1991 Frayser-Millington Mental Health Center, Memphis: Intake-Crisis Counselor

Presentations

- 1996 Memphis Police Academy, Crisis Intervention Team. Mental Health Issues and
De-escalation Techniques. Co-Presenter, Memphis, TN
- 1996 Priority Ambulance Services, Crisis Intervention and De-escalation Techniques
Co-Presenter, Memphis, TN
- 1996 Multiple Presentations to area schools, "Eating Disorders", Wichita, KS
- 1992-
1995 Memphis State University, "Crisis Intervention with Victim's of Crime",

FF

Principal Investigator/Program Director (Last, first, middle):

McFarland, Bentson H.

BIOGRAPHICAL SKETCH

Provide the following information for the key personnel in the order listed on Form Page 2.
Photocopy this page or follow this format for each person.

NAME Norma D. Jaeger		POSITION TITLE Operations Manager	
EDUCATION/TRAINING (Begin with baccalaureate or other initial professional education, such as nursing, and include postdoctoral training).			
INSTITUTION AND LOCATION	DEGREE (if applicable)	YEAR(s)	FIELD OF STUDY
Boise College, Boise, ID	B.A.	1967	Social Studies
Whitworth College, Spokane, WA	M.S.	1985	Health Services Management

RESEARCH AND PROFESSIONAL EXPERIENCE: Concluding with present position, list, in chronological order, previous employment, experience, and honors. Include present membership on any Federal Government public advisory committee. List, in chronological order, the titles, all authors, and complete references to all publications during the past three years and to representative earlier publications pertinent to this application. If the list of publications in the last three years exceeds two pages, select the most pertinent publications. **DO NOT EXCEED TWO PAGES.**

Professional Experience:

1970-1973 Program Director, Director of Hospital Community Services, Region VI Mental Health Services, Pocatello, Idaho

1973-1976 Senior Program Director, Region VI Mental Health Services, Boise, Idaho

1976-1979 Health Planner, Assistant Director of Health Planning, Bureau of Health Planning and Resource Development, Boise, Idaho

1979-1981 Health Services Manager, Region II, Lewiston, Idaho

1981-1986 Regional Substance Abuse Specialist, Substance Abuse Services, Coeur d'Alene, Idaho

1970-1986 Planning and Program Development Manager, Idaho Department of Health and Welfare, Idaho

1986-1995 Program Manager, Alcohol and Drug Program., Community and Family Services Department, Multnomah County, Portland, Oregon

1995-present Operations Manager, Behavioral Health Division, Community and Family Services Department, Multnomah County, Portland, Oregon

Selected Publications:

None

BIOGRAPHICAL SKETCH

Provide the following information for the key personnel in the order listed on Form Page 2.
Photocopy this page or follow this format for each person.

NAME	POSITION TITLE
Cathy Horey, LCSW	Project Coordinator

EDUCATION/TRAINING Begin with baccalaureate or other initial professional education such as nursing, and include postdoctoral training.)

INSTITUTION AND LOCATION	DEGREE	YEAR(s)	FIELD OF STUDY
Weber State College, Ogden, Utah	BS	1971	Sociology
University of Utah, Salt Lake City	MSW	1974	Social Work

RESEARCH AND PROFESSIONAL EXPERIENCE: Concluding with present position, list, in chronological order, previous employment, experience, and honors. Include present membership on any Federal Government public advisory committee. List, in chronological order, the titles, all authors, and complete references to all publications during the past three years and to representative earlier publications pertinent to this application. If the list of publications in the last three years exceeds two pages, select the most pertinent publications. DO NOT EXCEED TWO PAGES.

PROFESSIONAL EXPERIENCE:

1974-76 Staff and Associate Director of Salt Lake County Runaway Shelter, Salt Lake County, Salt Lake City, Utah

1976-1977 Supervisor of staff, Family Court Protective Services, Washtenaw County, Ann Arbor, Michigan

1987-1991 Supervisor, Metro Crisis Intervention Services, Portland, OR

1991-1994 Operations Manager, Metro Crisis Intervention Services, Portland, OR

1994-present Mental Health Consultant, Mental Health Acute Care System, Multnomah County, Portland, OR

SELECTED PUBLICATIONS:

None

2 April 1997

BIOGRAPHICAL SKETCH

NAME: Donlon G. McGovern, Ph.D.

EDUCATIONAL BACKGROUND: Ph.D, Clinical Psychology. University of Portland
Portland Oregon, June 1971.

Oregon State Licensure, Community Psychology, since August 1985 (Lic. # 660)

Clinical Internship: Wichita Guidance Center, Wichita Kansas, Sept. 1963 to Aug. 1964.

M.A., Clinical Psychology. University of Portland, Portland Oregon, June 1961.

B.S., Psychology. Loyola University, Los Angeles California, June 1959

PROFESSIONAL EXPERIENCE: I have thirty five years of clinical experience in Community Mental Health in Multnomah County. I have worked in both public and private, not-for-profit community outpatient clinics as well as, community inpatient hospital settings and State Psychiatric hospital settings. I have testified in court as an expert witness and have served as both an investigator and court examiner for the Involuntary Commitment Program in this county. I have held faculty positions at University of Portland, Portland State University and Lewis and Clark College in Portland, Oregon. In all three settings I taught diagnostic and intellectual assessment. I have over twenty years of experience working with the population identified as having Severe and Persistent Mental Illness or, in Oregon, the Chronic Mentally Ill. For the past sixteen months I have been employed as a Mental Health Consultant by Multnomah County Adult Behavioral Health to develop liaisons with the Corrections System and Community treatment providers for the purposes of establishing a Mental Health Diversion program for offenders.

As I have spent all my professional life as a practicing clinician I have received no honors nor have I submitted any professional papers for publication.

My sole source of support is my salary as a Mental Health Consultant, a full-time staff position, within Multnomah County Dept. of Family and Community Services, Adult Behavioral Health Section.

Appendix 5

Sample Consent Forms



MULTNOMAH COUNTY OREGON

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES
BEHAVIORAL HEALTH DIVISION
421 SW SIXTH, SUITE 600
PORTLAND, OREGON 97204
(503) 248-5464 FAX (503) 248-3926
TDD (503) 248-3598

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

CONSENT FOR RESEARCH STUDY

Criminal Justice Diversion Program

I _____ agree to participate in the research study being conducted by Randolph Dupont, Ph.D., under the grant for Substance Abuse and Mental Health Services Administration.

Purposes, Duration and Procedures:

This study is designed to examine the impact of a pre-jail diversion program on the quality of life, jail recidivism, and treatment outcome for populations with psychiatric diagnoses and substance abuse disorders. If I agree to participate, I will be asked to provide information about my life including history, alcohol and drug use, previous arrests, psychiatric treatment, current psychiatric symptoms, and quality of life. I understand that the interviewer will complete measures regarding alcohol and drug use as well as life functioning after the interview is complete.

Risks and Discomforts:

I understand I may skip any questions that make me uncomfortable or any questions I choose to answer. I understand that participation is voluntary, and I may withdraw from the study at any time.

Confidentiality:

To protect my confidentiality, I understand that my interview and completed surveys will be assigned a code number. I understand that information I have provided will be kept in a locked file and will only be accessible to those individuals directly involved in the conduct of the research project.



MULTNOMAH COUNTY OREGON

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES
BEHAVIORAL HEALTH DIVISION
421 SW SIXTH, SUITE 600
PORTLAND, OREGON 97204
(503) 248-5464 FAX (503) 248-3926
TDD (503) 248-3598

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

Participants' Rights

If I have any questions about this study, I understand that I may contact Randolph Dupont at (901) 448-4575. If I have any questions about my rights as a research participant, I understand that I may contact the University of Tennessee Institutional Review Board at (901) 448-5871.

Participation is voluntary; refusal to participate will involve no penalty or loss of benefits to which I am otherwise entitled. I understand that I may discontinue participation at any time without penalty or loss of benefits to which I am otherwise entitled.

I have read and understand the above. I will receive a copy of this consent form.

Signature of participant

Date

I have explained and defined in detail the research procedure in which the participant has consented to participate.

Principal Investigator

Date

ASSURANCES – NON-CONSTRUCTION PROGRAMS

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standard or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standard for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age;
- (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ce-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Title II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply with the provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. § 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction subagreements.

ASSURANCE OF COMPLIANCE

ASSURANCE OF COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, SECTION 504 OF THE REHABILITATION ACT OF 1973, TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, AND THE AGE DISCRIMINATION ACT OF 1975

The Applicant provides this assurance in consideration of and for the purpose of obtaining Federal grants, loans, contracts, property, discounts or other Federal financial assistance from the Department of Health and Human Services.

THE APPLICANT HEREBY AGREES THAT IT WILL COMPLY WITH:

1. Title VI of the Civil Rights Act of 1964 (P. L. 88-352), as amended, and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 C.F.R. Part 80), to the end that, in accordance with Title VI of that Act and the Regulation, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant receives Federal financial assistance from the Department.
2. Section 504 of the Rehabilitation Act of 1973 (P. L. 93-112), as amended, and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 C.F.R. Part 84), to the end that, in accordance with Section 504 of that Act and the Regulation, no otherwise qualified handicapped individual in the United States shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity for which the Applicant receives Federal financial assistance from the Department.
3. Title IX of the Educational Amendments of 1972 (P. L. 92-318), as amended, and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 C.F.R. Part 86), to the end that, in accordance with Title IX and the Regulation, no person in the United States shall, on the basis of sex, be excluded

421 SW 6th Ave., Suite 600
Street

Portland, OR 97204
City, State, Zip Code

The Assurance of Compliance Form HHS 690 should be filed with the Department of Health and Human Services Office of Civil Rights at the following address:

Office of Civil Rights
Office of Programs Operations
HHS North, Room 5626
330 Independence Avenue, SW
Washington, DC 20201

Form HHS-690
7/92

CERTIFICATIONS**1. CERTIFICATION REGARDING DEBARMENT AND SUSPENSION**

The undersigned (authorized official signing for the applicant organization) certifies to the best of his or her knowledge and belief, that the applicant, defined as the primary participant in accordance with 45 CFR Part 76, and its principals:

- (a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal Department or agency;
- (b) have not within a 3-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) are not presently indicted or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and
- (d) have not within a 3-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

Should the applicant not be able to provide this certification, an explanation as to why should be placed after the assurances page in the application package.

The applicant agrees by submitting this proposal that it will include, without modification, the clause titled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower Tier Covered Transactions" in all lower tier covered transactions (i.e., transactions with sub-grantees and/or contractors) and in all solicitations for lower tier covered transactions in accordance with 45 CFR Part 76.

2. CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

The undersigned (authorized official signing for the applicant organization) certifies that the applicant will, or will continue to, provide a drug-free workplace in accordance with 45 CFR Part 76 by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about—
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a) above;
- (d) Notifying the employee in the statement required by paragraph (a), above, that, as a condition of employment under the grant, the employee will—
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency in writing within ten calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a

5. CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE

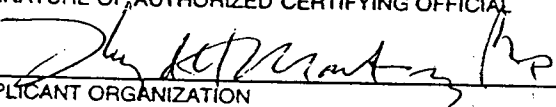
Public Law 103-227, also known as the Pro-Children Act of 1994 (Act), requires that smoking not be permitted in any portion of any indoor facility owned or leased or contracted for by an entity and used routinely or regularly for the provision of health, day care, early childhood development services, education or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law also applies to children's services that are provided in indoor facilities that are constructed, operated, or maintained with such Federal funds. The law does not apply to children's services provided in private residence, portions of facilities used for inpatient drug or alcohol treatment, service providers whose sole source of applicable Federal funds is Medicare or Medicaid, or facilities where WIC coupons are redeemed.

Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1,000 for each violation and/or the imposition of an administrative compliance order on the responsible entity.

By signing the certification, the undersigned certifies that the applicant organization will comply with the requirements of the Act and will not allow smoking within any portion of any indoor facility used for the provision of services for children as defined by the Act.

The applicant organization agrees that it will require that the language of this certification be included in any subawards which contain provisions for children's services and that all subrecipients shall certify accordingly.

The Public Health Services strongly encourages all grant recipients to provide a smoke-free workplace and promote the non-use of tobacco products. This is consistent with the PHS mission to protect and advance the physical and mental health of the American people.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 		TITLE Manager, Behavioral Health Division
APPLICANT ORGANIZATION Multnomah County, Oregon		DATE SUBMITTED 4-10-97

OMB Approval No. 0937-0189
Expiration Date: July 31, 1998

CHECKLIST

Public Burden Statement: Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this collection of information, including suggestions for reducing this burden, to the OS Reports Clearance Officer, ASMB/Budget/

DIOR, Room 503H, HHB Bldg., 200 Independence Ave., S.W., Washington, D.C. 20201.

NOTE TO APPLICANT: This form must be completed and submitted with the original of your application. Be sure to complete both sides of this form. Check the appropriate boxes and provide the information requested. This form should be attached as the last page of the signed original of the application. This page is reserved for PHS staff use only.

Type of Application: ☒ **NEW** ☐ **Noncompeting Continuation** ☐ **Competing Continuation** ☐ **Supplemental**

PART A: The following checklist is provided to assure that proper signatures, assurances, and certifications have been submitted.

- | | Included | NOT
Applicable |
|--|-------------------------------------|--------------------------|
| 1. Proper Signature and Date for Item 18 on SF 424 (FACE PAGE) | <input checked="" type="checkbox"/> | |
| 2. Proper Signature and Date on PHS-5161-1 "Certifications" page. | <input checked="" type="checkbox"/> | |
| 3. Proper Signature and Date on appropriate "Assurances" page, i.e., SF-424B (Non-Construction Programs) or SF-424D (Construction Programs) | <input checked="" type="checkbox"/> | |
| 4. If your organization currently has on file with DHHS the following assurances, please identify which have been filed by indicating the date of such filing on the line provided. (All four have been consolidated into a single form, HHS Form 690) | | |
| <input type="checkbox"/> Civil Rights Assurance (45 CFR 80) | | |
| <input type="checkbox"/> Assurance Concerning the Handicapped (45 CFR 84) | | |
| <input type="checkbox"/> Assurance Concerning Sex Discrimination (45 CFR 86) | | |
| <input type="checkbox"/> Assurance Concerning Age Discrimination (45 CFR 90 & 45 CFR 91) | | |
| 5. Human Subjects Certification, when applicable (45 CFR 46) | <input type="checkbox"/> | <input type="checkbox"/> |

PART B: This part is provided to assure that pertinent information has been addressed and included in the application.

- | | YES | NOT
Applicable |
|---|-------------------------------------|-------------------------------------|
| 1. Has a Public Health System Impact Statement for the proposed program/project been completed and distributed as required? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Has the appropriate box been checked for item # 16 on the SF-424 (FACE PAGE) regarding intergovernmental review under E.O. 12372 ? (45 CFR Part 100) | <input checked="" type="checkbox"/> | |
| 3. Has the entire proposed project period been identified in item # 13 of the FACE PAGE? | <input checked="" type="checkbox"/> | |
| 4. Have biographical sketch(es) with job description(s) been attached, when required? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Has the "Budget Information" page, SF-424A (Non-Construction Programs) or SF-424C (Construction Programs), been completed and included? | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Has the 12 month detailed budget been provided? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 7. Has the budget for the entire proposed project period with sufficient detail been provided? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8. For a Supplemental application, does the detailed budget address only the additional funds requested? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 9. For Competing Continuation and Supplemental applications, has a progress report been included? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

PART C: In the spaces provided below, identify the applicant organization's administrative official to be notified if an award is made and the individual responsible for directing the proposed program/project.

Name, title, organization, address, E-mail address (if any) and telephone number of the administrative official to be notified if an award is to be made.

Susan Clark, Manager
DCFS Resource Management
421 SW 6th Ave., Ste. 700
Portland OR 97204

Name, title, organization, address, E-mail address (if any) and telephone number of the program director/project director/principal investigator designated to direct the proposed project or program.

Floyd H. Martinez, Ph.D., Manager
Behavioral Health Division
421 SW 6th Ave., Ste. 600
Portland OR 97204

APPLICANT ORGANIZATION'S 12-DIGIT DHHS EIN (if already assigned)

--	--	--	--	--	--	--	--	--	--	--	--

SOCIAL SECURITY NUMBER

5	2	5	-	8	8	-	9	0	5	2
---	---	---	---	---	---	---	---	---	---	---

HIGHEST DEGREE EARNED

Ph.D.

(OVER)

1. REQUEST FOR PLACEMENT ON THE AGENDA FOR:

(Date)

DEPARTMENT: COMMUNITY AND FAMILY SERVICESDIVISION: N/ACONTACT: KATHY TINKLEPHONE: 3691* NAME(S) OF PERSON MAKING PRESENTATION TO BOARD: SUSAN CLARK / KATHY TINKLESUGGESTED AGENDA TITLE (to assist in preparing a description for the printed agenda)

Budget Modification CFS#14 transferring \$5,285 in Strategic Investment Program (SIP) funds to the Division of Community Action and Development to fund 50% of a budgeted 1.0 FTE Housing Development Specialist for May/June 1997 to implement the Strategic Investment Program housing initiative.

2. DESCRIPTION OF MODIFICATION: [Explain the changes being made: What budget does it increase / decrease? What do the changes accomplish? Where does the money come from?

[] PERSONNEL CHANGES ARE SHOWN IN DETAIL ON THE ATTACHED SHEET

Budget Modification CFS#14 transfers \$5,285 from the SIP Fund to the Fed/State Fund through an internal service reimbursement. The SIP revenue will be used to fund 50% of a budgeted 1.0 FTE Housing Development Specialist for May and June 1997. The position will assist with the implementation of the SIP Housing Initiative. This modification does not change total expenditures and the net change to revenue is zero. The addition of \$5,285 in SIP revenue will be used to cover \$5,022 in base, fringe, and insurance expenditures and \$263 for indirect support. HUD/CDBG revenue currently used to fund the Housing Development Specialist position will be reduced by \$5,022 and County Indirect Support will be decreased by \$263. Annualization of these dollars are included in the 97/98 department budget.

BOARD OF
COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
97 MAY 13 AM 11:23

3. REVENUE IMPACT

(Explain revenues being changed and reason for the change)

SIP Fund	\$5,285
HUD/CDBG	(\$5,022)
County General Fund Indirect Support	(\$263)
TOTAL	\$0

4. CONTINGENCY STATUS [to be completed by Budget & Planning]

Fund Contingency BEFORE THIS MODIFICATION (as of _____): \$ _____
 (Specify Fund) AFTER THIS MODIFICATION: \$ _____

Originated By:

Date:

5/5/97

Department Director:

Date:

Lolingo Pae me

5/6/97

Plan / Budget Analyst:

Date:

5/12/97

Employee Services:

Date:

Board Approval:

Date:

5/22/97

CFS#14

TRANS EB GM

TRANS DATE:

ACCTING PERIOD: _____

Budget Fiscal Year: 96/97

f:\9697\budget\budmods\Cfs#14.xls

BUDGET MODIFICATION NO. CFS#14

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

FTE	POSITION TITLE	ANNUALIZED			
		BASE PAY	FRINGE	INSUR	TOTAL
(0.50)	Housing Development Specialist (6083/1210)	(\$22,384)	(\$3,919)	(\$3,829)	(\$30,131)
0.50	Housing Development Specialist (6083/1215)	\$22,384	\$3,919	\$3,829	\$30,131
					\$0
					\$0
					\$0
					\$0
					\$0
					\$0
					\$0
					\$0
					\$0
					\$0
					\$0
0.00	TOTAL ANNUALIZED CHANGES	\$0	\$0	\$0	\$0

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.

FTE	POSITION TITLE	EXPLANATION	CURRENT YEAR			
			BASE PAY	FRINGE	INSUR	TOTAL
(0.08)	Housing Development Specialist (6083/1210)		(\$3,731)	(\$653)	(\$638)	(\$5,022)
0.08	Housing Development Specialist (6083/1215)		\$3,731	\$653	\$638	\$5,022
						\$0
						\$0
						\$0
						\$0
						\$0
						\$0
						\$0
						\$0
						\$0
						\$0
0.00	TOTAL CURRENT FISCAL YEAR CHANGES		\$0	\$0	\$0	\$0



MULTNOMAH COUNTY OREGON

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES
421 SW SIXTH AVENUE, SUITE 700
PORTLAND, OREGON 97204
PHONE (503) 248-3691
FAX (503) 248-3379
TDD (503) 248-3598

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SHARRON KELLEY • DISTRICT 4 COMMISSIONER

MEMORANDUM

TO: Board of County Commissioners

FROM: Lorenzo Poe, Director *Lorenzo Poe*
Department of Community and Family Services

DATE: May 6, 1997

SUBJECT: Budget Modification CFSD #14

I. RECOMMENDATION/ACTION REQUESTED: The Department of Community and Family Services recommends the approval of Budget Modification CFSD#14 to implement the Strategic Investment Program housing initiative and allocate \$5,285 of administrative funds to the Division of Community and Development budget.

II. BACKGROUND ANALYSIS: The Multnomah County Strategic Investment Program includes funds for the increase of inventory of affordable housing in Multnomah County. The initial recommendation for using these funds were accepted by the Board in mid 1996 and are two fold:

Strategy #1: Create a work group on fund leveraging additional resources for development of affordable housing. The Chair requested the Housing Authority of Portland (HAP) to convene a housing resources task force to consider ways to leverage SIP funds further.

Strategy #2: Use the balance of the funds to carry out a county-wide housing trust fund. This strategy including reconstituting the County's Housing Development Program Committee and adds additional members from the City of Portland and City of Gresham.

Attachment A provides program implementation tasks for the first year of activity.

III. FINANCIAL IMPACT: Current year costs based on the assignment of a .50 FTE Housing Development Specialist to this project are \$5,285. The FY 97/98 costs are calculated on the basis of .50 FTE Housing Development Specialist and are included in the Chair's budget.

IV. LEGAL ISSUES: There are no legal issues regarding use of SIP funding to administer the SIP Housing Program.

V. CONTROVERSIAL ISSUES: The SIP funds were set aside during lengthy public hearings on the program. The implementation costs ensure that the program will be carried out effectively.

VI. LINK TO CURRENT COUNTY POLICY: The SIP Housing Fund is designed to create housing for persons at or below 50% of the area median family income. This group is priority #1 for the local housing planning. The implementation costs will carry out these activities.

VII. CITIZEN PARTICIPATIONS: Implementation of the SIP housing activities was part of the SIP Housing Subcommittee discussion.

VIII. OTHER GOVERNMENT PARTICIPATION: The cities of Portland and Gresham participated in developing the original recommendation for the use of SIP housing funds. The subcommittee also included members of other state and community interests.

Attachment:

Attachment A

First year outputs:

- Letter to the Chair on initial finding of the work group on fund leveraging convened by the Housing Authority of Portland. This letter is to address the immediate issue of reserving up to 20% of the current SIP funds for a leverage initiative separate from the leveraging solicited through the project selection process.
- Application packet. **Program procedures, Underlying recommendation, **Application, **Sample agreement for funding, low income guidelines. (** denotes new document.)
- Prepare draft of packet, review with Committee. Determine public input process.
- Carry out public input process.
- Bring forward draft packet to Board of County Commissioners for adoption.
- Initiate process implementation: advertisement, workshop, application, TA, review and recommendation to Board. Review process is 45 to 60 days. Integrate review by local jurisdictions as needed.
- Board hearing on the project selection recommendation.
- Agreements negotiated and executed.
- Performance of the project solicitation process reviewed and suggested changes identified: draft prepared, review with committee, review with BCC for information.
- Management plan for year two and three prepared for monitoring progress on activities.

Proposed Reporting:

(Provided quarterly to SIP Steering Committee)

- Report on the project solicitation process after its first cycle (as noted above) How did it work? How can it be improved? What lessons can be transferred to other housing programs? What does the second year management plan look like?
- What is the proposed number of units to be created/preserved by the expenditure of first year SIP housing resources?
- What population demographics of beneficiaries: income targeting, family size, special need characteristics?
- What is the projected financial investment in these projects (measure of project based leverage)?
- Status report of funded projects?
- What is the actual number of units developed and funding committed to these projects as the projects draw to completion?
- What is the variance between proposed and actual?



MULTNOMAH COUNTY, OREGON


BOARD OF COUNTY COMMISSIONERS

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GARY HANSEN
TANYA COLLIER
SHARRON KELLEY

BUDGET & QUALITY OFFICE

PORTLAND BUILDING
1120 S.W. FIFTH - ROOM 1400
P. O. BOX 14700
PORTLAND, OR 97214
PHONE (503)248-3883

TO: Chair Beverly Stein
Commissioner Dan Saltzman
Commissioner Gary Hansen
Commissioner Tanya Collier
Commissioner Sharron Kelley

FROM: R. Barry Crook, Budget & Quality Manager 

DATE: May 12, 1997

SUBJECT: Budget Modification CFS D #14 - SIP Housing Funds

On your May 20th agenda, you have an request seeking approval of CFSD Bud Mod #14 which implements the Strategic Investment Program housing initiative and allocates \$5,285 of administrative funds to the Division of Community and Development budget to pay for administrative costs incurred in implementing the initial recommendation for using the SIP funds which were accepted by the Board in mid 1996.

The administrative costs incurred during FY 97 represent approximately .50 FTE Housing Development Specialist to the project for two months. For FY98, the proposed budget includes a full year of .50 FTE of a Housing Specialist and \$959,656 of pass through payments for housing.

Fiscal Impact

CFSD will be able to shift the amount of \$5,285 from the HUD CDBG grant to the SIP fund.

Budget Office Analysis of Request

The initial work to utilize the SIP funds consistent with the direction of the Board is currently being done in CFSD. This budget modification recognizes that effort and charges an appropriate amount of cost against the SIP fund. The transfer will be accomplished through an internal services agreement which will allow both areas (SIP and CFSD) to track the expenditures and disposition of funds.

Budget Office Recommendation

Assuming you approve of the approach shown in Attachment A, I recommend the approval of the request to allocate \$5,285 of SIP funds to CFSD for administrative costs incurred in FY97.

A handwritten signature in black ink, appearing to read 'R. Barry Crook'.

R. Barry Crook
Budget & Quality Manager

MEETING DATE: MAY 22 1997
AGENDA #: R-7
ESTIMATED START TIME: 9:55 Am

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Review and adoption of Strategic Investment Program Request for Proposals

BOARD BRIEFING: DATE REQUESTED: _____

REQUESTED BY: _____

REGULAR MEETING: DATE REQUESTED: May 22, 1997

AMOUNT OF TIME NEEDED: 15 Minutes

DEPARTMENT: Community & Family Services DIVISION: CYFCADP

CONTACT: Cecile Pitts TELEPHONE #: 248-3044

BLDG/ROOM #: 166/500

PERSON(S) MAKING PRESENTATION: Cecile Pitts

ACTION REQUESTED:

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

SUGGESTED AGENDA TITLE:

The Board of County Commissioners is scheduled to consider the draft Request for Proposal materials on one-time only housing funds generated by the Strategic Investment Program (SIP). The draft RFP was prepared by a working committee of the Affordable Housing Development Program with additional members from the County, Gresham and Portland. The draft RFP is an implementation of the recommendations developed by the SIP housing subcommittee coordinated by the Housing and Community Development Commission in 1996. Following review of the recommendation and receipt of testimony, the Board is requested to approve the draft materials for implementation.

SIGNATURES REQUIRED

ELECTED
OFFICIAL: _____

(OR)

DEPARTMENT
MANAGER: Lorenzo Poe

BOARD OF
COUNTY COMMISSIONERS
97 MAY 13 PM 1:07
MULTNOMAH COUNTY
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any questions: Call the Office of the Board Clerk - 248-3277 or 248-5222



MULTNOMAH COUNTY OREGON

DEPARTMENT OF COMMUNITY & FAMILY SERVICES
COMMUNITY DEVELOPMENT PROGRAM OFFICE (503) 248-3999
421 SW SIXTH AVENUE, SUITE 500
PORTLAND, OREGON 97204-1620
FAX # (503) 248-3332

BOARD OF COUNTY COMMISSIONERS
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MEMO

To: Board of County Commissioners
From: Lorenzo T. Poe, Jr., Director *Lorenzo T. Poe, Jr.*
Department of Community and Family Services
Subject: Review of Request for Proposals on the Housing Funds Generated by the County
Strategic Investment Program (SIP)
Date: May 12, 1997

I. Recommendation/Action Requested:

The Board of County Commissioners is scheduled to consider the draft Request for Proposal materials on one-time only housing funds generated by the Strategic Investment Program (SIP). The draft RFP was prepared by a working committee of the Affordable Housing Development Program with additional members from the County, Gresham and Portland. The draft RFP is an implementation of the recommendations developed by the SIP housing subcommittee coordinated by the Housing and Community Development Commission in 1996. Following review of the recommendation and receipt of testimony, the Board is requested to approve the draft materials for implementation.

II. Background/Analysis:

Under the Multnomah County Strategic Investment Program, a one-time only housing fund of \$1 million was created for the purpose of increasing the inventory of affordable low income housing countywide. The SIP Steering Committee further charged that these funds be leveraged to increase their impact. In 1996, under the coordination of Housing and Community Development Commission (HCDC) the SIP housing subcommittee developed guidelines for the use of the funds. The guidelines pertaining to the development of a countywide Housing Trust fund were the basis of the implementing RFP materials before the Board at this time.

The RFP constitutes an open competition for the Housing Fund based on articulated criteria and procedures. An application workshop will be held at the start of the application process to provide assistance to interested parties in the program. Applicants will have 45 days in which to prepare an application for funding. The review committee of the county's Affordable Housing

Development Program with additional members from County, Gresham and Portland will assess the proposals in relation to the criteria and make a non binding recommendation to the Board for action. Local jurisdictions will be given a period of time to review and make comment on the proposals located in their communities. The purpose of this RFP is to increase the inventory of housing countywide, which remains affordable for families at 50% of the area median income for the life of the unit. The life of the unit is defined in the application as 60 years. Bonus points provide incentives for projects located near the SIP businesses and public transit. The program will encumber the subject property with a non amortizing deferred payment loan trust deed and note in the amount of the funding award.

III. Financial Impact: The proposed Fund has self funded the administrative tasks which results in a \$50,000 reduction in the advertised amount. The balance of the initial SIP funds (\$950,000) are included in this RFP. The original SIP housing subcommittee had also recommended that the county establish a housing resources work group under the guidance of the Housing Authority of Portland, delegating up to 20% of the SIP housing resources to this task. If the Board decide to pursue any resulting recommendations for the HAP group the balance available for the RFP would thus be reduced.

IV. Legal Issues: There are no legal issues associated with this recommendation.

V. Controversial Issues: The recommendation is the consensus of the RFP committee. It was informally reviewed with several members of the original SIP housing subcommittee. It is scheduled to be heard by the HCDC in June as an informational item.

VI. Line to Current County Policies: Housing for persons at 50% of the area median income is a number 1 priority for the Countywide Consolidated Plan. Under this recommendation the SIP housing funds target this population.

V. Citizen Participation: The Board's discussion of this matter has been held in public with notice to the public of the item, and opportunity for testimony before action is taken.

VI. Other Governmental Participation: The cities of Portland and Gresham participated in the RFP committee process, and are recommended to oversee the process. The committee also included membership from a number of other state and community interests.

Attached is the narrative for the RFP. The complete application including application questions is on file with the Clerk of the Board. Please feel free to contact Iris Bell or Cecile Pitts (248-3044) from Community and Family Services, if you have questions or need more information. Members of the RFP committee will be present at the commission meeting to respond to questions or issues.



MULTNOMAH COUNTY OREGON

DEPARTMENT OF COMMUNITY & FAMILY SERVICES
COMMUNITY DEVELOPMENT PROGRAM OFFICE (503) 248-3999
421 SW SIXTH AVENUE, SUITE 500
PORTLAND, OREGON 97204-1620
FAX # (503) 248-3332

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TO: Board of County Commissioners

FROM: Cecile Pitts, Department of Community and Family Services

DATE: May 20, 1997

RE: Transmittal of Page Correction to SIP RFP

The proposed request for proposals (RFP) for the Strategic Investment Partnerships housing program is included in your Board agenda packet to be considered on May 22. Please note that page 5 of the SIP application, entitled Evaluation Process, did not reflect the RFP committee's final comments and changes. The committee at its last meeting decided to make program threshold criteria NOT a matter of points and shift that weighting to the strength based criteria. The committee also asked that the RFP include a little more description of the review process. The correct version of page 5 is attached to this memo. I apologize for the inconvenience.

A technical review committee has been formed to review applications and make recommendations to the Board of County Commissioners. The review shall be a non-binding recommendation evaluating project merit for the Board of County Commissioners according to adopted criteria. The review committee will advise the Board on program policy and effectiveness. Applications will be evaluated in five areas with a total of 140 points available.

- Threshold Criteria – Projects must meet the threshold criteria to be considered for funding.
Categorical weightings are as follows:
- Affordable Housing Solution – 35 Total Points:
 - How the solution is appropriate for the population to be served (amenities, unit sizes, special features, diffusion of concentrated poverty, cost to consumer, etc.) – 10 points;
 - The extent to which housing costs are as low as possible (e.g., serving 30% AMI rather than 50% AMI) – 5 points
 - The appropriateness of project location in terms of proximity to commercial and social services – 10 points;
 - The extent to which the project adheres to priorities set forth in the Countywide Consolidated Plan – 5 points;
 - Number of households to be served by project – 5 points.
- Community/Neighborhood Support – 15 Total Points:
 - Community awareness of project (e.g., demonstrated through support letters or minutes from public meetings, etc.) – 5 points;
 - Identification of and plans to meet community concerns – 5 points;
 - Description of how project plan fits within the community – 5 points;
- Organizational Capacity – 25 Total Points:
 - Capacity of applicant/development team to complete project (consider scale and complexity of project) – 10 points
 - Prior project experience of the applicant – 5 points
 - Readiness to proceed – 10 points
- Financial Feasibility – 25 Total Points: Based on evaluator's review of information provided by applicant; this includes consideration of funds committed, cost estimates, and operational budgets. Please note that these forms give space for the applicant to provide justification that the amounts listed in the budget line items are appropriately estimated. Letters of verification by third parties of estimates, estimates provided by qualified staff/consultants, budgets from similar projects completed within the last year, and acceptance of figures/estimates as valid by lenders all can be used to verify validity of estimates.

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

Request for Proposal materials of the)	
Strategic Investment Program (SIP),)	Resolution
Housing Program.)	97-

WHEREAS, the Multnomah County Strategic Investment Program (SIP) generates a one time only housing fund of \$1,000,000 for the purpose of increasing the inventory of affordable housing in the county; and

WHEREAS, in accordance to the SIP agreements, a committee comprised of representatives of the Housing and Community Development Commission, the City of Gresham, and the Gresham Community Development and Housing Commission met and generated recommended guidelines for the County on use of this housing fund; and

WHEREAS, on the 27th day of June, 1996, the Board accepted the recommended guidelines for implementing the housing program; and

WHEREAS, in accordance with the recommended guidelines, the Multnomah County Affordable Housing Development Program committee with additional members from County, Portland and Gresham has met and prepared Request for Proposal materials: NOW, THEREFORE,


IT IS RESOLVED THAT, the Multnomah County Board of Commissioners adopts the Request for Proposal materials for implementation and directs staff to carry them out.

Approved the _____ day of May, 1997.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Beverly Stein, Chair

Reviewed:
SANDRA N. DUFFY, ACTING COUNTY COUNSEL
MULTNOMAH COUNTY, OREGON



Katie Gaetjens, Assistant County Counsel

COUNTYWIDE STRATEGIC INVESTMENT PROGRAM (SIP)
FUNDING
APPLICATION DRAFT

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Welcome. Multnomah County is pleased to make funds available for the creation of affordable housing through the Strategic Investment Program (SIP). The funds the County is making available through the SIP are generated from property tax abatement agreements and contributions from Fujitsu and LSI Logic.

This introduction intends to highlight some of the underlying values of the SIP Housing Program. This is a demonstration year for the Housing Program. The process and application will be reviewed in the fall of this year for effectiveness. If you have comments or suggestions regarding the program we encourage you to send them to the program office. Your assistance is appreciated.

The SIP Housing Program was established to increase the inventory of affordable housing serving low income persons - at or below 50% of the area median income - throughout Multnomah County. The total SIP funds available through this request for proposals is up to \$950,000.00. As the designated funding is clearly inadequate to meet the actual countywide need for low income housing, the SIP housing Program includes a strong commitment to leveraging these limited resources. An aggregate leveraged funding goal for this program has been set requiring 5 non-SIP dollars be expended for every SIP dollar awarded.

Three public bodies were represented on the committee which made the recommendations upon which this application is based. They are the City of Gresham, the Multnomah County Housing and Community Development Commission and the Gresham Community Development and Housing Committee. Other local housing agencies, non-profit housing developers and interested individuals contributed to the SIP funding guidelines.

SIP funded projects are intended to remain affordable to eligible low income families for the useful life of the unit, defined for the purposes of this application as at least 60 years. The County will encumber the subject property with a non-amortizing, deferred payment loan trust deed and note in the amount of the approved SIP award. The County will consider other structures for encumbering property should other loan types or security be more appropriate for specific project financing.

We hope the enclosed application is clear and understandable. Good Luck.

On the following pages is information to guide participants through the application process. Included are summaries of funding priorities, evaluation criteria, and eligible funding uses. This application is designed to be "user-friendly" and simple. Except for the nonprofit information form and the financial exhibits, there is no required format. The only requirement is that the questions should be answered clearly, thoroughly, and succinctly. Please number the application pages.

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Submit and original and _____ copies of the completed application to:

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Community Development Program
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Portland, Oregon 97204

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The HCDC SIP Subcommittee reviewed affordable housing needs throughout the county and created guidelines upon which this application was developed. The primary assumptions of need guiding the purpose of this SIP application are as follows:

1. There is a severe and growing housing affordability crisis throughout Multnomah County. This crisis exists for low to moderate income people, but it is particularly devastating to low-income people living at or below 50% of area median income (AMI).
2. Both the cost of land and the cost of housing in East Multnomah county are increasing. This adversely affects low and moderate wage employees of new and expanded businesses, other people earning low and moderate wages, and people on low fixed incomes.
3. Wages in the region have not risen as quickly as have housing costs . . . a trend that is expected to continue. The most severely impacted are those earning less than 50% of AMI (\$8.53/hour for a single wage earner with a family of two, \$9.61/hour for a single earner with a family of three).
4. The location of appropriate housing near jobs and services is crucial to resolving transportation, child care, and other family-job related issues and to creating a more livable environment for low and moderate income residents. Additionally, the provision of affordable housing near emerging businesses will help prevent displacement of long-term, low and moderate income residents as housing costs rise, partially as economic development occurs.

STATEMENT OF PURPOSE

The following is a listing of principles which has guided the creation of the application and evaluation criteria:

1. It is anticipated that the contributions made by Fujitsu and LSI Logic to the SIP will not be sufficient alone to significantly impact the need. It is therefore crucial that SIP funds be used in conjunction with other housing subsidies to more effectively and efficiently create a greater number of affordable housing units for the target population.
2. By requiring the use of SIP monies in collaboratively-supported and funded projects, jurisdictions throughout the County will be encouraged to play stronger roles in affecting affordable housing solutions.
3. The Region 2040 growth concept calls for higher density development, a jobs-housing balance, and mixed-use development in commercial centers and near transit stations. All efforts to address affordable housing in the region, including projects supported by the SIP funding application, should reflect these mandates.
4. Public subsidy dollars should be invested in ways that provide long term benefit to the community as a whole, rather than in ways that provide eventual windfalls for individuals. Therefore, housing funded by public subsidies should be permanently affordable to the income range targeted.
5. Local jurisdictions benefit by taking responsibility to ensure that decent and affordable housing is available for everyone who lives and/or works in their area. It is thus appropriate that local jurisdictions participate in this process either through direct funding or assistance in the removal of barriers to the creation of affordable housing.

The following sections provide an outline of funding priorities and evaluation criteria.

Eligible Development Activities

- Projects in Multnomah County meeting threshold criteria established below;
- Projects that create additional affordable housing units either through new construction or conversion of existing, market-rate or otherwise unaffordable housing units;
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- Land Banking efforts accompanied by a description of timeline and plans for land preserved;
- Low-income housing preservation efforts where it can be illustrated that current owner occupied or rental housing units will become unaffordable to families living at or below 50% AMI without SIP funding;

Eligible Funding Uses

The allowable uses of SIP funds includes, but is not limited to, the following:

- Land Acquisition
- Predevelopment Funds
- Development Financing
- Credit Enhancement
- Equity Participation

Qualifying or “Threshold” Criteria

The following are “threshold” criteria. Projects which do not meet all of the applicable “threshold” criteria will not be considered for funding:

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- Mixed-income projects must dedicate at least 50% of the units to families living at or below 50% AMI;
- SIP funds may be only be used to fund SIP eligible units

Applications will be evaluated in five areas with a total of 140 points available.. Categorical weightings are as follows:

- Threshold Criteria – 20 Total Points: Applicants meeting all qualifying criteria will receive an automatic 20 points. Applicants failing to adhere to qualifying criteria will not be considered for funding.
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 - How the solution is appropriate for the population to be served (amenities, unit sizes, special features, diffusion of concentrated poverty, etc.) – 5 points;
 - The extent to which housing costs are as low as possible (e.g., serving 30% AMI rather than 50% AMI) – 5 points
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 - The extent to which the project adheres to priorities set forth in the Countywide Consolidated Plan – 5 points;
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Up to 40 Bonus Points are available based on the following point system:

Geographic/Transit-Oriented Targeting of SIP Funds – Bonus of 15 points possible;

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- Projects located in transit corridors and near transit lines (within 1/8 mile of major public transit corridor) and encourage the use of mass transit will receive an additional 5 points.

Support from Local Jurisdiction – Bonus of 10 points possible;

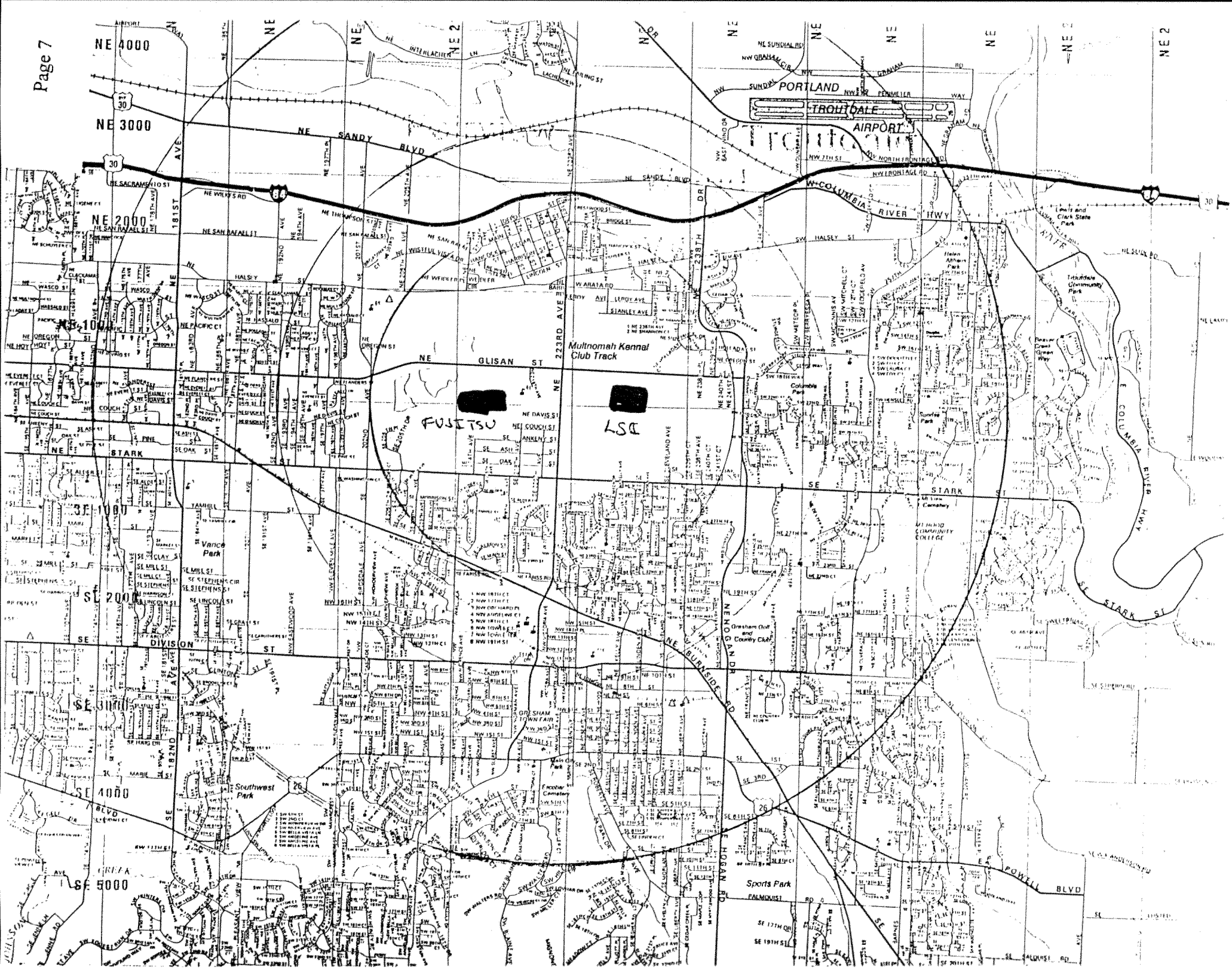
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- Projects with a majority of the units designed as 2 bedroom units will receive an additional 5 points; *or*
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Clerk Copy

COUNTYWIDE STRATEGIC INVESTMENT PROGRAM (SIP)
FUNDING
APPLICATION DRAFT

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Welcome. Multnomah County is pleased to make funds available for the creation of affordable housing through the Strategic Investment Program (SIP). The funds the County is making available through the SIP are generated from property tax abatement agreements and contributions from Fujitsu and LSI Logic.

This introduction intends to highlight some of the underlying values of the SIP Housing Program. This is a demonstration year for the Housing Program. The process and application will be reviewed in the fall of this year for effectiveness. If you have comments or suggestions regarding the program we encourage you to send them to the program office. Your assistance is appreciated.

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ADMINISTRATIVE ISSUES

Page 2

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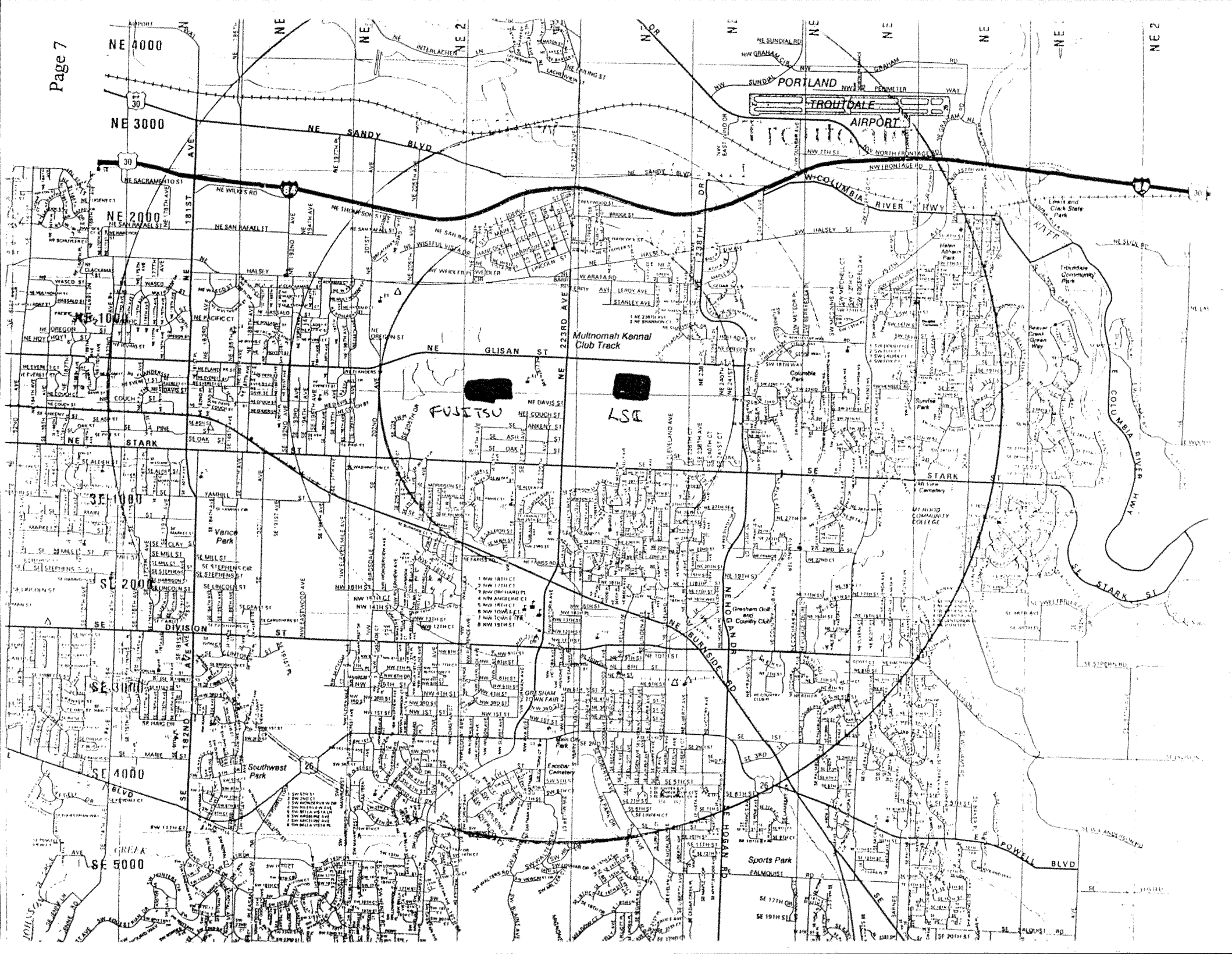
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APPLICATION QUESTIONS

Answer the following questions clearly and concisely noting the maximum pages allowed for each question. Please use a standard 12 point word processing format.

THRESHOLD CRITERIA:

Outline how project adheres to threshold criteria. Include description of site location, how the project meets the affordable housing needs of families living at or below 50% of AMI, how affordability will be preserved, what the resources for project's matching ratio of non-SIP funds are and what the ratio is, how the project's affordability will be maintained for the life of the unit. If mixed income, outline the housing income mix. (2 pages maximum)

AFFORDABLE HOUSING SOLUTION

Describe the housing project in terms of number and size of units, amenities, appropriateness, rent levels and incomes to be served, adherence to Countywide Consolidated Plan, project design appropriate for the population to be served as described in Question #1. (2-3 pages maximum)
Provide location map.

Describe the location of the project in relationship to the proximity of commercial and social services: (For your convenience and use, a form for this purpose is attached as the succeeding page.)

COMMUNITY/NEIGHBORHOOD SUPPORT

Describe the steps that your organization/corporation has taken to include the community in or inform the community of your project. Include any demonstrated community support for your organization and/or project. Explain how the project is appropriate for the community. State whether there are any community concerns or issues that have arisen and how the organization plans to address them. (2 pages maximum).

ORGANIZATIONAL CAPACITY

Describe the capacity of applicant/development team to complete project (consider scale and complexity of project). This should include descriptions of professional skills and expertise, past project experience, and readiness to proceed. Include resumes where appropriate. (2 pages maximum)

FINANCIAL FEASIBILITY

Please complete the attached Financial Exhibits. The use of standardized financial information forms will assist evaluators in their analysis. Please also note that there are additional exhibits for budget notes. Applicants should use this format to explain how they arrived at costs estimates and provide backup documentation.

	Type	Distance from Project	Other Information
Example: Commercial Service	Convenience Store Grocery Store	.4 miles 1.3 miles	7 - 11 with gas station Safeway
Commercial Services			
Employment Centers			
Transportation Services			
Schools			
Parks and Recreation			
Social Services			
Emergency Services (i.e., police, fire, medical)			
Other			

SITE INFORMATION

Please submit a completed Site Information Form. Indicate where information is not applicable, but please do not eliminate the form from your application packet.

BONUS POINT CATEGORIES

Please respond to the Geographic/Transit Oriented Targeting of SIP funds categories:

Show the location of your proposed project site and state the exact proximity to the Fujitsu and LSI and bonus points you are claiming. (1 page maximum)

If your project is located in the greater Portland Metropolitan area and is within Tri-Met's service district, please indicate whether your project is within 1/8 mile of mass transit service. Include the line number and location of the nearest bus stop/train station. A map of the East County Tri-Met routes has been included for rough project site/transit line locating purposes. Please include a narrative outlining the measures taken by your project to encourage the use of mass transit. (2 pages maximum)

Please respond to the Local Jurisdiction Support category:

Please demonstrate project financial support from the appropriate local jurisdiction. Please provide letters of commitment, fee waivers, abatements or other demonstrable evidence of support. (1 page maximum)

Demonstrate regulatory relief provided by local jurisdiction in narrative form corroborated by government planning and zoning body. (1 page maximum)

Please respond to the Family Sized Housing category:

Please provide the total number of project units, the number of two-bedroom units and the number of three bedroom units. Please provide a written commitment to unit structure and simple site plan and proposed unit configuration. (2 pages maximum)

Please respond to the Leverage of Non-SIP Funding category:

Please provide written commitment to a leveraged funding ratio meeting or exceeding 5:1 program goal described in your threshold criteria response. Attach documentation of financing commitments. (1 page maximum)

NONPROFIT INFORMATION

Nonprofit organizations should complete this section of the application. All nonprofit organizations other than governmental entities should also attach photocopies of their articles of incorporation and IRS documentation of their tax-exempt status to this application, unless submitted documents are already on file with the Multnomah Community Development Office.

Source of your exemption: ☐ IRC Section 501(a) ☐ IRC Section 501(c)(3) ☐ IRC Section 501(c)(4)

Date incorporated: _____

Date IRS 501(c)(3) received: _____

Date Articles of Incorporation & By-Laws filed: _____

Date Articles or By-Laws amended: _____

Service Area Map and description of area

Purpose/Mission:

Date Purpose/Mission amended: _____

Current Board Roster (identifying areas of expertise
and association)

Enclosed: _____

On File at MCCD: _____

Enclosed: _____

On File at MCCD: _____

Enclosed: _____

On File at MCCD: _____

Enclosed: _____

On File at MCCD: _____

Enclosed: _____

On File at MCCD: _____

Enclosed: _____

On File at MCCD: _____

Enclosed: _____

On File at MCCD: _____

Do your By-Laws set forth the development of low-income housing as one of your purposes?

☐ yes ☐ no

SITE INFORMATION

Is the project site currently under applicant's control? ☐ Yes ☐ no
If yes, control is in the form of: ☐ Deed ☐ Option ☐ Purchase Contract ☐ Other _____

Expiration date of contract or option: _____ mo./yr.

Total cost of land: \$

Exact size of site: _____ Acres or Sq.ft. (circle one)

Is site properly zoned for the development? ☐ yes ☐ no
If no, what actions are required before development?

When will the land use issues be resolved? _____ mo./yr.

Are all utilities presently available to the site? ☐ yes ☐ no

If no, which utilities need to be brought to the site? _____

Is any building in the development with 4 or fewer units occupied or to be occupied by:

The owner? ☐ yes ☐ no A person related to the owner? ☐ yes ☐ no

The following information must be included with the application: **Site control document and documentation of proper zoning.**

TITLE COMPANY INFORMATION (if applicable)

Contact: _____

Escrow #: _____

Company: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: (____) _____ Fax (____) _____

If a current preliminary title report is available, please attach a copy.

SE

Irving

14	31	32	35
54	56	57	58
60	88	89	96

**SIP Funding Application
Financial Exhibit A**

Sources of Funding

Project Name:

SOURCE (including loan/grant)	Committed	Conditional	Tentative
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$

SUBTOTALS _____ \$ _____ \$ _____ \$ _____

TOTAL FUNDING SOURCES \$ _____

SIP Funding Application
Financial Exhibit B.1.
Uses of Financing
Project Name:

	COST	SUBTOTAL
<u>Acquisition Costs</u>		
Purchase Price	\$	
Liens and Other Taxes	\$	
Closing/Recording Costs	\$	
Off-site Costs/Improvements	\$	
Other	\$	
* Subtotal		\$

<u>Development Costs</u>		
Land Use Approvals	\$	
Building Permits/Fees	\$	
System Development Charges	\$	
Environmental Report (typically a Level 1)	\$	
Soils/Survey Report (Geotechnical)	\$	
Architectural/Engineering Fees	\$	
Legal/Accounting Fees	\$	
Cost Certification Fee	\$	
Appraisals	\$	
Lender Inspections	\$	
Lender Title Insurance	\$	
Construction Loan Fee	\$	
Permanent Loan Fee	\$	
Construction Period Interest/Taxes	\$	
Construction Period Insurance	\$	
Tax Credit Fees	\$	
Bridge Loan Interest	\$	
Closing Fees	\$	
Marketing	\$	
Lease Up/Operating Reserves	\$	
Developer Fee	\$	
Consultant Fee	\$	
Development Contingency	\$	
Tenant Relocation	\$	
Other	\$	
* Subtotal		\$

<u>Construction Costs</u>		
On-site Work	\$	
Hazardous Materials Abatement	\$	
Residential Building Construction	\$	
Commercial Building Construction	\$	
Common Use Facilities	\$	
Laundry Facilities	\$	
Storage/Garages	\$	
Landscaping	\$	
Construction Contingency	\$	
Other	\$	
* Subtotal		\$

TOTAL PROJECT COST \$

SIP Funding Application

Financial Exhibit B.2.

Uses of Financing

Project Name:

Please identify how you arrived at the cost estimates itemized in Financial Exhibit B.1. Verification documents may be included.

**SIP Funding Application
Financial Exhibit C**

Housing Operating Budget - INCOME
Project Name: _____

YEARLY Residential Income:

Annual Inflation Rate Factor: _____ %

Unit Type	HOME	Median Income %	#/Units	Monthly Rent Per Unit	1st Full Project Year	Year 5
_____	_____	_____	_____ X	\$ _____ X 12 =	\$ _____	\$ _____
_____	_____	_____	_____ X	\$ _____ X 12 =	\$ _____	\$ _____
_____	_____	_____	_____ X	\$ _____ X 12 =	\$ _____	\$ _____
_____	_____	_____	_____ X	\$ _____ X 12 =	\$ _____	\$ _____
_____	_____	_____	_____ X	\$ _____ X 12 =	\$ _____	\$ _____
_____	_____	_____	_____ X	\$ _____ X 12 =	\$ _____	\$ _____
_____	_____	_____	_____ X	\$ _____ X 12 =	\$ _____	\$ _____
_____	_____	_____	_____ X	\$ _____ X 12 =	\$ _____	\$ _____
_____	_____	_____	_____ X	\$ _____ X 12 =	\$ _____	\$ _____
_____	_____	_____	_____ X	\$ _____ X 12 =	\$ _____	\$ _____
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_____	_____	_____	_____ X	\$ _____ X 12 =	\$ _____	\$ _____
_____	_____	_____	_____ X	\$ _____ X 12 =	\$ _____	\$ _____

SUB-TOTALS _____ \$ _____

Other Revenue:

Laundry	\$ _____	\$ _____
Garage/Parking	\$ _____	\$ _____
Double Occupancy	\$ _____	\$ _____
Deposits on Turnover	\$ _____	\$ _____
Services	\$ _____	\$ _____

SUB-TOTAL OTHER REVENUE _____ \$ _____

Effective Gross Income: _____ \$ _____

Less Vacancy Rate (____%) (____) (____)

Net Effective Gross Income: _____ \$ _____

**SIP Funding Application
Financial Exhibit D**

Utility Allowance information

Project Name:

**TYPE OF
UTILITY
(Gas, Elec,
Oil, etc.)**

**OWNER
UTILITIES**

**TENANT
PAYS**

**1
BDRM**

**2
BDRM**

**3
BDRM**

**4
BDRM**

Heating		\$	\$	\$	\$
Lighting		\$	\$	\$	\$
Air Conditioning		\$	\$	\$	\$
Cooking		\$	\$	\$	\$
Hot Water		\$	\$	\$	\$
Water		\$	\$	\$	\$
Sewer		\$	\$	\$	\$
Trash Removal		\$	\$	\$	\$

**TOTAL UTILITY
ALLOWANCE**

\$ \$ \$ \$

If allowances are calculated by other methods, attach the appropriate schedule and include unit rents, number of bedrooms, and allowances.

Source of Utility Allowance Calculation:

Name:

- ☐ Local Housing Authority
- ☐ Utility Company
- ☐ Other

**SIP Funding Application
Financial Exhibit E.1.**

Housing Operating Budget - EXPENSES

Project Name: _____

Annual Inflation Rate Factor: _____ %

Annual Operating Expenses	Annual per Unit	1st full Year	Project Year 5
Insurance	\$ _____	\$ _____	\$ _____
Utilities:(common areas)			
Gas/Oil	\$ _____	\$ _____	\$ _____
Electric	\$ _____	\$ _____	\$ _____
Water & Sewer	\$ _____	\$ _____	\$ _____
Garbage Removal _____	\$ _____	\$ _____	\$ _____
Other _____	\$ _____	\$ _____	\$ _____
Repairs	\$ _____	\$ _____	\$ _____
General Maintenance	\$ _____	\$ _____	\$ _____
Landscape Maintenance	\$ _____	\$ _____	\$ _____
Replacement Reserve	\$ _____	\$ _____	\$ _____
Property Management:			
On-site	\$ _____	\$ _____	\$ _____
Contracted (Off-Site)	\$ _____	\$ _____	\$ _____
Professional Services:			
Resident Services	\$ _____	\$ _____	\$ _____
Case Management	\$ _____	\$ _____	\$ _____
Legal	\$ _____	\$ _____	\$ _____
Accounting	\$ _____	\$ _____	\$ _____
Other _____	\$ _____	\$ _____	\$ _____
Office & Administration	\$ _____	\$ _____	\$ _____
Advertising/Marketing & Promotion	\$ _____	\$ _____	\$ _____
Unit Turnover	\$ _____	\$ _____	\$ _____
Taxes(non-real estate) _____	\$ _____	\$ _____	\$ _____
Real Estate Taxes	\$ _____	\$ _____	\$ _____
Other _____	\$ _____	\$ _____	\$ _____
Total Annual Operating Expenses	\$ _____	\$ _____	\$ _____
Net Operating Income _____	\$ _____	\$ _____	\$ _____
Less Debt Service:			
_____ % on \$ _____ for _____ years	\$ _____	\$ _____	\$ _____
_____ % on \$ _____ for _____ years	\$ _____	\$ _____	\$ _____
_____ % on \$ _____ for _____ years	\$ _____	\$ _____	\$ _____
Total Debt Service _____	\$ _____	\$ _____	\$ _____
Cash Flow Per Year _____	\$ _____	\$ _____	\$ _____

**SIP Funding Application
Financial Exhibit E.2.**

Housing Operating Budget - EXPENSES

Project Name:

Please identify how you arrived at the cost estimates itemized in Financial Exhibit E.1. Verification documents may be included.

**SIP Funding Application
Financial Exhibit F**

Project Schedule

Project Name:

ACTIVITY	PROPOSED DATE (month/year)
SITE	
Option/Contract	
Site Acquisition	
Zoning Approval	
Site Analysis	
Building Permits & Fees	
Off-Site Improvements	
PRE-DEVELOPMENT	
Plans Completed	
Final Bids	
Contractor Selected	
FINANCING	
Construction Loan:	
Proposal	
Firm Commitment	
Permanent Loan:	
Proposal	
Firm Commitment	
SYNDICATION AGREEMENT (LIHTC)	
CONSTRUCTION BEGINS	
CONSTRUCTION COMPLETED	
CERTIFICATE OF OCCUPANCY	
LEASE UP	

MEETING DATE: MAY 22 1997
AGENDA #: R-8
ESTIMATED START TIME: 10:10 am

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Department of County Counsel

BOARD BRIEFING:

DATE REQUESTED: _____

REQUESTED BY: _____

AMOUNT OF TIME NEEDED: _____

REGULAR MEETING:

DATE REQUESTED: May 22, 1997

AMOUNT OF TIME NEEDED: 30 Minutes

DEPARTMENT: Commissioner #3

DIVISION: _____

CONTACT: Don Carlson

TELEPHONE #: 248-5126

BLDG/ROOM #: _____

PERSON(S) MAKING PRESENTATION: Commissioner Collier

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

SUGGESTED AGENDA TITLE:

An ordinance relating to county organization; creating a Department of County Counsel

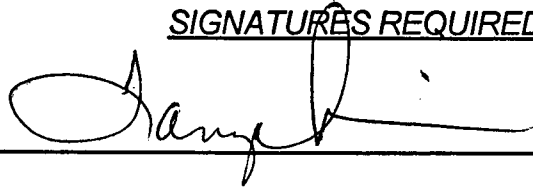
ELECTED
OFFICIAL: _____

(OR)

DEPARTMENT

MANAGER: _____

SIGNATURES REQUIRED:



BOARD OF
COUNTY COMMISSIONERS
97 MAY 15 PM 3:10
MULTNOMAH COUNTY
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM STAFF REPORT**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: Commissioner Collier/Don Carlson

TODAY'S DATE: May 15, 1997

REQUESTED PLACEMENT DATE: May 22, 1997

**RE: REQUEST APPROVAL OF AN ORDINANCE TO CREATE A DEPARTMENT
OF COUNTY COUNCIL.**

I. Recommendation/Action Requested:

Request the Board of County Commissioners approve the attached ordinance creating the Department of County Counsel.

II. Background/Analysis:

The County has recently appointed a new County Counsel. It is important at the start of this new relationship to define the duties and responsibilities of the County Counsel and to define the relationship of the County Council to all parts of the county government. The County Counsel is the chief legal advisor for the county and works for both the executive branch including all administrative departments and units and the legislative branch, the board of commissioners. There is no adopted county policy which states the duties and responsibilities of the County Counsel and defines the relationship with the administration, board and other elected officials. The only duty defined in the Code is a requirement for the County Counsel to codify ordinances adopted by the board. The ordinance establishes the County Counsel's office as a department and makes the appointment of future County Counsel's subject to confirmation by the board.

III. Financial Impact:

Adoption of this ordinance has no immediate financial impact.

IV. Legal Issues:

The ordinance is in conformance with the County Charter and no legal issue is expected to develop as a result of this action.

V. Controversial Issues:

This ordinance deals with the relationship of the executive branch with the legislative branch and as such can lead to controversial discussions.

VI. Link to Current County Policies:

This ordinance is being processed and is in conformance with the policies set forth in the Multnomah County Charter.

VII. Citizen Participation:

The notice of the public hearing on this ordinance is being given following normal county procedures. The public hearing allows for public testimony.

VIII. Other Government Participation:

There was no direct participation by any other government in the preparation of the ordinance. Similar provisions of the Metro Code and the City of Gresham Code were used in the preparation of the ordinance.

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

An ordinance relating to county organization; creating a Department of County Counsel.

Multnomah County ordains as follows:

Section 1. Purpose

The purpose of this ordinance is to establish a Department of County Counsel to provide legal services to the county.

Section 2. Department of County Counsel Created; Appointment and Discharge of County Counsel

The Department of County Counsel is established. It shall consist of a county counsel and such subordinate employees as the board may provide. It shall be an administrative department of the county pursuant to Chapter VI of the County Charter. The county counsel shall be the department head. The county counsel shall be appointed by the chair of the board of commissioners subject to consent of a majority of the board of commissioners. The county counsel shall appoint a chief assistant county counsel to act in the absence of county counsel. The county counsel may be discharged by the chair of the board of commissioners. Prior to discharge, the chair of the board of commissioners shall first consult with the other members of the board of commissioners concerning the decision. In the event the chair of the board of commissioners discharges the county counsel, the chair of the board of commissioners shall report the discharge to the other members of the board of commissioners at the next regularly scheduled board meeting.

Section 3. Duties of the Department of County Counsel

The Department of County Counsel shall:

(a) Have general control and supervision of all civil actions and legal proceedings in which the county may be a party or may be interested.

(b) Have full charge and control of all the legal business of all departments and commissions of the county, or of any office thereof, which requires the services of counsel in order to protect the interests of the county. No county officer, elected official, board, commission, or department shall employ or be represented by any other counsel except as may be provided for in this chapter.

(c) Give legal advice and opinions orally and in writing and prepare documents and ordinances concerning any matter in which the county is interested when requested by a member of the board of commissioners, the auditor, the sheriff or a department head.

(d) Review and approve as to form all written contracts, ordinances, resolutions, executive or board orders, bonds, or other legally binding instruments of the county;

(e) Except as provided by any insurance policy or indemnification agreement obtained by the county, appear for, represent, and defend the county and its departments, officers, commissions and employees and other persons entitled to representation under the Oregon Tort Claims Act in all appropriate legal matters;

(f) Submit quarterly reports to the board concerning the status of all tort claims and legal actions in which the county is a party and, at the request of the board or any member thereof, the board chair, the auditor, or the sheriff, report on the status of any or all matters being handled by the Department;

(g) Appear, commence, prosecute, defend or appeal any action, suit, matter, cause or proceeding in any court or tribunal when requested by the board or the board chair;

(h) Maintain custody of the records of the department including, 1) pleadings of all legal actions in which the county, the board, the board chair, the auditor, the sheriff, or any county commission or employee thereof is a party, (unless the legal action is being conducted by private legal counsel retained by the county in which case the county counsel shall keep those records as the county counsel deems advisable), and, 2) all significant written opinions of the County Counsel furnished to the County; and

(i) Codify ordinances of the county as provided by chapter 1.20 of the Multnomah County Code.

Section 4. Attorney-Client Relationship

The relationship between the county and the county counsel and other attorneys employed by the Department of County Counsel shall be an attorney-client relationship, with the county being entitled to all benefits thereof. For the purpose of this chapter, the county is recognized as a single entity whose elected officials and department heads collectively perform and exercise the county's duties and authority.

Section 5. Employment of Outside Legal Counsel

When the county counsel deems it necessary or appropriate to do so, the county counsel may employ outside legal counsel on behalf of the county. A majority of the board may also employ outside legal counsel on any matter concerning the county. Employment of outside counsel is subject to the general requirements of this Code.

Section 6. Opinions

The county counsel shall prepare formal written opinions regarding interpretations of federal and Oregon law, the county charter, and county ordinances and regulations. These opinions shall be official guidance to the county except as superseded by courts of law, legislative action, administrative rules, or actions of other superior tribunals or bodies. Formal opinion requests may be made by any county

elected official and department head. All requests for such opinions shall be in writing. Upon receipt of a written request for a formal opinion the county counsel shall furnish a copy of the request to each county elected official.

Section 7. Codification

Sections 1 through 6 of this ordinance shall be codified as part of chapter 2.3 of the Multnomah County Code.

Section 8. Effective Date

This ordinance shall take effect shall take effect on the thirtieth (30th) day after its adoption, pursuant to Section to 5.50 of the Charter of Multnomah County.

ADOPTED this _____ day of _____, 1997, being the date of its second reading before the Board of County Commissioners of Multnomah County, Oregon.

(SEAL)

Beverly Stein, Chair
Multnomah County, Oregon

REVIEWED :

By: _____
John Thomas, Assistant County Counsel

MEETING DATE: May 22, 1997
AGENDA #: B-1
ESTIMATED START TIME: 10:40am

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Session Update on the 1997 Oregon Legislature

BOARD BRIEFING: DATE REQUESTED: May 22, 1997
REQUESTED BY: Chair Beverly Stein
AMOUNT OF TIME NEEDED: 1 Hour

REGULAR MEETING: DATE REQUESTED _____
AMOUNT OF TIME NEEDED: _____

DEPARTMENT: Non-Departmental DIVISION: Chair Beverly Stein
CONTACT: Gina Mattioda TELEPHONE #: 248-5464, ext. 26474
BLDG/ROOM #: 166/600

PERSON(S) MAKING PRESENTATION: Sharon Timko and Gina Mattioda

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☒ POLICY DIRECTION ☐ APPROVAL ☐ OTHER

SUGGESTED AGENDA TITLE:

Session Update on the
1997 Oregon Legislature

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____

Beverly Stein

(OR)
DEPARTMENT
MANAGER: _____

BOARD OF
COUNTY COMMISSIONERS
97 MAY 15 AM 8 38
MULTNOMAH COUNTY
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions? Call the Board Clerk @ 248-3277

Legislative Briefing Agenda
May 22, 1997
Presented by Gina Mattioda and Sharon Timko

- I. Update on Measure 50**
- II. Progress Report on Oregon Health Plan**
- III. Funding Status of Safety Net Clinics**
- IV. Transportation Funding HB 3163**
- V. A&T Funding HB 2049**
- VI. Public Safety Funding**
- VII. Juvenile Crime Prevention SB 943**
- VIII. Gorge Commission Funding HB 5015**
- IX. Adult Foster Homes SB 450**

HB 3710 – MEASURE 50 IMPLEMENTATION

The bill passed from the House Revenue Committee on Friday, May 16. It now goes to a House floor vote and then to the Senate.

- **Implements Measure 50.** Does not change the language of Measure 50. However, it interprets Measure 50 in a way that gives more tax relief than Measure 50 requires.
- **Increases Measure 50 tax relief by calculating 17% statewide tax reduction on virtually all operating levies.** This recognizes that the official measure explanation and other literature imply the 17% cut applies generally to all operating levies. This approach, however, produces a greater cut than the minimum required by Measure 50's actual language. This produces additional tax reductions of about \$67 million in the 1997-99 biennium. About \$29 million of these cuts will be in school taxes.
- **Distributes Measure 50 tax cuts.** Achieves similar distribution as Measure 47 cuts, except for special circumstances required by Measure 50.
- **Applies \$5 school rate limits and \$10 non-school limits to each property.** This guarantees each property's tax cannot exceed \$5 per \$1000 of real market value for school operations and \$10 per \$1000 for non-school operations. Measure 50 only requires these limits to apply to areas, not each property. This change will also reduce revenue somewhat, although the exact amount is not known.
- **Freezes maximum value growth if assessed value falls below maximum.** Under Measure 50, a property's maximum value can grow by 3% per year. This bill allows no growth in maximum value if assessed value falls below the maximum.
- **Prohibits assessor from revaluing of property before applying Measure 50 value limit.**
- **Exempts up to \$10,000 of minor construction from triggering higher taxes due to construction.**
- **Species information that must appear on property tax election ballots.**

The Oregon Health Plan

Ballot Measure 44, the tobacco tax increase will raise over \$160 million during the 1997-99 biennium. The Governor's and Legislative Leadership's budgets use this tax in different ways.

Governor's proposed 12/97	Leadership released 3/97	Governor's revised 4/3/97	New Leadership 4/17/97
Continue current service for 380,000 in OHP \$70.7 million	Pending	Same as 12/97	<i>Leaning toward</i> Continue current service for 380,000 in OHP \$70.7 million
Add OHP coverage to 14,000 children and 2,400 women (from 133 % to 185% FPL) \$22.8 million	Add OHP coverage to 4,600 children and 800 women (from 133% to 150% FPL) \$8.0 million	Same as 12/97	Same as 3/97
Add OHP insurance subsidies to 25,000 children and adults (100% to 150%) \$47.6 million	Establish a pilot insurance program for 4,000 to 5,000 individuals \$7.0 million	Reduced original proposal from \$47.6 to \$40.6 million . Will affect those with smaller subsidy - 20% to 30% of out-of-pocket insurance expense.	Same as 3/97
Add OHP coverage to 1,700 Pell Grant college students \$1.9 million	Pending	Same as 12/97	<i>Leaning toward</i> adding 1,700 Pell Grant college students \$1.9 million
Establishes Tobacco Prevention Program \$17.0 million (Coordinator State Health Division)	Pending	Same as 12/97	<i>Leaning toward</i> establishing Tobacco Prevention Program \$17.0 million (Coordinator State Health Division) <i>Pending</i> Level of FTEs

As of 4/25/97



MULTNOMAH COUNTY OREGON



HEALTH DEPARTMENT
426 S.W. STARK STREET, 8TH FLOOR
PORTLAND, OREGON 97204-2394
(503) 248-3674
FAX (503) 248-3676
TDD (503) 248-3816

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

The Impact of Ballot Measure 44 on Multnomah County

Dear Senators and Representatives:

In November 1996, the voters of Oregon approved Ballot Measure 44 by a 56-44% margin. The measure increased the tax on cigarettes by \$.30 a pack beginning on February 1, 1997. Ballot Measure 44 specified that revenue from the tax should be allocated to two programs, the Oregon Health Plan (90%) and the Tobacco Prevention and Education Program (10%).

The Oregon Health Plan

The ultimate goal of Oregon Health Plan is to ensure that all Oregonians, regardless of ability to pay have access to high-quality and affordable health care. The County supports the original intent of the Oregon Health Plan, which strives for universal health care access and controls cost by reducing health care services during tough economic times rather than placing limits on eligibility. The Oregon Health Plan should continue to cover its existing populations, with payment levels that reflect reasonable costs for delivery of services. The County encourages the legislature to use the increase in the tobacco tax to enhance and expand the number of people eligible for the Plan, and not to replace existing funding.

Tobacco Prevention and Education Program

Multnomah County supports the Oregon Tobacco Use Reduction Plan developed by the Oregon Health Division and the Governor's Tobacco Reduction Advisory Committee. It represents a comprehensive and effective approach based on models that have resulted in decreased tobacco use in communities in other states.

The voters in Multnomah County were very clear in November. They voted to decrease tobacco use in Oregon and decrease the impact of tobacco on the health and economic well-being of every Oregonian. The only opposition to proposed Tobacco Use Reduction Plan has come from the tobacco industry. Multnomah County urges you not to let the tobacco industry compromise Oregon's effectiveness in protecting its people from the health and economic impacts of tobacco use.

The Oregon Health Plan and the Tobacco Reduction Plan, the two components of the ballot measure are both critical elements in ensuring the health of our communities. Please keep the voters intent on the Measure 44.

Sincerely,

Beverly Stein
Chair

Dan Saltzman
Commissioner
District 1

Gary Hansen
Commissioner
District 2

Tanya Collier
Commissioner
District 3

Sharron Kelley
Commissioner
District 4

May 22, 1997

TO: Board of County Commissioners

FR: Gina M. Mattioda 

RE: Agenda Items for Board Briefing

I. General Background:

Several Legislative Committees are beginning to close, House and Senate Rules and Elections are two committees, which will remain open until the end of session. These committees and their membership will become extremely important as we move toward sine die. Membership includes:

House Rules and Elections (*Represents Multnomah County)

Lynn Snodgrass, Chair (*R - Boring)
Peter Courtney, Vice-Chair (D - Keizer)
Lee Beyer, (D - Springfield)
Bill Markham, (R - Riddle)
Ken Messerle, (R - Coos Bay)
Bob Montgomery, (*R - Cascade Locks)
Kitty Piercy, (D - Eugene)

Senate Rules and Elections (*Represents Multnomah County)

Randy Miller, Chair (R - Lake Oswego)
Gene Derfler, Vice-Chair (R - Salem)
Neil Bryant, (R - Bend)
Randy Leonard, (*D - Portland)
Cliff Trow, (D - Corvallis)

II. Specific Bills:

SB 943 Sponsored by Senators Gordly and Hamby. Summary reads: Provides legislative finding that comprehensive, coordinated state effort is needed to support juvenile crime prevention policy and planning at local level. Requires counties to consolidate juvenile crime prevention policy and planning strategies into local coordinated juvenile crime prevention plan. Establishes State Juvenile Crime Prevention Coordinating Team. Provides that team must approve plans and direct state resources to support plans.

This measure was passed out of Senate Crime and Corrections on Monday, May 19 with a 4 - 2 vote. Senator Qutub and Tarno opposed the measure and served notice of a minority report.

SB 450 Sponsored by Senators Qutub and Fisher and Rep. Milne. Summary reads: Eliminates exemption from state license, inspection and fee provisions for adult foster homes in counties conducting similar licensing and inspection programs.

This measure has received a public hearing and two work sessions. On Tuesday, May 20 the bills was referred to Senate Rules and Elections.



Memorandum

DATE: May 20, 1997
TO: Members of the Oregon Senate
FROM: Steve Marks, Mark Gibson, Pam Curtis
RE: Senate Bill 943, Juvenile Crime Prevention

On April 21st you were scheduled to hear Senate Bill 943 on the Senate floor. On that day the bill was pulled back to committee to address concerns raised about the Juvenile Crime Prevention strategy. Negotiations have been underway each day since that time. Significant progress has been made and you may soon hear the bill on the Senate floor.

We wanted to bring you up to date with the improvements made to the Juvenile Crime Prevention strategy. It is a bill that still accomplishes the four major components of the Governor's strategy, and addresses concerns raised by counties. The four major components of the bill remain: 1) locally developed and coordinated strategies for multi-risk juveniles; 2) coordinated state response and support of local strategies; 3) increased accountability for outcomes; and 4) reinvestment of potential savings or costs avoided.

The bill presented to you will represent substantial improvement to SB 943:

1. Acknowledges the role of local commissions on children and families and local public safety coordinating councils as resources to coordinated community efforts.
2. Places local members on the state team.
3. Changes the approval process from state approval to state and county negotiation of an intergovernmental agreement.
4. Streamlines local planning -- deletes reference to a new local planning group.
5. Requires state to develop planning criteria through a process which includes broad local representation.
6. Limits state review of fiscal plans to criteria established in collaboration with local interests.
7. Moves timeline for implementation of coordinated plans back to July 1999 to allow sufficient time to accommodate any changes a county wishes to make in current approach to planning.
8. Adopts target population definition developed in collaboration with local representatives on the design team.

9. Holds harmless any services to at risk children currently financed with Juvenile Services, Student Retention or Youth Investment funds of the local commissions on children and families.
10. Protects sufficient resources for counties to plan for and administer a coordinated grant to support coordinated local strategies.
11. Broadens the use of reinvestment money captured from the Oregon Youth Authority and Department of Corrections savings to allow use for at risk children and juveniles of any age.
12. Agrees to a minimum grant level for small counties.
13. Strengthens the commitment to reinvesting avoided state juvenile crime costs in community based prevention efforts.
14. Makes it possible for local commissions on children and families to keep any resources they generate outside of state or federal resources targeted for the strategy without jeopardizing any Juvenile Services, Student Retention Initiative or Youth Investment funds currently being used for children younger than the age range of targeted youth.
15. Takes into consideration resources needed by counties to plan for this strategy in future Governor recommended budgets.

Senate Bill 943 comes to the floor in an improved condition and will provide Oregon with an effective strategy to address a critical problem in our state. We believe these changes address the concerns raised and have worked very diligently to find language acceptable to both sides.

We hope you support Oregon's Juvenile Crime Prevention strategy by supporting Senate Bill 943. Please let us know if you have any questions.